THE CORPORATION OF THE CITY OF ROSSLAND

BYLAW #2518

WHEREAS Council wishes to repeal Bylaw No. 1912 “Zoning Bylaw” as amended, and wishes to adopt a new Zoning Bylaw pursuant to the Local Government Act.

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

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

SHORT TITLE
1. This Bylaw shall be cited as the “City of Rossland Zoning Bylaw No. 2518, 2011.”

ATTACHMENTS
2. a) The following schedules attached hereto are hereby made part of this bylaw and adopted as the Zoning Bylaw for the City of Rossland:
   .1 Schedule A (Zoning Bylaw text)
   .2 Schedule B (Zoning Bylaw map)

ENACTMENT
3. Bylaw No. 1912 cited as “The City of Rossland Zoning Bylaw” and amendments thereto as it applies to the City of Rossland is hereby repealed.

READ A FIRST TIME, this 11th day of October, 2011
READ A SECOND TIME this 11th day of October, 2011
PUBLIC HEARING HELD ON this 14th day of November, 2011
READ A THIRD TIME this 14th day of November, 2011
APPROVED PURSUANT TO THE TRANSPORTATION ACT this 17th day of November, 2011

__ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ ___
<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Bylaw Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>2608</td>
<td>May 16, 2015</td>
<td>R5 Residential Multiple Family parcel size</td>
</tr>
<tr>
<td>2619</td>
<td>Nov 14, 2016</td>
<td>Craft Brewery Size</td>
</tr>
<tr>
<td>2632</td>
<td>Sept 5, 2017</td>
<td>CD2 Zone Equivalent Units</td>
</tr>
<tr>
<td>2633</td>
<td>Oct 23, 2017</td>
<td>Short term Rentals</td>
</tr>
<tr>
<td>2653</td>
<td>Mar 12, 2018</td>
<td>CD1 – AVC 2-Add Hostel</td>
</tr>
<tr>
<td>2654</td>
<td>Mar 12, 2018</td>
<td>CD-1 – Mountain Activity Area – MA-1 PARADISE</td>
</tr>
<tr>
<td>2660</td>
<td>May 7, 2018</td>
<td>CD 3 -Resort Mixed Use - RMU</td>
</tr>
<tr>
<td>2670</td>
<td>July 16, 2018</td>
<td>Recreational Cannabis Regulations</td>
</tr>
<tr>
<td>2679</td>
<td>October 9, 2018</td>
<td>CD7 – Evergreen Multi Family</td>
</tr>
<tr>
<td>2709</td>
<td>January 6, 2020</td>
<td>M1 Zone – Cannabis Processing</td>
</tr>
<tr>
<td>2715</td>
<td>February 3, 2020</td>
<td>Diagram 10.3.2 – RRR Subzone Equivalent Units</td>
</tr>
<tr>
<td>2717</td>
<td>February 3, 2020</td>
<td>CD8 Midtown Mixed Use</td>
</tr>
</tbody>
</table>
# CONTENTS

1.0 BASIC PROVISIONS................................................................................................................................. 1
1.1 Application.............................................................................................................................................. 1
1.2 Conformity ............................................................................................................................................... 1
1.3 Severability .............................................................................................................................................. 1
1.4 Units of measure ...................................................................................................................................... 1
1.5 Applicable Regulations .......................................................................................................................... 1
1.6 Non-Conforming Uses ............................................................................................................................ 1
1.7 Rules of Interpretation ............................................................................................................................. 1
2.0 ADMINISTRATION ................................................................................................................................... 3
2.1 Inspection ................................................................................................................................................ 3
2.2 Violation .................................................................................................................................................. 3
2.3 Offence .................................................................................................................................................. 3
2.4 Penalty ................................................................................................................................................... 3
2.5 Compliance with other Legislation ........................................................................................................ 3
2.6 Bylaw Amendment ................................................................................................................................. 3
3.0 DEFINITIONS ........................................................................................................................................... 5
4.0 GENERAL REGULATIONS ....................................................................................................................... 27
4.1 Use of Land, Buildings and Structures ................................................................................................. 27
4.2 Temporary Uses, Buildings Or Structures ......................................................................................... 31
4.3 Conversion of Buildings ....................................................................................................................... 32
4.4 Prohibited Uses ..................................................................................................................................... 32
4.5 Regulation of the Size, Shape and Siting of Buildings and Structures .............................................. 32
4.6 Consolidation of Parcels Prior to Development .................................................................................. 34
4.7 Exemption of Existing Parcels .............................................................................................................. 34
4.8 Exemption from Minimum Parcel Area ............................................................................................... 35
4.9 Cluster, Comprehensive Mixed Use & Comprehensive Residential Development ....................... 35
4.10 Signs ...................................................................................................................................................... 36
4.11 Screening, Landscaping, Fencing and Retaining Walls ...................................................................... 37
4.12 Riparian Area Regulations ................................................................................................................ 39
4.13 Lighting ................................................................................................................................................ 39
4.14 Animal Proof Enclosures and Containers ....................................................................................... 39
4.15 Hillside Terrain ................................................................................................................................... 40
4.16 Snow Management ............................................................................................................................ 40
5.0 ESTABLISHMENT OF ZONES .............................................................................................................. 41
5.1 Establishment of Zones ........................................................................................................................ 41
5.2 Location of Zones ................................................................................................................................ 41
5.3 Zone Boundaries .................................................................................................................................. 42
6.0 RESIDENTIAL ......................................................................................................................................... 43
6.1 R-1 SINGLE DETACHED RESIDENTIAL ............................................................................................ 43
6.2 R-1I DETACHED INFILL RESIDENTIAL ............................................................................................ 45
6.3 R-1STR – SINGLE DETACHED SHORT TERM RENTAL ................................................................... 48
6.4 R-1R DETACHED RESIDENTIAL RURAL ....................................................................................... 50
6.5 R-2 TWO FAMILY DETACHED RESIDENTIAL .............................................................................. 52
6.6 R-2S TWO FAMILY DETACHED RESIDENTIAL SMALL LOT ....................................................... 54
6.7 R-3 RESIDENTIAL MULTIPLE FAMILY ............................................................................................ 56
6.8 R-MH RESIDENTIAL MOBILE HOME PARK .................................................................................. 58
6.9 R-4 RESIDENTIAL MIXED DENSITY ............................................................................................... 59
6.10 R-5 RESIDENTIAL RESORT MIXED DENSITY ............................................................................. 62
6.11 GS GUEST SUITE, GUEST ROOM SUB ZONE ................................................................................ 66
7.0 COMMERCIAL ...................................................................................................................................... 67
7.1 C-1 COMMERCIAL DOWNTOWN CORE ........................................................................................... 67
7.2 C-2 COMMERCIAL SERVICE .............................................................................................................. 70
1.0 BASIC PROVISIONS

1.1 Application

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

1.2 Conformity

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

1.3 Severability

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

1.4 Units of measure

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

1.5 Applicable Regulations

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

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

1.6 Non-Conforming Uses

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

1.7 Rules of Interpretation

1.7.1 Words used in the present tense include the other tenses and derivative forms; words used in the singular include the plural and vice versa; and the word "person" includes a corporation, firm, partnerships, trusts, and other similar entities as well as an individual. Words have the same meaning whether they are capitalized or not.
1.7.2 The words "shall" and "is" require mandatory compliance except where a variance has been granted pursuant to the Local Government Act.

1.7.3 The phrase "used for" includes "arranged for", "designed for", "maintained for", or "occupied for".

1.7.4 Words, phrases, and terms neither defined in this section nor in the Local Government Act, Community Charter or the Interpretation Act, shall be given their usual and customary meaning for the purpose of interpreting this bylaw.

1.7.5 Where a regulation involves two or more conditions, provisions, or events connected by the conjunction "and" means all the connected items shall apply in combination; "or" indicates that the connected items may apply singly or in combination; and "either-or" indicates the items shall apply singly but not in combination.
2.0 ADMINISTRATION

2.1 Inspection

2.1.1 The Corporate Officer, the Building Inspector, or other officer of the municipality who may be appointed by Council, is hereby authorized to enter any property that is subject to regulations under this Bylaw to ascertain whether the provisions of this Bylaw are being observed, any day of the week.

2.2 Violation

2.2.1 Every person who:

a) violates any of the provisions of this Bylaw;

b) causes or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw;

c) neglects or omits to do anything required under this Bylaw;

d) carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to any of the provisions of this Bylaw;

e) fails to comply with an order, direction or notice given under this Bylaw; or

f) prevents or obstructs or attempts to prevent or obstruct the authorized entry of an officer onto property under Section 2.1;

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

2.3 Offence

2.3.1 Each day’s continuance of an offence under Section 2.2 constitutes a new and distinct offence.

2.4 Penalty

2.4.1 Every person who commits an offence under this Bylaw is liable, on summary conviction, to a fine not exceeding $2,000 plus the cost of prosecution.

2.5 Compliance with other Legislation

2.5.1 In addition to this Bylaw, a person is responsible for ascertaining and complying with the requirements of all other applicable municipal bylaws, or Provincial or Federal statutes and regulations.

2.5.2 The requirements of the Development Permit Areas included within the Official Community Plan apply in addition to the regulations in this Bylaw.
2.6 Bylaw Amendment

2.6.1 Any person applying to amend this Bylaw shall apply in writing to the Corporate Officer of the City of Rossland.

2.6.2 Any application for the amendment of this Bylaw shall be accompanied by:

   a) a completed and signed application form in the format approved by the City of Rossland.

   b) maps, plans, or other material describing the location of the land to be rezoned.

   c) a processing fee in the amount of Three Hundred and Fifty Dollars ($350.00).
3.0 DEFINITIONS

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

ACCESSORY USE

means a use subordinate, customarily and normally incidental to and exclusively devoted to a main use of land or Building and located on the same Parcel.

ACCESSORY BUILDING

means a detached Building located either on the same parcel as an existing Building or appearing as the only Building, the use of which is subordinate and incidental to that of the main use of land or Building and includes a private Garage or implement shed and which is not used for human habitation, except as regulated by a Zone permitting Detached Secondary Suite Dwellings.

ACCOMODATION UNIT

means one or more habitable rooms together that:

a. may or may not contain cooking facilities;

b. contain at least one bathroom; have a private entrance either from outside or from a common hall inside a Building; and

c. provides temporary accommodation.

AFFORDABLE HOUSING

means housing that could be rented or purchased by a household without spending 30% or more of their gross income on housing.

AFFORDABLE HOUSING UNIT

means a dwelling unit providing non-market affordable or special needs rental housing secured by covenant and/or subject to a housing agreement.

AGRICULTURAL USE

means a use providing for the growing, cultivating, producing and harvesting of agricultural products, including mushrooms, and the raising or keeping of dogs, horses, cattle, other livestock, swine (limited to one per parcel), furbearing animals, poultry, pigeons, doves, bees, rabbits and other animals and birds.

AGRICULTURAL STANDS

means Accessory or Temporary Buildings and Structures for retailing agricultural products.

AISLE

means the area used by motor vehicles for access to and from all off-street Parking Spaces, but does not include required Parking Spaces.
ALTERATION means a structural change to a Building and also includes:

a. an addition to Gross Floor Area or Height;
b. the removal of a portion of the Building;
c. construction of, cutting into, or removal of a wall, partition, column, beam, joist or floor;
d. a change to, or closing of, any required means of access; and

e. a change to the exterior fixtures, equipment, cladding or trim.

ANIMAL PROOF CONTAINER means a container featuring sturdy construction and an animal-proof latching system on the lid and door.

ANIMAL PROOF ENCLOSURE means a Structure that has four enclosed sides, a roof, door(s) and a self-latching device, of a design and strength sufficient to prevent access by animals.

ARTIST STUDIO means a Building or Structure for the production of dance, live music, creative writing, painting, drawing, pottery or sculpture, video, moving or still photography. Amplified sound may not be audible beyond the property line.

AUTOMOBILE REPAIR, MAJOR means general repairs, rebuilding, or reconditioning of engines, motor vehicles, or trailers such as collision service, body repair and frame straightening, painting and upholstering, vehicle steam cleaning and undercoating.

AUTOMOBILE WRECKING YARD means an outdoor area where motor vehicles are disassembled, dismantled or junked or where inoperable motor vehicles or used parts of motor vehicles are stored.

BUILDING means a Structure used or intended for supporting or sheltering any use or occupancy by persons, animals or property and which is permanently affixed to the land.

BUILDING, PRINCIPAL means a Building which:

a. occupies the major or central portion of a Parcel;
b. is the chief or main Building on a Parcel; or
c. constitutes, by reason of its use, the primary purpose for which the Parcel is used.

BUILDING INSPECTOR means the Building Inspector of the City of Rossland duly appointed by Council.
BUILDING SUPPLY OUTLET means a Building or Structure in which Building or construction and home improvement materials are offered or kept for sale at retail and may include the fabrication of certain materials related to home improvement.

BULK FUEL DEPOT means lands, Buildings and Structures for the storage, distribution of fuels, oils but not including retail sales or key lock operations.

BUS TERMINAL means a Building where commercial motor vehicles pick up and discharge fare paying, inter city passengers. Uses may include ticket sales, luggage checking facilities and similar uses.

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

C ZONE means all commercial Zones with only the letter C as a prefix in the Zone name, including but not limited to, C-1, C-2, C-3, C-4 and C5 Zones.

CAMPGROUND means an area of land, managed as a unit, providing short term accommodation for tents, tent trailers, travel trailers, recreational vehicles and campers.

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

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

CANNABIS RETAIL STORE means a retail establishment licensed under provincial authority for the sale of cannabis for consumption off-premises.
CAR WASH ESTABLISHMENT means a commercial establishment for washing or cleaning motor vehicles.

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

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

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

CLUB OR LODGE means an association of persons, whether incorporated or not, united by some common interest, meeting periodically for cooperation and conviviality. Club or Lodge shall also mean, where the context requires, a Building or establishment owned or occupied by members of such association and their guests within which the activities of the Club or Lodge are conducted.

CLUSTER DEVELOPMENT means a design technique whereby Buildings in a development are located in limited areas (clustered) on a site to allow the rest of the site to be used for Open Space purposes.

COMMERCIAL, DOWNTOWN USE Means a use intended to stabilize, maintain, and enhance the unique commercial character of Downtown Rossland as an attractive, lively main street environment. Specifically, the Commercial Downtown provides for land uses downtown that have a strong pedestrian-oriented character, with a mixture and concentration of specialty shopping, personal service, restaurant, cultural, and entertainment uses limited to: Artist Studio and Gallery, Business Support Services, Bus Terminal, Clubs or Lodges, Craft Brewery, dance studios, Eating and Drinking Establishments, Financial Institutions, fitness clubs, Health Services, Household Repair Services, Hotels, Hostel, Institution, Liquor Licensed Premises, Offices, Personal Services, Radio and Television Studios, Restaurants, Retail Stores, Retail Store associated with Small Scale Food and Beverage Processing
| COMMERCIAL, ENTERTAINMENT USE | Establishment, Schools, Veterinarian’s Clinics, video rental store, and generally excludes a use providing for the sale or servicing of non-household or non-personal goods or things. | means facilities for entertainment and recreational activities indoors including pool halls, amusement arcades, bowling alleys, racquet sport facilities, Theatres and other similar indoor facilities. |
| COMMERCIAL, NEIGHBOURHOOD ORIENTED USE | means a retail store, not exceeding 100 square meters of Gross Floor Area, for the retail sale of groceries, meat, fish, bakery goods, flowers, magazines and newspapers, a limited pharmacy, a post Office, and the rental of videos to supply daily household necessities to the immediate surrounding area. |
| COMMERCIAL, RESORT USE | means a use providing for restaurants, eating and drinking establishments, spas, and for the retail sale of tourist-oriented goods, merchandise, other materials and services, including but not limited to clothing, footwear, ski and golf equipment, ski and golf accessories, sporting goods, souvenir shops, and personal care items. |
| COMMERCIAL, SERVICE USE | means uses that are primarily of a non-retail character, some of which require outdoor storage or activity areas. Retail and office uses are allowed to the extent that they are compatible with the service commercial uses; Uses are limited to: automobile sales, Automobile repairs-major, Car Wash Establishment, Building Supply Outlet, Business Support Services, Garden Supply sales, Schools, clubs and lodges, construction and trades, delivery terminal, fruit and vegetable stand, Gasoline Service Stations, glass sales, fitness clubs, heating shops, Hostels, Hotel, Household Repair Services, light machinery sales, light marine sales, Motel, mortuaries, nurseries, plumbing shops, Public Parking Area, Restaurants, Retail Store, sheet metal shops, Equipment Rental, Storage Yard, Small scale light assembly operations, small scale warehouse and distribution, Theatres, and Veterinarian’s Clinic. Uses are generally providing for the sale or servicing of non-household and non-personal goods, or for the sale or servicing of any goods that necessitate access by motor vehicle. |
COMMERCIAL, TRANSITION SERVICE USE means a use providing limited commercial activity that complements, not competes with the Commercial, Downtown uses; and is limited to: Artist Studios, Bus Terminal, Business Support Services, clubs and lodges, dance studios, Eating and Drinking Establishments, fitness clubs, Health Services, Household Repair Services, Hostels, Hotels, Personal Service Establishments, Offices, radio and television studio, Restaurants and Schools.

COMMERCIAL UNIT means a separate or self-contained area or areas in a Building used or intended to be used by one commercial use.

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

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

COMPREHENSIVE MIXED USE DEVELOPMENT means a comprehensively planned development project containing both commercial and residential floor space designed as a single development.

COMPREHENSIVE RESIDENTIAL DEVELOPMENT means a comprehensively planned development which may be located on one or more lots designed as a single site with respect to off-street parking and accesses and includes one or more Buildings.

CONGREGATE HOUSING means housing in which residents share common areas, particularly a dining facility.

COUNCIL means the duly elected Council of the City of Rossland.

CRAFT BREWERY means a building used for production of alcoholic beverages for retail and wholesale sales, with a maximum gross floor area of 1,000m². The facility may include retail sales, tours and tastings and food consumption. No more than two tractor-trailer type vehicles shall be allowed for pick-up or delivery to the facility within any 24 hour period.

CREMATOR Y means a Building fitted with the proper appliances for the purposes of the cremation of human remains and may include all things incidental or ancillary to this process.

DAY CARE CENTRE means a facility used or intended to be used for a multi-age child care program as defined in the Child Care
Licensing Regulations of the Community Care and Assisted Living Act.

**DENSITY**
is measured by the number of units in a given area, floor area ratio, unit ratio(units/area) or building parcel coverage; none of which can be altered through a Variance.

**DRIVEWAY**
means the primary access route from a Highway to the Parcel or Building.

**DWELLING**
means a Building or part of a Building used or intended to be used as a residence, but shall not include hotels or institutions, and includes:

- **DWELLING, DETACHED SECONDARY SUITE** means a self-contained Accessory Dwelling. A Detached Secondary Suite has cooking, food preparation, sleeping and bathing facilities which are additional to those of the Principal Building located on the Site. A Detached Secondary Suite has a separate entrance, either from a common indoor landing or directly from the outside. This use does not include Secondary Suite Dwelling.

- **DWELLING, MULTIPLE CONVERSION** means a One Family Detached Dwelling converted to contain up to three residential units and does not include a One Family Detached Dwelling with a Detached Secondary Suite.

- **DWELLING, MULTIPLE FAMILY** means a residential use where a Building on a Parcel consist of three or more Dwelling units including triplexes, four-plexes, townhouses, or apartment units.

- **DWELLING, ONE FAMILY DETACHED** means a detached Building consisting of one Dwelling used or intended for use as a permanent home or Residence. In Zones where a Secondary Suite is permitted, a One Family Detached Dwelling may include a Secondary Suite.

- **DWELLING, SECONDARY SUITE** means a self-contained, Accessory Dwelling unit located within a One-Family Detached Dwelling. A Secondary Suite has its own separate cooking, sleeping and bathing facilities. A Secondary Suite has a separate entrance, either from a common indoor landing or directly from the outside. This use does not include a Detached Secondary Suite Dwelling, Two-Family Dwelling, or Multiple Family Dwelling.

- **DWELLING, TWO FAMILY DETACHED** means a Building that is divided horizontally and/or vertically into two separate Dwelling units, each of which has separate heating, plumbing, and wiring systems and an independent entrance.
EATING AND DRINKING ESTABLISHMENT means the use of land, Buildings and Structures where foods and beverages are prepared and offered for sale to the public, for consumption within the premises or off the site, including but not limited to neighbourhood pubs, bars, lounges, licensed Restaurants, cafes, and refreshment stands.

EQUIVALENT UNITS means the ratio utilized to equate the impacts of various land uses to one single-family residential dwelling.

<table>
<thead>
<tr>
<th>EQUIVALENCY FACTORS</th>
</tr>
</thead>
<tbody>
<tr>
<td>LAND USE</td>
</tr>
<tr>
<td>Single Family Residential</td>
</tr>
<tr>
<td>Duplex (i.e. 1 Duplex = 2 Dwelling Units = 2 EU)</td>
</tr>
<tr>
<td>Multiple Family Residential (Townhouse, Apartment greater than 50 sq. m.)</td>
</tr>
<tr>
<td>Apartment less than 50 sq. m.</td>
</tr>
<tr>
<td>Hotel or motel unit</td>
</tr>
<tr>
<td>Commercial</td>
</tr>
</tbody>
</table>

FAMILY means:

a. two or more persons related by blood, marriage, common-law, adoption or foster parenthood sharing one Dwelling; or

b. not more than five unrelated persons sharing one Dwelling.

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

FENCE means a Structure or visual barrier used as an enclosure or screening along parcel boundaries and may include a gate, screen or trellis, but does not include a retaining wall.

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

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

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

**FLOOR AREA RATIO**

means the numerical value of the net floor area on all levels of all **Buildings** and **Structures** on a lot, divided by the area of the lot. The three scenarios depicted in Diagram 3.1 (below) all have an FAR of 1.0, in that the net floor area is equal to the area of the lot.

**Diagram 3.1** | Three scenarios where Floor Area Ratio equals 1.0

---

**FOOD PROCESSING ESTABLISHMENT**

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

**FRONTAGE**

as illustrated in Diagram 3.2, means the horizontal distance between two side **Parcel** lines measured at the minimum **Building Setback** from the **Front Parcel Line**.
**Diagram 3.2 | Diagram illustrating Frontage**

**GARAGE, PRIVATE** means an *Accessory Building* or part of the *Principal Building* designed and used primarily for the storage of motor vehicles and includes a car port. A *Detached Secondary Suite Dwelling* may be included within a private *Garage*.

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

**GASOLINE SERVICE STATION** means a *Building* or land used or intended to be used for the retail sale of motor fuels and lubricants and may include a car wash facility, the servicing and minor repairing of motor vehicles and the sale of automobile accessories.

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

**GRADE, AVERAGE** as illustrated in Diagram 3.3, means the average of the elevations of *finished grade* taken at the corners of each of the exterior walls of the *Building*.

**Diagram 3.3 | Average grade**, measured at exterior corners
GRADE, FINISHED means:

a. the grading elevation as identified on a lot grading plan, where such a plan has been approved by the City; or

b. where there is no approved lot grading plan, the lowest natural grade elevation existing prior to construction, such grade elevation to include fill materials placed on the lot to raise the grade elevation up to but not above the Natural Grade elevation of adjacent lots.

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

GUEST HOME means a One Family Detached Residential dwelling unit, a dwelling unit in a Two Family Detached Residential dwelling or a dwelling unit in a Multiple Family Residential dwelling where such dwelling unit is used in its entirety as one dwelling for Short-Term Rental.

GUEST ROOM means a habitable room used for Short-Term Rental and that does not contain cooking facilities.

GUEST SUITE means a Detached Secondary Suite Dwelling Unit or Secondary Suite Dwelling Unit used for Short-Term Rental.

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

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

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

**HEIGHT**
means the vertical distance measured from Average Grade to the highest point of a roof.

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

**HILLSIDE TERRAIN**
means land with inclines of 12% or more for a minimum horizontal distance of 10.0 m.

**HOME OCCUPATION**
means a commercial use that is not a Short-Term Rental, carried out by an occupant of a dwelling unit for remuneration which is accessory to the residential use of the dwelling and subject to Section 4.1.2 (d).

**HOSPITAL**
means any Institution, Building or other premises or place established for the maintenance, observation, medical and dental care and supervision and skilled nursing care of persons afflicted with or suffering from sickness, disease or injury or for the convalescence of chronically ill persons.

**HOSTEL**
means a Building used as a temporary place of lodging containing one or more dormitories and includes common area and facilities for washing, cooking, dining and socializing.

**HOTEL**
means a Building which contains Sleeping Units having a common entrance and providing accommodations for the traveling public. It may contain public assembly, commerce, entertainment, indoor recreation or Restaurant uses and premises licensed for on-site consumption of alcoholic beverages, with or without private cooking facilities in Sleeping Units.
<table>
<thead>
<tr>
<th>Definition</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>HOUSEHOLD REPAIR SERVICES</td>
<td>means a Building used for the provision of repair to goods, equipment and small appliances normally found within the home. Typical uses include but are not limited to radio, television, and appliance repair, furniture refinishing, and upholstery shops. This use class does not include personal services establishments.</td>
</tr>
<tr>
<td>INSTITUTION</td>
<td>includes an arena, art gallery, college, court of law, community centre, federal Office, fire hall, Library, municipal Office, provincial Office, Museum, Park, playground, police station, Hospital, School, stadium or swimming pool.</td>
</tr>
<tr>
<td>JUNK</td>
<td>means used or discarded worn out or scrapped machinery, vehicles, vehicle parts, scrap metal, chains, used pipes, waste paper, rags, enamelware, furniture, bottles, cans, rope, iron, copper or other scrap or discarded materials.</td>
</tr>
<tr>
<td>JUNKYARD</td>
<td>means any Parcel of land or Building for which the principal or Accessory use is the abandonment, collection, demolition, dismantlement, keeping, storage, bailment, salvage or sale of Junk.</td>
</tr>
<tr>
<td>KENNEL</td>
<td>means an establishment for the boarding or breeding of dogs or cats.</td>
</tr>
<tr>
<td>LANDSCAPE BUFFER</td>
<td>means a continuous strip planted in lawns, shrubs, and/or trees with or without Fences, walkways or other Structures or materials as used in landscape architecture.</td>
</tr>
<tr>
<td>LANDSCAPE SCREEN</td>
<td>means an opaque visual barrier formed by a row of shrubs or trees or by a wooden Fence or masonry wall or by a combination of these.</td>
</tr>
<tr>
<td>LANE</td>
<td>means a road allowance less than six meters in width which is intended to provide only a secondary means of access to a site, at the side or rear of the property.</td>
</tr>
<tr>
<td>LEISURE FACILITIES</td>
<td>means Buildings, Structures or venues that accommodate community leisure activities and services including arts, cultural and recreational programs.</td>
</tr>
<tr>
<td>LIBRARY</td>
<td>means a Building containing printed, pictorial, audio, video and other reference materials for public use for purposes of study, reference and recreation.</td>
</tr>
<tr>
<td>LIGHT MANUFACTURING</td>
<td>means fabricating, processing, assembling and finishing that does not produce hazardous wastes, is undertaken completely within an enclosed Building and results in</td>
</tr>
</tbody>
</table>
finished products that generally weigh less than about 200 kg per unit.

**LIQUOR LICENSED PREMISES** means any **Building, Structure** or premises licensed to sell liquor under the B.C. Liquor Control and Licensing Act, including a bar, cabaret, cold beer and wine store, liquor store, nightclub or neighbourhood pub.

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

**M ZONE** means all **Zones** with the letter M as a prefix in the **Zone** name, including but not limited to the M-1 **Zone**.

**MAUSOLEUM** means a **Building** used as a place for the interment of the dead in sealed crypts or compartments.

**MICRO PROCESSING, CANNABIS** means the small scale manufacturing, packaging and labelling of cannabis products destined for sale to customers and intra-industry sales of those products, including to provincially authorized distributors, as well as associated activities as authorized under the Cannabis Act (Canada).

**MINING USE** means the extraction of minerals from the surface or subsurface.

**MOBILE HOME** means a transportable, single or multiple-section single family **Dwelling** conforming to the MH Standards at the time of manufacture and in accordance with CAN/CSA Z240 MH installation requirements. It is ready for occupancy upon completion of setup in accordance with required factory-recommended installation instructions.

**MOBILE HOME PARK** means a **Parcel** of land under one ownership which has been planned, divided into **Mobile Home Park Spaces**, and improved for the placement of **Mobile Homes** for permanent residential use, containing three or more **Mobile Home Park Spaces** or upon which is located three or more **Mobile Homes** and includes all **Buildings, Structures**, or accessories used or intended to be used as equipment for the **Mobile Home Park**.

**MOBILE HOME PARK SPACE** means a **Parcel** of land within a **Mobile Home Park** on which **Mobile Homes** may be placed for permanent residential use.

**MOTEL** means accommodation primarily for transients traveling by automobile, with a **Parking Space** on the lot for each lodging unit, which may or may not provide cooking
facilities for individual **Sleeping Units**, and with access to each such unit directly from the outside.

**MUNICIPALITY**

means the Corporation of the City of Rossland or the area within the municipal boundaries thereof as the context may require.

**MUSEUM**

means a **Building** or **Buildings** used, or to be used, for the preservation of a collection of paintings, works of art, objects of natural history, mechanical, scientific or philosophical inventions, instruments, models or designs, dedicated to the recreation of the public, together with libraries, reading rooms, laboratories or other **Offices** and premises used or to be used in connection therewith.

**NURSING HOME**

means any premises in which persons are cared for, lodged, either by a charitable **Institution** within the meaning of the appropriate statute or for hire, where, in addition to sleeping accommodation and meals, personal care, nursing services or medical care and treatment are provided or made available.

**OFFICE**

means a **Building** or part thereof, designed, intended or used for the provision of professional, management, administrative or consulting in an office setting. Typical uses include but are not limited to the **offices** of lawyers, accountants, travel agents, real estate and insurance firms, planners, clerical and secretarial agencies or, where not conducted on the site thereof, the administration of an industry, but shall not include a retail commercial use, any industrial use, **Health or Personal Service**, **Financial Institution**, place of amusement, the servicing and repair of goods, and the manufacture or handling of a product.

**OFF-STREET PARKING SPACE**

means any space on a **Parcel**, excluding **Highways and Aisles**, for the **Parking** of one vehicle.

**OPEN SPACE**

means the open, unobstructed space on a **Parcel**, including the open unobstructed space accessible to all occupants of any residential or commercial **Building** or **Structure** on the **Parcel** including the required set back areas, which is intended for passive or active recreational purposes and provides for greenery, the growth and maintenance of grass, flowers, bushes, gardens, community gardens and other landscaping and may include, permeable-surfaced pedestrian walks, **Patios**, pools or similar areas, but does not include any storage, driveway, ramp or parking areas.
<table>
<thead>
<tr>
<th><strong>OPEN SPACE, NATURAL</strong></th>
<th>means open space for the conservation, preservation and passive or active recreational appreciation of natural features and may include a <strong>Watercourse</strong>, grasslands, stands of mature trees, <strong>Trails</strong>, wildlife habitat and sanctuaries or other land forms deemed worthy of protection for their unique value unto itself, the surrounding area and the community as a whole.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PARCEL</strong></td>
<td>means any lot, block or other area in which land is held or into which it is subdivided, but does not include a <strong>Highway</strong>.</td>
</tr>
<tr>
<td><strong>PARCEL AREA</strong></td>
<td>means the total extent of the <strong>Parcel</strong>.</td>
</tr>
<tr>
<td><strong>PARCEL COVERAGE, BUILDING</strong></td>
<td>means the total ground level of all primary and auxiliary buildings, additions, carports, canopies and <strong>structures</strong> of any kind located on a <strong>parcel</strong>, measured to the outside of the foundations or footings, divided by the total parcel area and expressed as a percentage. The roof, canopy or other raised sheltering surface can extend to a maximum of .6 metres from the outside of the foundations or footings over the parcel, beyond which the additional extension of the roof, canopy or other raised sheltering surface over the parcel is also included in the measurement.</td>
</tr>
<tr>
<td><strong>PARCEL COVERAGE, SURFACE</strong></td>
<td>means the percent of the <strong>Parcel Area</strong> covered by <strong>Buildings</strong> or <strong>Structures</strong>, parking areas, driveways and walkways. Permeable or semi-permeable surfaces are exempt.</td>
</tr>
<tr>
<td><strong>PARCEL LINE, EXTERIOR SIDE</strong></td>
<td>means a <strong>Parcel</strong> line that is common to the <strong>Parcel</strong> and a street, other than a rear or <strong>Front Parcel</strong> Line.</td>
</tr>
<tr>
<td><strong>PARCEL LINE, FRONT</strong></td>
<td>means a <strong>Parcel</strong> boundary contiguous to a <strong>Highway</strong> but not a <strong>Lane</strong>, provided that in respect of a corner <strong>Parcel</strong>, the <strong>Front Parcel Line</strong> shall be the shortest <strong>Parcel</strong> boundary contiguous to a <strong>Highway</strong> other than a <strong>Lane</strong>.</td>
</tr>
<tr>
<td><strong>PARCEL LINE, INTERIOR SIDE</strong></td>
<td>means a <strong>Parcel</strong> line between two or more <strong>Parcels</strong> or a <strong>Lane</strong>, other than a front or <strong>Rear Parcel Line</strong>.</td>
</tr>
<tr>
<td><strong>PARCEL LINE, REAR</strong></td>
<td>means the boundary of a <strong>Parcel</strong> which lays the most opposite to and is not connected to the <strong>Front Parcel Line</strong>.</td>
</tr>
<tr>
<td><strong>PARK</strong></td>
<td>means an area permanently devoted to recreational uses and generally characterized by its natural, historic or landscaped features, and used for both passive and active forms of recreation. It includes all landscaping, facilities, playing fields, access, trails, <strong>buildings</strong> and</td>
</tr>
</tbody>
</table>
structures consistent with the general purpose of parkland.

**PATIO** means a surfaced, Open Space of land at grade adjacent to a residential Dwelling unit which is used as an extension to the interior of the home for private or semi-private entertainment or leisure activities.

**PERMANENT RESIDENT** in respect of any dwelling or lot means a person who normally resides in a dwelling or on the lot, and for these purposes a person cannot normally reside at more than one location within the City of Rossland.

**PERSONAL SERVICES** means uses that provide personal services to an individual which are related to the care and appearance of the body or the cleaning and repair of personal effects and where the sale of retail goods is only Accessory to the provision of such services. Typical uses include but are not limited to barber shops, hairdressers, manicurists, spas, tailors, dress makers, shoe repair shops, dry cleaning establishments, and Laundromats; but do not include health services.

**PRINCIPAL USE** means the main purpose for which land, Buildings or Structures are used or intended to be used.

**PUBLIC ASSEMBLY** means a gathering space for civic, cultural, political, religious, social, educational, and recreational or like purposes within a Building.

**PUBLIC PARKING AREA** means a parcel or part of a parcel or a Building for parking public, customer or employee vehicles.

**PUBLIC UTILITY USE** means facilities for local transmission, storage or treatment of water, sewage, electrical power, telephone, natural gas, cable television and other similar services, but does not include the storage or treatment of sewage.

**QUARRY USE** means the extraction of sand, gravel and rock from the surface or subsurface.

**R ZONE** means all Zones with only the letter R as a prefix in the Zone name, including but not limited to R-1, R-1B/B, R1-R, R-3, R4, and R-MH Zones.

**RECREATION CABIN** A free standing accessory building not connected to utility services (water, sewer, electricity, gas) which does not serve a principal dwelling with the following restrictions:

i. Maximum 80 sq. meter footprint
ii. May feature both an enclosed indoor area and an outdoor deck area
   • maximum 60 sq. m max. indoor floor space
   • must be one level; no second story or basement
iii. Maximum height of 6 meters
iv. May contain a CSA certified heat source
v. May not feature a septic system but should feature a composting toilet or equivalent.
v. Must meet all relevant building/fire/safety codes
vii. Utilized principally for recreation activity
viii. Not utilized as a domicile or residence for any individual for any period of time.

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

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

RESIDENCE means one or more habitable rooms together that contain cooking facilities, at least one bathroom, and have a private entrance from outside a Building.

RESORT CAMPGROUND means an area of land, managed as a unit, providing short term accommodation for tents, tent trailers, travel trailers, recreational vehicles, campers and tourist cabins and may include, in conjunction with campsites:

a) Recreational facilities intended for the use of overnight guests only;
b) Limited resort commercial use intended for the use of overnight guests only;
c) Administration Office;
d) Common washrooms, laundry, kitchen facilities intended for the use of overnight guests only;
e) Accessory buildings and structures.

RESTAURANT means a Building where prepared food is offered for sale to the public and includes cafes, coffee shops, cafeteria, dairy bars, refreshment stands, fast food take-out establishments, or tea rooms.
RETAIL STORE means a Building or Commercial Unit where goods, merchandise, substances, articles or things are offered or kept for sale at retail, including storage of limited quantities of such goods, merchandise, substances articles or things, sufficient only to service such store. Typical uses include but are not limited to bakery shops, book shops, camera shops, clothing stores, drug stores, fish markets, florist shop, grocery stores, hardware, home furnishing stores, jewellery store, meat markets, optical shop, pet store, second-hand stores, stationery stores, super markets, toy stores and variety stores.

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

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

SETBACK as illustrated in Diagram 3.4, means the horizontal distance measured at right angles to the Parcel line, between the Parcel line and the Building, Structure, or use.

Diagram 3.4 | Setbacks (Front, Rear, Interior, Exterior)

SHORT-TERM RENTAL means a Guest Home, Guest Suite, Guest Rooms, or part thereof wherein accommodation is offered for rent, or
referred, to the travelling public on a temporary basis (30 days or less), and is subject to Section 4.1.2 (e).

SIGN
means a name, identification, description, device, display or illustration which is affixed to or represented directly or indirectly upon a Building, Structure or Parcel and which directs attention to an object, product, place activity, person, institute, organization or business.

SIGN, ANIMATED, FLASHING OR MOVING
means a Sign which has movement produced either mechanically or electrically which gives the effect of movement or flashing lights.

SIGN, FASCIA
means a flat wall Sign that does not project more than 0.4 m from the surface of a Building.

SIGN, NEON
means a Sign illuminated by a combination of electricity and neon gas which may or may not move while the Sign is in operation.

SKI FACILITIES
means the use of land, Buildings or Structures to provide cross-country ski trails, downhill ski trails; ski lifts and towers; and may include skier services and resort commercial uses.

SKIER SERVICES
means to equip, service, and teach skiers and snowboarders and may include but not be limited to ticket sales, equipment rental and repair, ski school, ski patrol, and change rooms.

SLEEPING UNIT
means a habitable room for accommodating not more than 2 (two) adult boarders, as defined by the Age of Majority Act, and may not include a bathroom or cooking facilities.

SMALL SCALE FOOD AND BEVERAGE PROCESSING ESTABLISHMENT
includes, but is not limited to, a bakery, a butcher shop, a wine or beer making enterprise but does not include a craft brewery.

STANDARD PROCESSING, CANNABIS
means the large scale manufacturing, packaging and labelling of cannabis products destined for sale to customers and intra-industry sales of those products, including to provincially authorized distributors as authorized under the Cannabis Act (Canada).

STOREY
means that portion of a Building which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it.
STOREY, FIRST means the Storey having its floor level not more than 2 m above grade.

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

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

SUB-ZONE means the individual areas of land with specified permitted uses and regulations as shown in the Comprehensive Development Zones.

TEMPORARY BUILDING or STRUCTURE means a building or structure which is not supported on permanent foundations and which may or may not be connected to municipal services.

TERRACE means an open, uncovered level space either natural or man-made directly adjacent to a Principal Building and is at an elevation of not more than 0.4 m above grade.

TOURIST CABIN means a detached structure used for the accommodation of tourists for short term occupancy up to a maximum of 1 month. The maximum gross floor area per tourist cabin shall not exceed 50 m2, and may include kitchen and washroom facilities. A tourist cabin is not permitted to be used as a dwelling.

THEATRE means a Building or Structure devoted to showing motion pictures, or for dramatic, musical or live performances.

TRAIL means an area used for walking, running, hiking, horseback riding, cross-country skiing, bicycling or other forms of non-motorized recreational travel.

VETERINARIAN’S CLINIC means a Building or part of a Building used for the care, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those who are in need of medical or surgical attention. Such Clinics may or may not also provide short-term lodging for sick animals. Such Clinics may include a pet crematorium.

WAREHOUSE means a Building or part of a Building used for the storage and distribution of goods, wares, merchandise,
substances or articles and may include facilities for a truck or transport terminal or yard.

**WATERCOURSE** means a depression with a bed below the natural elevation of surrounding land to give direction to a current of water anytime in the year.

**WOOD FIBER PRODUCTION** means planting and harvesting of trees.

**ZONE** means a Zone established under the Local Government Act and this Bylaw.
4.0 GENERAL REGULATIONS

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

4.1 Use of Land, Buildings and Structures

4.1.1 Non-Conforming Uses

Where the use of land, Buildings or Structures or portions thereof does not conform with this Bylaw and was lawfully used prior to the enactment of the prohibition in this Bylaw, the use of the land, Building or Structure or portion thereof may be continued as a non-conforming use subject to section 911 of the Local Government Act R.S.B.C. 1996, as amended or replaced from time to time.

4.1.2 Permitted Uses

a) Public Uses and Utilities

The following uses are permitted in all Zones:

1) Parks, playgrounds, Open Space and Natural Open Space;

2) Public utility facilities for local transmission of water, sewage, electrical power, telephone, natural gas, cable television and other similar services (but not including sewage treatment plants, electrical substations, storage yards, works yards, maintenance Buildings, or Offices) are permitted in all Zones, and individual Parcels for the facilities are exempt from minimum Parcel Area requirements provided that:

   i) The location of the Structure or use on the Parcel is necessary for the safe and efficient operation of the utility;

   ii) A Landscape Screen having a Height of not less than 2 m and a 1.5 m wide Landscape Buffer shall be provided along all Parcel boundaries, and

   iii) Fencing having a Height of not less than 1.5 m shall be erected where danger to the public exists.

b) Secondary Suite Dwellings

A Secondary Suite is subject to the following regulations:

1) A secondary suite shall be licensed by the City of Rossland.

2) A secondary suite shall only be permitted within a One Family Detached Dwelling, but no more than one secondary suite shall be permitted.
3) A secondary suite shall not be permitted within a Two Family Dwelling.

4) A Secondary Suite has a separate entrance, either from a common indoor landing or directly from the outside.

5) The secondary suite dwelling shall not occupy more than 40% of the gross floor area of the principle dwelling unit. The maximum allowable net floor area of a Secondary Suite Dwelling shall not exceed 90 square meters.

6) Where a secondary Dwelling unit is permitted, a minimum area of 30 square meters of Open Space shall be provided per Dwelling unit.

7) A secondary suite shall be located in a Building and on a property which is a single real estate entity. No strata titling will be permitted.

8) In developing a secondary suite, the owner shall comply with all relevant requirements of the British Columbia Building Code.

c) Detached Secondary Suite Dwellings

A Detached Secondary Suite is subject to the following regulations:

1) A Detached Secondary Suite shall be licensed by the City of Rossland.

2) The detached secondary suite dwelling shall not occupy more than 40% of the gross floor area of the principle dwelling unit.

3) The maximum allowable net floor area of a Detached Secondary Suite Dwelling shall not exceed 90 square meters.

4) A Detached Secondary Suite shall not be permitted on the same parcel as a Two Family Detached Dwelling or a Multiple Conversion Dwelling or a One Family Detached Dwelling with a Secondary Suite.

5) Notwithstanding Section 4.1.2 (f), where a Detached Secondary Suite is constructed, either wholly or in part, in a detached private Garage, the Building Height may be increased to 6.0 m.

6) No more than one Detached Secondary Suite shall be permitted per parcel.

7) Where a Detached Secondary Suite is permitted, a minimum area of 30 square meters of Open Space shall be provided per Dwelling unit.

8) A Detached Secondary Suite and Principal Building must share a property which is a single real estate entity. No strata titling will be permitted.
9) In developing a Detached Secondary Suite, the owner shall comply with all relevant requirements of the British Columbia Building Code.

d) **Home Occupation**

A **Home Occupation** is subject to the following regulations:

1) A **Home Occupation** shall be licensed by the City of Rossland.

2) The **Home Occupation** shall not occupy more than 46 square meters of the **Dwelling** unit or **Accessory Building**, or 25% of the **Gross Floor Area** of the **Dwelling** unit, whichever is less.

3) No retail sales other than the sale of goods produced on the premises are permitted.

4) The **Home Occupation** shall be carried out within the principal **Dwelling** unit, or within an **Accessory Building**, with no external storage of materials, containers or finished products.

5) A **Home Occupation** shall not be permitted to have a Commercial Vehicle exceeding 5 tonnes (5,000 kgs.) gross vehicle weight (GVW), located outside an unenclosed **Building**.

6) Only the inhabitants of the **Dwelling** unit and three other people may carry on the **Home Occupation** on the site occupied by the principal **Dwelling** unit.

7) A **Home Occupation** shall not operate beyond the hours of 07:00 to 19:00 and not generate traffic congestion or parking problems with the **Municipality** or the immediate neighbourhood and shall not produce a public offence or nuisance of any kind.

8) A **Home Occupation** shall not involve manufacturing, welding, light industries or other uses which create a noise, vibration, smoke, dust or fume nuisance.

9) A **Home Occupation** shall not involve materials or products that produce flammable or explosive vapours or gases under normal City of Rossland temperature extremes.

10) There shall be no exterior indication that the **Building** is being used for any other purpose other than the **Dwelling**, except one **Sign** may be attached to the wall of the Principal **Dwelling** or **Accessory Building** and which shall not exceed 0.5 square meters.

e) **Short term Rental Accommodation**

A **Short term Rental** is subject to the following regulations:

1) Compliance with the licencing requirements of the Business Licence Bylaw No. 1965 as amended.

2) Off Street Parking and loading requirements are subject to the provisions of Section 11.
3) Subject to Section 4.6, one sign shall be permitted on a Parcel advertising the short-term rental operation subject to the following regulations:
   i) the Sign type may be either free standing or fascia;
   ii) the only permitted Sign lighting is external;
   iii) the content of the Sign shall be limited to the name of the short term rental,
   iv) a telephone number for the Short Term Rental Manager and an accompanying graphic design;
   v) the size of the Sign shall not exceed 0.5 square meters.

4) Not more than two (2) guests shall be accommodated per Guest Room, not more than four (4) guests shall be accommodated per Guest Suite, and not more than eight (8) guests shall be accommodated per Guest Home.

5) Temporary Use Permits will not be considered for this use.

f) Buildings and Structures

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

1) Not more than 3 Accessory Buildings and Structures shall be permitted on a Parcel in any R Zone.

2) The Height of an Accessory Building or Structure in any R Zone shall not exceed 4.5 m.

3) Notwithstanding the Setback requirements of this Bylaw:
   i) The Setbacks for the vehicle entrance of private Garages and carports - one vehicle width - shall not be less than 0.3 meters from the Parcel line facing the vehicle entrance.
   ii) Where the Principal Building is attached to a private Garage or carport, no portion of the Principal Building which serves a purpose other than motor vehicle storage will be permitted to encroach upon the Setbacks required in that Zone.

g) Farmer’s Market

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

1) A Farmer’s Market shall be licensed by the City of Rossland.

2) The site of a Farmer’s Market shall not include any permanent Structures.

3) A vendor at a Farmer’s Market shall only display and/or sell products and foods that were made, baked or grown locally with
only a limited number of non-food crafts and no imported products.

(h) **Cannabis Retail Store**
1) A **Cannabis Retail Store** is not permitted within 150 m of the property line of a site containing a school or a youth centre.

2) A **Cannabis Retail Store** must install and maintain an air filtration system that effectively minimizes odour impacts on neighbouring properties.

### 4.2 Temporary Uses, Buildings Or Structures

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

#### 4.2.1 Temporary Residential Use

a) Except on a **Parcel** in a **Zone** permitting a **Campground** use, the use of any **Parcel** or public space for camp site purposes is prohibited.

b) Notwithstanding the provision of this section, a camp site use by not more than one trailer, truck camper, camper, tent or **Recreation Vehicle**, but not a **Mobile Home**, shall be permitted on a single detached residential **Parcel** for a stay not to exceed fourteen days.

c) Following a stay of fourteen days or more on a single detached residential **Parcel**, a camp site use on that single detached residential **Parcel** shall not be permitted for the following five days.

#### 4.2.2 Temporary **Structures** or **Buildings**

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

1) the temporary **Structure** or **Building** meets the requirements of the British Columbia **Building** Code, and amendments thereto;

2) the temporary **Structure** or **Building** is removed within 30 days of completion of the permanent facility or 12 months after the temporary **Structure** or **Building** is erected or installed, whichever is the lesser period

b) Temporary **Structures** or **Buildings** for any use may be erected in any **Zone** provided that:

1) the use is permitted in the **Zone**;

2) the temporary **Structure** or **Building** meets the requirements of the British Columbia **Building** Code, and amendments thereto;

3) the use meets the parking requirements of this bylaw; and
4) the temporary Structure or Building is removed within 30 days of completion of the permanent facility or 12 months after the temporary Structure or Building is erected or installed, whichever is the lesser period.

4.3 Conversion of Buildings

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

1) The Building Inspector certifies that the Building is structurally suitable for such conversion. The owner of the parcel or Building to be converted may be required to provide the City with a report prepared by Structural Engineer.

2) The converted Building shall comply with all relevant requirements of the British Columbia Building Code and conform to all the provisions and regulations prescribed for the zoning district in which it is located.

4.4 Prohibited Uses

a) Helicopter landing facilities (except as required for emergency medical evacuations).

b) Drive-through commercial facilities including but not limited to financial services, restaurants and other retail.

c) Dumping and or waste disposal with the exception of managed organic waste that is being composted.

d) Cannabis Operation

4.5 Regulation of the Size, Shape and Siting of Buildings and Structures

4.5.1 Non Conforming Size, Shape and Siting

a) Where the use and density of a Building or Structure conform to this Bylaw, but the size, shape or dimensions, or siting of a Building or Structure or portions thereof does not conform with this Bylaw and was lawfully constructed prior to the enactment of the prohibition in this Bylaw, the Building or Structure or portions thereof may be repaired, extended or altered, subject to section 911 of the Local Government Act R.S.B.C. 1996 and the BC Building Code, both as amended or replaced from time to time, provided that:

1) The Building or Structure does not encroach on public property or public right of way;

2) The repair, extension or alteration would, when completed, involve no further contravention of the Bylaw than that existing at
the time the repair, extension or alteration was started except where the repair, extension or alteration is permitted or authorized through a Council approved variance.

4.5.2 Siting Exceptions and Permitted Projections

When calculating the minimum required distance to an abutting lot line as required elsewhere in this Bylaw, all items attached to such building or structure which project out from the exterior wall of such building or structure, shall be deemed to be part of such building or structure for the purpose of measurement of the setback.

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

a) A Fence on a Parcel in a detached residential Zone, subject to section 4.7 (b) of this Bylaw.

b) Where the prescribed Setback is 1.8 m or greater, steps, stairs, eaves, gutters, leaders, cornices, pilasters, belt course, sills, bay windows, chimneys or other ornamental features projecting beyond the face of a Building may intrude no more than 0.6 m into a required Setback area, provided that such reduction shall apply only to the projecting feature.

c) Unenclosed balconies, porches, or sundecks, canopies and awnings, may intrude no more than 1.2 m into the required Front or Exterior Side Setback area, provided that such reduction shall apply only to the projecting feature.

d) An at-grade Patio or Terrace constructed to an elevation not more than 0.4 m above grade.

e) Clothesline poles

f) Fixed external shading devices, if:

1) they are, in the opinion of the Building Inspector, suitably designed and located in a position that provides solar rejection;

2) they are cantilevered; and

3) they do not project more than 1.2 m into a required Setback area, measured at right angles to the face of the Building, but in no cases are closer than 1.0 m to an Interior Side Parcel Line.;

g) In multiple family residential or commercial Zones, an underground parking and similar Structures constructed entirely beneath the surface of the ground may encroach into a required Setback area provided such underground encroachments do not result in a grade inconsistent with abutting properties and the encroachments are covered by sufficient soil depth or surface treatment to foster and sustain landscaping.

h) A garden tool storage shed, greenhouse or chicken coop or other accessory building not placed on a permanent foundation, measuring not more than 3.1 m in width and 2.5 m in Height may intrude into the rear setback area
where a lane exists, and the front and exterior side setback areas but is not permitted in the interior side setback area.

i) Where an inside wall shared by two or more units within a Building for a residential use, a commercial use, or an industrial use, coincides with an Interior Side Parcel Line of a Parcel or of a strata Parcel shown on a registered strata plan as provided in the Strata Property Act, the Setbacks for the Principal Building specified in this Bylaw with respect to the side Parcel line shall not apply.

### 4.5.3 Height Regulation Exceptions

The following Structures are exempt from the Height limitations specified in this Bylaw and in no way shall contain or support habitable use:

a) flag pole  
b) clothesline pole;  
c) water tower;  
d) antenna or mast for the transmission or reception of radio and television signal;  
e) chimney, smoke stack;  
f) spire, steeple, belfry;  
g) dome, cupola;  
h) monument or sculpture;  
i) industrial cranes  
j) elevator penthouses  
k) ventilation machinery, provided they are screened from view  
l) wind turbines or machines and Accessory mounting equipment, including racks, poles and posts.  
m) solar panels, solar collectors or other solar technology and Accessory mounting equipment, including racks, poles and posts.

### 4.6 Consolidation of Parcels Prior to Development

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

### 4.7 Exemption of Existing Parcels

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

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

a) two or more Parcels are to be consolidated into one Parcel;
b) the Parcel being created is to be used solely for an unattended Building or equipment necessary for the operation of:
c) a community water system;
d) a community sewer system;
e) a community gas distribution system;
f) a radio or television receiving or broadcasting antenna;
g) an air navigation aid;
h) an electrical substation or power generating station;
i) Parks or playgrounds; or
j) any other similar public service facility or utility.

4.9 Cluster, Comprehensive Mixed Use & Comprehensive Residential Development

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

a) An application form;
b) A letter of intent explaining the proposal;
c) A project statistics summary sheet;
d) An up-to-date certificate of title;
e) Copies of documents and/or legal plans related to all easements, statutory rights-of-way and covenants;
f) Dimensioned site plan;
g) Dimensioned architectural drawings including floor plans with use notations, elevations, sections and potentially details;
h) Detailed land use plan;
i) Design guidelines, if applicable;
j) Landscape plans including grading plans, planting plans and planting schedule;
k) A comprehensive sign plan;
l) A servicing plan;
m) A phasing plan;
n) Applicable Engineering reports;
Where a comprehensive development plan is approved in principle, a site-specific comprehensive development Zone shall be established that addresses matters specified in the Local Government Act for the subject site. The Zone may include flexible Setback, Frontage and Parking regulations that enable creative development clustering and settlement design. Density bonus provisions may be incorporated into the comprehensive development zone as an incentive for developers to incorporate greenways, trails, parks and other common open spaces, facilities, or amenities into the development design.

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

a) The following types of Signs shall not be permitted:

1) Roof Sign;
2) Flashing or Moving Sign;
3) Animated Sign;
4) Electronic Message Board;
5) Neon Sign.
6) Balloon Sign
7) Vehicle Sign
8) A Sign or poster placed on the wall of any Building or Structure, post, pole, Fence or tree, except as otherwise approved by this Bylaw
9) Billboards and temporary signs with the exception of sandwich board type signs that are no higher than 1m and no wider than 1m.

b) Subject to Section 4.9, Illuminated Signs shall not be illuminated from a light source within the Sign.

c) In a commercial Zone or industrial Zone, business identification Signs are permitted provided that:

1) there shall be not more than one free-standing Sign per Parcel, except where the Parcel is bounded by more than one Highway, one free-standing Sign shall be permitted on each Parcel boundary abutting a Highway;
2) a free-standing Signs shall not exceed the Height of the Principal Building on that Parcel;
3) there shall not be more than one Fascia Sign for each business occupying the Parcel;
4) business identification Signs shall not exceed 5 square meters.
5) In an industrial **Zone**, a directional **Sign** which may consist of a primary **Sign** as well as individual business identification **Signs** is permitted provided that the **Sign** shall not exceed 5 square meters, and that each individual business **Sign** shall not exceed 1 square meter.

6) No person shall erect or locate or cause or permit to be erected or located a **Sign** that interferes with traffic or obstructs the visibility of a traffic control device.

**4.11 Screening, Landscaping, Fencing and Retaining Walls**

a) As illustrated in Diagram 4.1, on a parcel abutting a highway intersection:

1) No **Structures**, fences, retaining walls, screens or landscaping exceeding 1 meter in height above the established grade as measured at the centre of the intersection shall be permitted within 5.0 m of an exterior parcel corner, as defined by the intersection of an exterior side parcel line and a front parcel line;

2) All screening or landscaping, including trees and other vegetation, must be trimmed so that there is no visual obstruction between 1 m and 3 m above the established grade as measured at the centre of the intersection;

Diagram 4.1 | Vision Clearance at Intersections (Sight Triangles)

b) In any residential, commercial, public, institutional, park and open space or CD zone, a fence:

1) must not exceed a height of 1.3 m when sited to the front of the front face of a **Building**;

2) must not exceed a height of 1.9 m when sited to the rear of the front face of a **Building**.

c) In any industrial zone, a fence must not exceed a height of 3.0 m.
d) Materials used in the construction of a fence are limited to wood, masonry materials (excluding poured concrete and interlocking concrete blocks), metal, pre-cast manufactured perforated or decorative concrete blocks or panels, and any combination thereof.

e) Barbed wire, razor wire and similar materials are prohibited in all Zones on fences, Buildings or otherwise, except in industrial Zones where the wire is located on a fence above a height of 1.9 m.

f) Retaining walls on all parcels, except those required as a condition of subdivision approval, must not exceed a height of 1.2 m measured from the base of the wall, and must be constructed so that multiple retaining walls are spaced to provide at least a 1.2 m horizontal separation between them up to a maximum of 2 retaining walls.

g) Notwithstanding Section 4.11 (f), and where a topographic survey and elevations of the subject lot and Structures, showing adjacent affected lots, are prepared in advance, demonstrating that:

1) the adjacent properties are not adversely affected in regard to overshadowing, sightlines or safety; and

2) the appearance of the subject retaining wall is generally compatible with the traditional streetscape; (eg. Masonry systems, natural finishes, staining, vegetative/landscape screening).

h) the Building inspector may permit a higher retaining wall, up to a maximum of 2.4 m or may permit multiple (more than 2) retaining walls.

i) Interlocking concrete blocks (lock blocks) used in the construction of a retaining wall are not permitted in residential Zones.

j) Subject to Section 4.11 (a), the combined height of a fence on top of a retaining wall at the property line or within 1.2 m of the property line shall not exceed 1.9 m.

k) Subject to Section 4.11 (a), on a Parcel located within multiple family residential, commercial, industrial, public, institutional, park and open space or CD Zone, a landscape screen having a height of not less than 2.0 m shall be provided to screen from view all outdoor storage areas, including refuse, waste and recycling container storage areas.

l) Subject to Section 4.11 (a), on a Parcel located within a commercial, industrial or public, institutional, park and open space Zone, a landscape screen having a height of not less than 2.0 m and a landscape buffer of not less than 1.5 m wide shall be provided along all parcel boundaries abutting a residential Zone.

m) On a Parcel located within a multi-family residential, commercial, industrial public, institutional, park and open space or CD Zone, any part of such Parcel which is not used for Buildings, exterior display areas, parking or
loading facilities shall be properly maintained as an Open Space area in a permeable state.

n) On a Parcel located in a detached residential Zone, a minimum of 30% of the total surface area of such Parcel shall be properly maintained as an Open Space area in a permeable state.

o) All screening, landscaped buffers or other landscaped areas required by this bylaw are required to abide by the BC Weed Control Act. No parcel shall feature plants identified in the Act as invasive or noxious in BC or the Kootenay region.

4.12 Riparian Area Regulations

a) The Rossland Official Community Plan (OCP) Bylaw No. 2425, 2008, establishes Development Permit Areas and Development Permit guidelines in which best management requirements are provided for the site design, construction and post-construction of Buildings and Structures in relation to all riparian areas, streams, ravines and other ecologically sensitive areas. Such requirements will take precedence over any Setback or other requirements contained in this Bylaw for Principal and Accessory Buildings and Structures.

4.13 Lighting

a) Any outdoor lighting for any development on a Parcel shall be located, arranged and shielded so that no direct rays of light are oriented upwards, shine beyond the boundaries of the Parcel or interfere with the effectiveness of any traffic control device.

b) No flashing or blinking exterior lighting shall be permitted.

c) No exterior neon lighting shall be permitted in residential Zones.

d) All direct and ambient lighting shall be shielded in residential Zones so as to not shine beyond the boundaries of the lot.

e) Site areas with public access shall be lit in keeping with the principles of crime prevention through environmental design and require site lighting as is necessary to encourage pedestrian safety and allow casual surveillance from adjacent Buildings, streets, parking areas and walkways.

4.14 Animal Proof Enclosures and Containers

a) Within all zones, if refuse, recycling or other waste containers are to be stored outdoors, such containers shall be Animal Proof Containers or stored in an Animal Proof Enclosure.

b) Animal-Proof Containers must be:

1) designed of a sufficiently strong material to prevent animals from chewing, battering or crushing the container;
2) designed to be sufficiently stable or secured to a solid, stationary base to prevent tipping it over by large animals;

3) constructed from corrosion resistant materials to prevent rust and ensure long product life; and

4) tested and certified animal-proof by an independent third party organisation.

c) With the lids, doors and latches:
   1) designed to be tight to reduce odours; recessed and self-closing;
   2) designed to be animal proof (i.e. claws unable to reach the latch trigger mechanism); and
   3) designed to be sufficiently strong such that they cannot be pried open by animal claws.

d) In multiple family residential, commercial, industrial, public, institutional, park and open space or CD Zone, any refuse, recycling or other waste containers and/or enclosures, must be screened from view to the extent outlined in Section 4.7.

4.15 Hillside Terrain

a) For development on Hillside Terrain, applicants may be required to submit to the City a report prepared by a Geotechnical Engineer prior to any removal of trees, slope alteration, or other parcel work as well as provide innovation in the design for roads and Structures with an emphasis on slope stability and minimizing cut and fill.

b) Alternative development standards may be applicable for these parcels.

4.16 Snow Management

a) Rooflines shall be designed so as not to deposit snow on parking areas, trash storage areas, stairways, decks and balconies, or entryways. Secondary roofs, snow clips, and snow guards should be utilized to protect these areas from roof snow shedding if necessary.

b) No owner, occupant or manager of any real property or improvement thereon shall allow or permit ice or snow to accumulate on the roof or any other part of the Structure or Building owned, occupied or managed by him or her where the accumulated ice or snow constitutes a hazard or reasonable possibility of sliding off the Building onto an adjacent property or any sidewalk, street, alley, public way, park or any other publicly used way.
5.0 ESTABLISHMENT OF ZONES

5.1 Establishment of Zones

a) The area within the boundaries of the City of Rossland shall be divided into zones identified in Table 5.1

b) The correct name of each zone provided for this Bylaw is set out in Table 5.1 and the inclusion of the description contained in Table 5.1 is for convenience only.

Table 5.1 | Zones Names and Descriptions

<table>
<thead>
<tr>
<th>Name</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1</td>
<td>Single Detached Residential</td>
</tr>
<tr>
<td>R-1 I</td>
<td>Detached Infill Residential</td>
</tr>
<tr>
<td>R-1 STR</td>
<td>Single Detached Short term Rental</td>
</tr>
<tr>
<td>R-1 R</td>
<td>Detached Residential Rural</td>
</tr>
<tr>
<td>R-2</td>
<td>Residential Two Family Detached</td>
</tr>
<tr>
<td>R-2S</td>
<td>Residential Two Family Detached Small Lot</td>
</tr>
<tr>
<td>R-M/H</td>
<td>Residential Mobile Home Park</td>
</tr>
<tr>
<td>R-3</td>
<td>Residential Multiple Family</td>
</tr>
<tr>
<td>R-4</td>
<td>Residential Mixed Density</td>
</tr>
<tr>
<td>R-5</td>
<td>Residential Resort Mixed Density</td>
</tr>
<tr>
<td>GS</td>
<td>Guest Suite/Room Sub-Zone</td>
</tr>
<tr>
<td>C-1</td>
<td>Commercial Downtown Core</td>
</tr>
<tr>
<td>C-2</td>
<td>Commercial Service</td>
</tr>
<tr>
<td>C-3</td>
<td>Commercial Resort Accommodation/ Commercial</td>
</tr>
<tr>
<td>C-4</td>
<td>Commercial Transition</td>
</tr>
<tr>
<td>C-5</td>
<td>Commercial Neighbourhood Oriented</td>
</tr>
<tr>
<td>M-1</td>
<td>Light Industrial</td>
</tr>
<tr>
<td>P-1</td>
<td>Public and Institutional</td>
</tr>
<tr>
<td>P-2</td>
<td>Parks and Open Space</td>
</tr>
<tr>
<td>P-3</td>
<td>Resort Recreation</td>
</tr>
<tr>
<td>P-4</td>
<td>Resource Management Area</td>
</tr>
<tr>
<td>CD-1</td>
<td>Comprehensive Development Zone 1</td>
</tr>
<tr>
<td>CD-2</td>
<td>Comprehensive Development Zone 2</td>
</tr>
<tr>
<td>CD-3</td>
<td>Comprehensive Development Zone 3</td>
</tr>
<tr>
<td>CD-4</td>
<td>Comprehensive Development Zone 4</td>
</tr>
<tr>
<td>CD-5</td>
<td>Comprehensive Development Zone 5</td>
</tr>
</tbody>
</table>

5.2 Location of Zones

a) The location of each zone is established on Schedule B, the Zoning Map, of this Bylaw.
5.3 Zone Boundaries

a) Where a zone boundary is shown on Schedule B, the Zoning Map, as following a highway or rail right-of-way or watercourse, the centre line of the right-of-way or watercourse shall be the zone boundary.

b) Where the zone boundary does not follow a legally defined line, and where the distances are not specifically indicated, the location of the zoning boundary shall be determined by scaling from the Zoning Map.
6.0 RESIDENTIAL

6.1 R-1 SINGLE DETACHED RESIDENTIAL

1. INTENT

The intent of this Zone is to allow One Family residential Dwellings. Emphasis is placed on encouraging the neighbourly development of a variety of housing forms that preserve the surrounding residential character, streetscape, landscaped and permeable surfaces.

2. PERMITTED USES

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

a) One Family Detached Dwelling
b) Secondary Suite Dwelling
c) Home Occupation
d) Accessory Buildings and Uses
e) Detached Secondary Suite Dwelling

3. CONDITIONS OF USE

a) A Secondary Suite Dwelling shall be permitted subject to the provisions of Section 4.1.2 (b);
b) A Detached Secondary Suite Dwelling shall be permitted subject to the provisions of section 4.1.2 (c);
c) An Home Occupation shall be permitted subject to the provisions of section 4.1.2 (d);
d) Off Street Parking and loading requirements are subject to the provisions of Section 11.

4. PARCEL SIZE

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

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
<th>Min Parcel Frontage</th>
</tr>
</thead>
<tbody>
<tr>
<td>550 m²</td>
<td>1,250 m²</td>
<td>18 m</td>
</tr>
</tbody>
</table>

5. FLOOR AREA RATIO

a) For One Family Detached Dwellings with a Parcel Area less than 550 square meters, the floor area ratio shall not
exceed a factor of 0.6.

b) For One Family Detached Dwellings with a Parcel Area equal to or greater than 550 square meters, not to exceed the maximum Parcel Area, the floor area ratio shall not exceed a factor of 0.5.

6. SETBACKS

The minimum Setbacks from Parcel lines for all uses in an area Zoned R1 are as follows:

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
<th>Interior</th>
<th>Exterior</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0 m</td>
<td>2.0 m</td>
<td>1.8 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

7. COVERAGE

For One Family Detached Dwellings with a Parcel Area less than 550 square meters:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>40%</td>
<td>50%</td>
</tr>
</tbody>
</table>

For One Family Detached Dwellings with a Parcel Area equal to or greater than 550 square meters:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>35%</td>
<td>40%</td>
</tr>
</tbody>
</table>

8. HEIGHT

a) The maximum Height for Principal Buildings is 10.0 m

b) The maximum Height is 4.5 m for all other Accessory Buildings.
6.2 R-1I DETACHED INFILL RESIDENTIAL

1. INTENT

   The intent of this Zone is to allow One Family and Two Family residential Dwellings, Multiple Conversion Dwellings, Accessory Secondary Suites and Detached Secondary Suite Dwellings. Emphasis is placed on encouraging the neighbourly development of a variety of housing forms that preserve the surrounding residential character, streetscape, landscaped and permeable surfaces.

2. PERMITTED USES

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

   a) One Family Detached Dwelling
   b) Two Family Detached Dwelling
   c) Multiple Conversion Dwelling
   d) Secondary Suite
   e) Detached Secondary Suite Dwelling
   f) Home Occupation
   g) Accessory Buildings and Uses

3. CONDITIONS OF USE

   a) A Secondary Suite Dwelling shall be permitted subject to the provisions of Section 4.1.2 (b);

   b) A Detached Secondary Suite Dwelling shall be permitted subject to the provisions of section 4.1.2 (c);

   c) A Multiple Conversion Dwelling shall be permitted subject to:

      (i) no additions (except for egress only) shall be permitted;

      (ii) the number of Dwelling units is limited to three;

      (iii) a minimum area of 30 square meters of private Open Space shall be provided per Dwelling unit;

   d) An Home Occupation shall be permitted subject to the provisions of section 4.1.2 (d);

   e) Off Street Parking and loading requirements are subject to the provisions of Section 11.
4. PARCEL SIZE

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

For One Family Detached Dwelling and Multiple Conversion Dwelling:

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
<th>Parcel Frontage (&lt;550 square meters)</th>
<th>Parcel Frontage (&gt;550 square meters)</th>
<th>Min Building Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>275 m²</td>
<td>840 m²</td>
<td>9 m</td>
<td>18 m</td>
<td>4.5 m</td>
</tr>
</tbody>
</table>

For Two Family Detached Dwelling Use:

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
<th>Min Parcel Frontage</th>
<th>Min Building Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>550 m²</td>
<td>840 m²</td>
<td>18 m</td>
<td>4.5 m</td>
</tr>
</tbody>
</table>

5. FLOOR AREA RATIO

a) For One Family Detached Dwellings and Multiple Conversion Dwellings, with a Parcel Area less than 550 square meters, the floor area ratio shall not exceed a factor of 0.6.

b) For One Family Detached Dwellings and Multiple Conversion Dwellings, with a Parcel Area equal to or greater than 550 square meters, not to exceed the maximum Parcel Area, the floor area ratio shall not exceed a factor of 0.5.

c) For Two Family Detached Dwellings the floor area ratio shall not exceed a factor of 0.6.

6. SETBACKS

The minimum Setbacks from Parcel lines for all uses in an area Zoned R1 Infill are as follows:

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
<th>Interior</th>
<th>Exterior</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0 m</td>
<td>2.0 m</td>
<td>1.8 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

The minimum Setback from the Interior Side Parcel Line for a Parcel with an area less than 550 square meters may be reduced to 1.2 m under the following conditions:

a) The roof of the Building is designed to retain all snow on the roof.

b) All rain water and snow melt is managed through on-site run-off detention best management practices and not discharged directly to storm drains or adjacent parcels.
7. COVERAGE

For One Family Detached Dwellings and Multiple Conversion Dwellings with a Parcel Area less than 550 square meters:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>40%</td>
<td>50%</td>
</tr>
</tbody>
</table>

For One Family Detached Dwellings and Multiple Conversion Dwellings with a Parcel Area equal to or greater than 550 square meters:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>35%</td>
<td>40%</td>
</tr>
</tbody>
</table>

For Two Family Detached Dwellings:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>40%</td>
<td>50%</td>
</tr>
</tbody>
</table>

8. HEIGHT

a) The maximum Height for Principal Buildings is 8.5 m with a Parcel Area less than 550 square metres.

b) The maximum Height for Principal Buildings is 10.0 m with a Parcel Area equal to or greater than 550 square metres.

c) The maximum Height is 4.5 m for all other Accessory Buildings.
6.3  R-1STR – SINGLE DETACHED SHORT TERM RENTAL

1. INTENT  
The intent is to provide a zone to accommodate those properties that had existing zoning for Guest Home and Bed and Breakfast uses.

2. PERMITTED USES  
The following uses and no others shall be permitted in the R-1STR Zone:
   a) One Family Detached Dwelling
   b) Secondary Suite
   c) Detached Secondary Suite Dwelling
   d) Short term Rental
   e) Home Occupation
   f) Accessory Buildings and Uses

3. CONDITIONS OF USE  
a) A Secondary Suite Dwelling shall be permitted subject to the provisions of Section 4.1.2 (b);

b) A Detached Secondary Suite Dwelling shall be permitted subject to the provisions of section 4.1.2 (c);

c) An Home Occupation shall be permitted subject to the provisions of section 4.1.2 (d);

d) A Short Term Rental shall be permitted subject to the following:
   - Compliance with provisions of section 4.1.2 (e).
   - A maximum of 4 Guest Rooms are permitted on a lot.
   - Provided that, for certainty, this does not authorize or allow Multiple Family Residential Dwellings.
   - If property owners do not obtain an appropriate business licence or do not renew their appropriate business licence the zoning will be revoked.

e) Off Street Parking and loading requirements are subject to the provisions of Section 11;
4. **PARCEL SIZE** On a Parcel located in an area Zoned R-1STR, no plan of subdivision shall be approved which contravenes the regulations set out below:

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
<th>Min Parcel Frontage</th>
<th>Min Building Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>550 m²</td>
<td>1,250 m²</td>
<td>18 m</td>
<td>4.5 m</td>
</tr>
</tbody>
</table>

5. **FLOOR AREA RATIO** For One Family Detached Dwellings the floor area ratio shall not exceed a factor of 0.5.

6. **SETBACKS** The minimum Setbacks from Parcel lines are as follows:

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
<th>Interior</th>
<th>Exterior</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0 m</td>
<td>2.0 m</td>
<td>1.8 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

7. **PARCEL COVERAGE**

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>35%</td>
<td>40%</td>
</tr>
</tbody>
</table>

8. **HEIGHT**

   a) The maximum Height for Principal Buildings is 10.0 m

   b) The maximum Height is 4.5 m for all other Accessory Buildings.
6.4 R-1R DETACHED RESIDENTIAL RURAL

1. INTENT

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

2. PERMITTED USES

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

a) One Family Detached Dwelling
b) Two Family Detached Dwelling
c) Secondary Suite
d) Detached Secondary Suite Dwelling
e) Agricultural Use
f) Agriculture stand
g) Kennel
h) Home Occupation
i) Accessory Buildings and Uses

3. CONDITIONS OF USE

f) A Secondary Suite Dwelling shall be permitted subject to the provisions of Section 4.1.2 (b);
g) A Detached Secondary Suite Dwelling shall be permitted subject to the provisions of section 4.1.2 (c);
h) An Home Occupation shall be permitted subject to the provisions of section 4.1.2 (d);
i) Off Street Parking and loading requirements are subject to the provisions of Section 11;

4. PARCEL SIZE

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

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Min Building Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 ha</td>
<td>4.5 m</td>
</tr>
</tbody>
</table>
5. **SETBACKS**

The minimum **Setbacks** from **Parcel** lines are as follows:

<table>
<thead>
<tr>
<th></th>
<th>Front</th>
<th>Rear</th>
<th>Interior</th>
<th>Exterior</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4.0 m</td>
<td>2.0 m</td>
<td>1.8 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

6. **PARCEL COVERAGE**

For One **Family Detached**, Two-**Family Detached**, Uses:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Building Parcel Coverage – DWELLINGS ONLY</th>
</tr>
</thead>
<tbody>
<tr>
<td>15%</td>
<td>200 m²</td>
</tr>
</tbody>
</table>

7. **HEIGHT**

a) The maximum **Height** for **Principal Buildings** is 10.0 m

b) Notwithstanding Section 4.1.2 (f), the maximum **Height** for **Accessory Buildings** is 8.0 m.
6.5 R-2 TWO FAMILY DETACHED RESIDENTIAL

1. INTENT

The intent of this Zone is to allow Two Family Residential Dwellings. Emphasis is placed on encouraging the neighbourly development of a variety of housing forms that preserve the surrounding residential character, streetscape, landscaped and permeable surfaces.

2. PERMITTED USES

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

a) **Two Family Detached Dwelling**
b) **One Family Detached Dwelling**
c) **Secondary Suite**
d) **Detached Secondary Suite Dwelling**
e) **Home Occupation**
f) **Accessory Buildings** and Uses

3. CONDITIONS OF USE

a) A **Detached Secondary Suite Dwelling** shall be permitted subject to the provisions of section 4.1.2 (c);
b) A **Secondary Suite Dwelling** shall be permitted subject to the provisions of Section 4.1.2 (b);
c) An **Home Occupation** shall be permitted subject to the provisions of section 4.1.2 (d);
d) **Off Street Parking** and loading requirements are subject to the provisions of Section 11.

4. PARCEL SIZE

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Min Parcel Frontage</th>
<th>Min Building Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>550 m²</td>
<td>18 m</td>
<td>4.5 m</td>
</tr>
</tbody>
</table>

5. FLOOR AREA RATIO

The floor area ratio shall not exceed a factor of:

a) 0.6 for **Two Family Detached Dwellings** and
b) 0.5 for **One Family Detached Dwellings**.

6. SETBACKS

The minimum Setbacks from Parcel lines for all uses in an area Zoned R2 are as follows:

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
<th>Interior</th>
<th>Exterior</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0 m</td>
<td>2.0 m</td>
<td>1.8 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>
7. COVERAGE

For One Family Detached Dwellings:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>35%</td>
<td>40%</td>
</tr>
</tbody>
</table>

For Two Family Detached Dwellings:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>40%</td>
<td>50%</td>
</tr>
</tbody>
</table>

8. HEIGHT

a) The maximum Height for Principal Buildings is 10.0 m

b) The maximum Height is 4.5 m for all other Accessory Buildings.
6.6 R-2S TWO FAMILY DETACHED RESIDENTIAL SMALL LOT

1. INTENT

The intent of this Zone is to allow Two Family Residential Dwellings on small lots. Emphasis is placed on encouraging the neighbourly development of a variety of housing forms that preserve the surrounding residential character, streetscape, landscaped and permeable surfaces.

2. PERMITTED USES

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

a) Two Family Detached Dwelling

b) Home Occupation

c) Accessory Buildings and Uses

3. CONDITIONS OF USE

a) An Home Occupation shall be permitted subject to the provisions of section 4.1.2 (d);

b) Off Street Parking and loading requirements are subject to the provisions of Section 11 with the additional requirement that a maximum of 2 parking stalls are accessed from each driveway.

4. PARCEL SIZE

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>275 m²</td>
<td>550 m²</td>
</tr>
</tbody>
</table>

5. SETBACKS

The minimum Setbacks from Parcel lines for all uses in an area Zoned R2S are as follows:

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
<th>Interior</th>
<th>Exterior</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0 m</td>
<td>2.0 m</td>
<td>1.8 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

The minimum setback from the interior side parcel line is reduced to 1.2 m under the following conditions:

a) The roof of the building is designed to retain all snow on the roof; AND

b) A rain gutter attached to the building is designed to divert all rain water away from the neighbouring properties and into an on-site drainage pit to reduce the flow of stormwater from the site.
6. COVERAGE

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>40%</td>
<td>45%</td>
</tr>
</tbody>
</table>

7. HEIGHT

a) The maximum **Height** for **Principal Buildings** is 10.0 m

b) The maximum **Height** is 4.5 m for all other **Accessory Buildings**.
1. INTENT

The intent of this Zone is to allow the development or infill of multiple family developments.

2. PERMITTED USES

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

a) Multiple Family Dwellings
b) Home Occupation
c) Accessory Buildings and Uses

3. CONDITIONS OF USE

a) An Home Occupation shall be provided subject to the provisions of section 4.1.2 (d)
b) Off Street Parking and loading requirements are subject to the provisions of Section 11.

4. PARCEL SIZE

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

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Min Parcel Frontage</th>
</tr>
</thead>
<tbody>
<tr>
<td>950 m²</td>
<td>18 m</td>
</tr>
</tbody>
</table>

5. FLOOR AREA RATIO

For Multiple Family Dwellings the floor area ratio shall not exceed a factor of 1.0.

6. SETBACKS

The minimum Setbacks from Parcel lines are as follows:

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
<th>Interior Side</th>
<th>Exterior</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0 m</td>
<td>4.0 m</td>
<td>2 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

7. PARCEL COVERAGE

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>50%</td>
<td>60%</td>
</tr>
</tbody>
</table>
8. HEIGHT
   
a) The maximum *Height* is 13.0 m for a *Multiple Family Dwelling*

b) The maximum *Height* is 4.5 m for *Accessory Buildings*. 
1. **INTENT**

The intent of this Zone is to allow the development of mobile homes in the mobile home park.

2. **PERMITTED USES**

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

a) Mobile Home Park;

b) Home Occupation;

c) Accessory Buildings and uses

3. **CONDITIONS OF USE**

a) An Home Occupation shall be provided subject to the provisions of section 4.1.2 (d)

b) Off Street Parking and loading requirements are subject to the provisions of Section 11.

4. **PARCEL SIZE**

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

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Min Parcel Frontage</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 ha</td>
<td>10 m</td>
</tr>
</tbody>
</table>

5. **SETBACKS**

The minimum Setback from Parcel lines are as follows:

a) 8.0 m of any Parcel line abutting a Highway

b) 4.0 m of all other Parcel lines

c) 3.0 m of any Mobile Home Park Space lot line abutting an internal road right-of-way or common Parking area

d) 2.0 m of all other Mobile Home Park Space lot lines

6. **HEIGHT**

a) The maximum Building Height is 4.0 m.
6.9 R-4 RESIDENTIAL MIXED DENSITY

1. INTENT
   The intent of this Zone is to allow mixed housing types within a common neighbourhood.

2. PERMITTED USES
   The following uses only shall be permitted in the R-4 Residential – Mixed Density Zone:
   a) One Family Detached Dwelling;
   b) Two Family Detached Dwelling;
   c) Multiple Family Dwelling;
   d) Home Occupation;
   e) Secondary Suite; and
   f) Accessory Buildings and Uses.

3. CONDITIONS OF USE
   a) A Secondary Suite Dwelling shall be permitted subject to the provisions of Section 4.1.2 (b);
   b) An Home Occupation shall be permitted subject to the provisions of section 4.1.2 (d);
   c) Off Street Parking and loading requirements are subject to the provisions of Section 11.

4. PARCEL SIZE
   On a Parcel located in an area Zoned R-4, no plan of subdivision shall be approved which contravenes the regulations set out below.

   For One Family Detached Dwelling:

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
<th>Min Building Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>275 m²</td>
<td>750 m²</td>
<td>4.5 m</td>
</tr>
</tbody>
</table>

   For Two Family Detached Dwelling Use:

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
<th>Min Building Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>550 m²</td>
<td>1,250 m²</td>
<td>4.5 m</td>
</tr>
</tbody>
</table>
For **Multiple Family Dwelling** Use:

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>750 m²</td>
<td>2,400 m²</td>
</tr>
</tbody>
</table>

### 5. COVERAGE

For **One Family Detached Dwellings** with a **Parcel Area** less than 550 square meters:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>40%</td>
<td>50%</td>
</tr>
</tbody>
</table>

For **One Family Detached Dwellings** with a **Parcel Area** equal to or greater than 550 square meters:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>35%</td>
<td>40%</td>
</tr>
</tbody>
</table>

For **Two Family Detached Dwellings**:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>40%</td>
<td>50%</td>
</tr>
</tbody>
</table>

For **Multiple Family Dwellings**:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>50%</td>
<td>60%</td>
</tr>
</tbody>
</table>

### 6. FLOOR AREA RATIO

a) For **One Family Detached Dwellings**, with a **Parcel Area** less than 550 square meters, the floor area ratio shall not exceed a factor of 0.6.

b) For **One Family Detached Dwellings**, with a **Parcel Area** equal to or greater than 550 square meters, not to exceed the maximum **Parcel Area**, the floor area ratio shall not exceed a factor of 0.5.

c) For **Two Family Detached Dwellings** the floor area ratio shall not exceed a factor of 0.6.

d) For **Multiple Family Dwellings** the floor area ratio shall not exceed a factor of 1.0.
7. HEIGHT
a) The maximum Height for Principal Buildings is 10.0 m
b) The maximum Height is 13.0 m for a Multiple Family Dwelling.
c) The maximum Height is 4.5 m for Accessory Buildings.

8. SETBACKS
The minimum Setbacks from Parcel lines are as follows:

<table>
<thead>
<tr>
<th></th>
<th>Front</th>
<th>Rear</th>
<th>Interior Side</th>
<th>Exterior Side</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4.0 m</td>
<td>2.0 m</td>
<td>1.8 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th></th>
<th>Front</th>
<th>Rear</th>
<th>Interior Side</th>
<th>Exterior Side</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4.0 m</td>
<td>3.0 m</td>
<td>4.0 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

9. DENSITY
The maximum number of equivalent units permitted in the R4 Zone is 70.
6.10 R-5 RESIDENTIAL RESORT MIXED DENSITY

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

2. PERMITTED USES
   The following uses only shall be permitted in the R-5 Residential – Resort Mixed Density Zone:
   a) Recreation Facilities;
   b) Two Family Detached Dwelling;
   c) One Family Detached Dwelling;
   d) Multiple Family Dwelling;
   e) Short-Term Rental;
   f) Home Occupation;
   g) Secondary Suite; and
   h) Accessory Buildings and Uses.

3. CONDITIONS OF USE
   a) A Secondary Suite Dwelling shall be permitted subject to the provisions of Section 4.1.2 (b);
   b) An Home Occupation shall be permitted subject to the provisions of section 4.1.2 (d);
   c) A Short-Term Rental shall be permitted subject to the provisions of section 4.1.2 (e)
   d) Off Street Parking and loading requirements are subject to the provisions of Section 11.
4. **PARCEL SIZE**

On a **Parcel** located in an area **Zoned** R-5, no plan of subdivision shall be approved which contravenes the regulations set out below.

**For One Family Detached Dwelling:**

<table>
<thead>
<tr>
<th></th>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
<th>Min Building Width</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>275 m²</td>
<td>750 m²</td>
<td>4.5 m</td>
</tr>
</tbody>
</table>

**For Two Family Detached Dwelling Use:**

<table>
<thead>
<tr>
<th></th>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
<th>Min Building Width</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>400 m²</td>
<td>1,250 m²</td>
<td>4.5 m</td>
</tr>
</tbody>
</table>

**For Multiple Family Dwelling Use:**

<table>
<thead>
<tr>
<th></th>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>450 m²</td>
<td>2,400 m²</td>
</tr>
</tbody>
</table>

5. **COVERAGE**

**For One Family Detached Dwellings** with a **Parcel Area** less than 550 square meters:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>40%</td>
<td>50%</td>
</tr>
</tbody>
</table>

**For One Family Detached Dwellings** with a **Parcel Area** equal to or greater than 550 square meters:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>35%</td>
<td>40%</td>
</tr>
</tbody>
</table>

**For Two Family Detached Dwellings:**

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>40%</td>
<td>50%</td>
</tr>
</tbody>
</table>

**For Multiple Family Dwellings:**

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>50%</td>
<td>60%</td>
</tr>
</tbody>
</table>
6. **FLOOR AREA RATIO**
   a) For **One Family Detached Dwellings**, with a **Parcel Area** less than 550 square meters, the floor area ratio shall not exceed a factor of 0.6.
   
   b) For **One Family Detached Dwellings**, with a **Parcel Area** equal to or greater than 550 square meters, not to exceed the maximum **Parcel Area**, the floor area ratio shall not exceed a factor of 0.5.
   
   c) For **Two Family Detached Dwellings** the floor area ratio shall not exceed a factor of 0.6.
   
   d) For **Multiple Family Dwellings** the floor area ratio shall not exceed a factor of 1.0.

7. **HEIGHT**
   a) The maximum **Height** for **Principal Buildings** is 10.0 m;
   
   b) The maximum **Height** is 13.0 m for a **Multiple Family Dwelling**.
   
   c) The maximum **Height** is 4.5 m for **Accessory Buildings**.

8. **SETBACKS**
   The minimum **Setbacks** from **Parcel** lines are as follows:

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
<th>Interior Side</th>
<th>Exterior Side</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0 m</td>
<td>2.0 m</td>
<td>1.8 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
<th>Interior Side</th>
<th>Exterior Side</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0 m</td>
<td>3.0 m</td>
<td>3.0 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

9. **DENSITY**
   Equivalent units permitted in the R-5 Zone are separated into specific areas as shown on **Diagram 6.8** below, the map entitled “R-5 Zone Equivalent Units”.
Diagram 6.8 – R5 Zone Equivalent Units

12 Equivalent Units

66 Equivalent Units
6.11 GS GUEST SUITE, GUEST ROOM SUB ZONE

1. INTENT

Where the GS Guest Suite/Room sub-zone is appended to a zone within this Bylaw, all of the regulations for that zone except as otherwise provided herein shall apply to the development of a Guest Suite or Guest Room within the hyphenated zone as well as the regulations for this sub-zone. In general, properties with this zone are limited to one property per block where "one block" shall be considered to be the two sides of a single street that face one another and are bordered on either end by the nearest street or cul-de-sac.

The GS Guest Suite/Room sub-zone may be appended only to the below listed Zones:

a) R-1 Single Detached Residential
b) R-1I Detached Infill Residential
c) R-1R Rural Detached Residential

2. PERMITTED SECONDARY USES

The following secondary uses shall be permitted in the GS Sub-Zone:

a) Guest Room
b) Guest Suite

3. CONDITIONS OF USE

a) A maximum of 4 Guest Rooms are permitted on a lot.

b) The principal use of the property containing or comprising the Guest Room or Guest Suite shall remain a residential use. The operators of the Guest Room or Guest Suite must be the permanent residents of the property and shall be engaged in the management of the Short-Term Rental.

c) The Guest Room or Guest Suite shall be permitted subject to the provisions of section 4.1.2 (e);

d) If property owners do not obtain an appropriate business licence or do not renew their appropriate business licence the zoning will be revoked.

4. PARCEL SIZE

Where Surface Parcel coverage is restricted by this Bylaw, such coverage may be increased by 10% to allow for parking.
7.0 COMMERCIAL

7.1 C-1 COMMERCIAL DOWNTOWN CORE

1. INTENT

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

2. PERMITTED USES

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

a) Downtown Commercial Use
b) Entertainment Commercial Use
c) Neighbourhood Oriented Commercial Use
d) Apartment Dwelling(s) in conjunction with a principal commercial use
e) Short-Term Rental
f) Hotel
g) Hostel
h) Accessory Buildings and uses
i) Home Occupation
j) Farmers Market
k) Cannabis Retail Store

3. CONDITIONS OF USE

a) An Apartment Dwelling(s) use shall be permitted in conjunction with a commercial use in an area Zoned C-1, provided that the residential Dwelling(s):

i) is contained in the same Building as the commercial use;

ii) has separate direct at-grade entrance to the outside of the Building, which when fronting onto a Front or Exterior Parcel Line shall not exceed 0.25 times the exterior face of the First Storey.
b) A Short-Term Rental use shall be permitted, subject to subject to section 4.1.2(e) and:
   i) A Short-Term Rental use shall be contained within an Apartment Dwelling.

c) An Home Occupation shall be provided subject to the provisions of section 4.1.2 (d);

d) A Farmer’s Market shall be permitted subject to the provisions of section 4.1.2 (g);

e) Off Street Parking and loading requirements are subject to the provisions of Section 11.

4. PARCEL SIZE

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

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Min Parcel Frontage</th>
<th>Max Parcel Frontage</th>
</tr>
</thead>
<tbody>
<tr>
<td>270 m²</td>
<td>9.0 m</td>
<td>18 m</td>
</tr>
</tbody>
</table>

5. SETBACKS

The minimum Setbacks from Parcel lines are as follows:

a) No Front Setback is required, with the maximum Front Setback of 1 m;

b) No Rear Setback is required except where the Parcel abuts a detached or multi-family residential Zone, in which case 3.0 m from the Rear Parcel Line

c) No Side Setback is required except where the Parcel abuts a detached residential use, in which case 1.2 m from the Interior Side Parcel Line

d) 1.8 from the Exterior Side Parcel Line

6. PARCEL COVERAGE

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>90%</td>
<td>90%</td>
</tr>
</tbody>
</table>

7. HEIGHT

a) The maximum Height is 15.0 m for Principal Buildings

b) The maximum Height is 4.5 m for Accessory Buildings.

8. OTHER REGULATIONS

a) The maximum floor area of a Small Scale Food and Beverage Processing Establishment shall not exceed 200 square meters.

b) A small scale food and beverage processing enterprise in a C-1 Zone shall have an associated retail use occupying a minimum floor area of 30% of the total floor area.
c) The retail use associated with the small scale food and beverage processing enterprise shall be located in the portion of the Building closest to the Front Parcel Line.

d) The floor area occupied by a retail use associated with a small scale food and beverage processing enterprise shall be located in one contiguous area.

e) Clubs and lodges shall only be permitted above the First Storey of a Building.

f) Outdoor storage areas shall not be permitted in the Front Setback.

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

h) Off-street parking shall be located either underground or behind the principal Building and shall not be accessed from the front of the parcel where a Lane is present.

i) All development in this zone is subject to the goals and standards of the applicable Development Permit Area as set forth in the Downtown Rossland Design Guidelines.
1. INTENT

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

2. PERMITTED USES

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

a) Service Commercial Use
b) Entertainment Commercial Use
c) Recreation Facilities
d) Neighbourhood Oriented Commercial Use
e) Hotel
f) Motel
g) Hostel
h) Apartment Dwelling(s) in conjunction with a principal commercial use
i) Detached Secondary Suite in conjunction with a principal commercial use
j) Home Occupation
k) Accessory Buildings and uses

3. CONDITIONS OF USE

a) An Apartment Dwelling(s) use shall be permitted in conjunction with a commercial use in an area Zoned C-2, provided that the residential Dwelling(s):
   i) is contained in the same Building as the commercial use;
   ii) has separate direct at-grade entrance to the outside of the Building, which when fronting onto a Front or Exterior Parcel Line shall not exceed 0.25 times the exterior face of the First Storey.

b) A Detached Secondary Suite Dwelling shall be permitted subject to the provisions of section 4.1.2 (c);

c) An Home Occupation shall be provided subject to the provisions of section 4.1.2(d);

d) Off Street Parking and loading requirements are subject to the provisions of Section 11.
4. **PARCEL SIZE**

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

a) The minimum **Parcel Area** is 500 square meters.

b) For an automobile service station use, the minimum **Parcel Area** shall be 1,100 square meters.

c) The minimum **Parcel Frontage** is 15.0 m.

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
<th>Min Parcel Frontage</th>
</tr>
</thead>
<tbody>
<tr>
<td>500 m²</td>
<td>5,000 m²</td>
<td>15.0 m</td>
</tr>
</tbody>
</table>

5. **SETBACKS**

The minimum **Setback** from **Parcel** lines are as follows:

<table>
<thead>
<tr>
<th>Front</th>
<th>Side</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.0 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

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

6. **HEIGHT**

a) The maximum **Height** is 12.0 m for **Principal Buildings**

b) The maximum **Height** is 4.5 m for **Accessory Buildings**.

7. **OTHER REGULATIONS**

a) Outdoor storage areas shall not be permitted in the Front **Setback**.

b) Outdoor storage areas shall be surfaced with either pervious pavers placed over a reservoir base course of fractured drain rock or an asphalt or concrete surface. Pervious pavers shall not be used where surface contaminants may be concentrated and enter the groundwater.
7.3  C-3 COMMERCIAL RESORT ACCOMMODATION/COMMERCIAL

1. INTENT

   The intent of this zone is to allow for a mix of multiple family residential and commercial uses adjacent to the resort areas.

2. PERMITTED USES

   The following uses and no others shall be permitted in the C-3 Zone:
   a) Hotel
   b) Hostel
   c) Recreational Facilities
   d) Personal Service Establishment
   e) Resort Commercial Use
   f) Short-Term Rental
   g) Multiple Family Dwelling
   h) Home Occupation
   i) Accessory Buildings and Uses

3. CONDITIONS OF USE

   a) An Home Occupation shall be permitted subject to the provisions of section 4.1.2 (d)
   b) Off Street Parking and loading requirements are subject to the provisions of Section 11.

4. PARCEL SIZE

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

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Min Parcel Frontage</th>
</tr>
</thead>
<tbody>
<tr>
<td>550 m²</td>
<td>18.0 m</td>
</tr>
</tbody>
</table>

5. SETBACKS

   The minimum Setback from Parcel lines are as follows:

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
<th>Interior Side</th>
<th>Exterior</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.0 m</td>
<td>2.0 m</td>
<td>1.8 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

6. PARCEL COVERAGE

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>65%</td>
<td>75%</td>
</tr>
</tbody>
</table>
7. HEIGHT
   a) The maximum **Height** is 15 m for **Principal Buildings**
   b) The maximum **Height** is 4.5 m for **Accessory Buildings**.

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

9. DENSITY
   Equivalent units permitted in the C-3 Zone are separated into specific areas as shown on **Diagram 7.3** below, the map entitled “C-3 Zone Equivalent Units”.
Diagram 7.3 – C-3 Zone Equivalent Units
7.4 C-4 COMMERCIAL TRANSITION

1. INTENT

The intent of this Zone is to allow for commercial uses to provide limited personal services and entertainment, within the Washington Street Mid-Town Area as a transition to the lower density surrounding residential Zones.

2. PERMITTED USES

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

a) Transition Commercial Use
b) Entertainment Commercial Use
c) Apartment Dwelling(s) in conjunction with a primary commercial use
d) Short-Term Rental
e) Home Occupation
f) Accessory Buildings and uses

3. CONDITIONS OF USE

a) An Apartment Dwelling use shall be permitted in conjunction with a commercial use in an area Zoned C-4, provided that the residential Dwelling(s):
   i) is contained in the same Building as the commercial use;
   ii) has separate direct at-grade entrance to the outside of the Building, which when fronting onto a Front or Exterior Parcel Line shall not exceed 0.25 times the exterior face of the First Storey.

b) A Short-Term Rental use shall be permitted in conjunction with a commercial use and an Apartment Dwelling use, subject to section 4.1.2(e) and:
   i) A Short-Term Rental use shall be contained within an Apartment Dwelling.

c) An Home Occupation shall be provided subject to the provisions of section 4.1.2 (d);

d) Off Street Parking and loading requirements are subject to the provisions of Section 11.
4. PARCEL SIZE
On a Parcel located in an area Zoned C-4, no plan of subdivision shall be approved which contravenes the regulations set out below:

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Min Parcel Frontage</th>
<th>Max Parcel Frontage</th>
</tr>
</thead>
<tbody>
<tr>
<td>270 m²</td>
<td>9.0 m</td>
<td>18.0 m</td>
</tr>
</tbody>
</table>

5. SETBACKS
The minimum Setback from Parcel lines are as follows:

a) No Front Setback is required, with the maximum Front Setback of 1 m;

b) No Rear Setback is required except where the Parcel abuts a detached or multi-family residential Zone, in which case 3.0 m from the Rear Parcel Line.

c) No Side Setback is required except where the Parcel abuts a detached residential zone, in which case 1.2 m from the Interior Side Parcel Line.

d) 1.8 from the Exterior Side Parcel Line

6. HEIGHT
a) The maximum Height is 10.0 m for Principal Buildings.

b) The maximum Height is 4.5 m for Accessory Buildings.

7. PARCEL COVERAGE

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>60%</td>
<td>70%</td>
</tr>
</tbody>
</table>
8. OTHER REGULATIONS

a) Clubs and lodges shall only be permitted above the First Storey of a Building in a C-4 Zone.

b) Outdoor storage areas shall not be permitted in the Front Setback.

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

d) Where illumination of outdoor storage and display areas is provided, lighting fixtures shall be located, arranged and shielded so that no direct rays of light are oriented upwards or shine beyond the boundaries of the Parcel.

e) Off-street parking shall be located either underground or behind the principal Building and shall not be accessed from the front of the parcel where a Lane is present.

f) All development in this zone is subject to the goals and standards of the applicable overlay district as set forth in the Midtown Transition Area Design Guidelines, as found in Appendix B of the Midtown Transition Area Neighbourhood Plan located in Schedule J of the OCP.
1. INTENT

The intent of this Zone is to allow for a neighborhood-oriented commercial use, along with limited residential use, for Parcels either within or abutting residential areas to satisfy the daily household or personal needs of the area residents. Emphasis is placed on providing pedestrian-oriented commercial developments that reflect the surrounding residential character.

2. PERMITTED USES

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

a) Neighbourhood Oriented Commercial Use
b) Apartment Dwelling(s) in conjunction with a primary commercial use
c) Home Occupation
d) Accessory Buildings and uses

3. CONDITIONS OF USE

a) A Neighbourhood Oriented Commercial Use shall not exceed 100 square meters square meters of Gross Floor Area.

b) An Apartment Dwelling use shall be permitted in conjunction with a commercial use in an area Zoned C-5, provided that the residential Dwelling(s):
   i) is contained in the same Building as the commercial use;
   ii) has separate direct at-grade entrance to the outside of the Building, which when fronting onto a Front or Exterior Parcel Line shall not exceed 0.25 times the exterior face of the First Storey.

c) An Home Occupation shall be permitted subject to the provisions of section 4.1.2 (d).

d) Off Street Parking and loading requirements are subject to the provisions of Section 11.

4. PARCEL SIZE

On a Parcel located in an area Zoned C-5, no plan of subdivision shall be approved which contravenes the regulations set out below:

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Min Parcel Frontage</th>
</tr>
</thead>
<tbody>
<tr>
<td>275 m²</td>
<td>9.0 m</td>
</tr>
</tbody>
</table>
5. SETBACKS

The minimum **Setback** from **Parcel** lines are as follows:

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
<th>Interior Side</th>
<th>Exterior</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0 m</td>
<td>2.0 m</td>
<td>1.8 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

6. PARCEL COVERAGE

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>40%</td>
<td>45%</td>
</tr>
</tbody>
</table>

7. HEIGHT

a) The maximum **Height** is 10 m for **Principal Buildings** and 4.5 m for **Accessory Buildings**.

8. OTHER REGULATIONS

a) Outdoor storage areas shall not be permitted in the Front **Setback**.

b) Outdoor storage areas shall be surfaced with either pervious pavers placed over a reservoir base course of fractured drain rock or an asphalt or concrete surface. Pervious pavers should not be used where surface contaminants may be concentrated and enter the groundwater.
8.0 LIGHT INDUSTRIAL

8.1 M1 LIGHT INDUSTRIAL

1. INTENT

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

2. PERMITTED USES

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

a) Automobile repair shop
b) Automobile wrecking yard;
c) Building supply and garden supply outlet
d) Bulk fuel depot
e) Cartage operation;
f) Construction, trades and storage yard operation
g) Food and beverage processing establishment
h) Gasoline service station
i) Light equipment sales and rental establishment
j) Light manufacturing, processing and assembly
k) Public utility use
l) Warehouse, shipping, wholesale and rental storage facilities
m) Accessory Buildings and uses
n) One Family Detached Dwelling
o) Micro Processing, Cannabis
p) Standard Processing, Cannabis
3. **PARCEL SIZE**

On a parcel located in an area zoned M-1, no plan of subdivision approved which contravenes the regulations set out below:

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Min Parcel Frontage</th>
</tr>
</thead>
<tbody>
<tr>
<td>950 m²</td>
<td>12.0 m</td>
</tr>
</tbody>
</table>

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

4. **SETBACKS**

The minimum setback from parcel lines are as follows:

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
<th>Interior Side</th>
<th>Exterior</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0 m</td>
<td>2.0 m</td>
<td>3.5 m</td>
<td>3.5 m</td>
</tr>
</tbody>
</table>

5. **PARCEL COVERAGE**

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>60%</td>
<td>70%</td>
</tr>
</tbody>
</table>

6. **HEIGHT**

   a) The maximum **height** for **Principal Buildings** is 12 m
   
   b) The maximum **height** is 4.5 m for **Accessory Buildings**.

7. **OTHER REGULATIONS**

Outdoor storage will be permitted in an area zoned M-1 based on the regulations provided below

   a) Outdoor storage areas shall not be permitted in the Front **Setback**.
9.0 PUBLIC, INSTITUTIONAL, PARK & OPEN SPACE

9.1 P-1 PUBLIC AND INSTITUTIONAL

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

2. PERMITTED USES
   The following uses and no others shall be permitted in the P-1 Zone:
   a) Mausoleum And Crematory
   b) Church
   c) Civic Use
   d) Hospital
   e) Daycare
   f) Nursing Home, Intermediate Care Facility and Extended Care Facility
   g) Congregate Housing
   h) Police Station
   i) School
   j) Tourist Information Booth
   k) Farmer’s Market
   l) Accessory Buildings and Uses
   m) Recreation Facilities
   n) Trails

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

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Min Parcel Frontage</th>
</tr>
</thead>
<tbody>
<tr>
<td>550 m²</td>
<td>18.0 m</td>
</tr>
</tbody>
</table>

4. HEIGHT
   a) The maximum Height is 13.0 m for Principal Buildings
b) The maximum **Height** is 4.5 m for Accessory Buildings

<table>
<thead>
<tr>
<th></th>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>60%</td>
<td></td>
<td>70%</td>
</tr>
</tbody>
</table>

5. **PARCEL COVERAGE**

6. **SETBACKS**

The minimum **Setback** from **Parcel** lines are as follows:

<table>
<thead>
<tr>
<th></th>
<th>Front</th>
<th>Rear</th>
<th>Interior Side</th>
<th>Exterior</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4.0 m</td>
<td>2.0 m</td>
<td>1.8 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>
9.2 P-2 PARKS AND OPEN SPACE

1. INTENT

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

2. PERMITTED USES

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

a) Parks

b) Trails

c) Playgrounds

d) Natural Open Space

e) Recreation Facilities

3. PARCEL SIZE

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

a) No minimum parcel area is required.

b) No minimum parcel frontage is required.

4. HEIGHT

a) The maximum height is 10.0 m for principal Buildings

b) The maximum Height is 4.5 m for Accessory Buildings.

5. SETBACKS

The minimum setback from parcel lines are as follows:

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
<th>Interior Side</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.0 m</td>
<td>3.0 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

a) where the abutting parcel is in a detached residential zone, a setback of not less than 5 meters from the side parcel line shall be required.
9.3  P-3 RESORT RECREATION

1. INTENT

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

2. PERMITTED USES

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

a) Campground;

b) Golf Course;

c) Leisure Facilities;

d) Ski Facilities

e) Recreation Facilities;

f) Parks

g) Trails

h) Playgrounds

i) Natural Open Space

3. PARCEL SIZE

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

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Min Parcel Frontage</th>
</tr>
</thead>
<tbody>
<tr>
<td>650 m²</td>
<td>15.0 m</td>
</tr>
</tbody>
</table>

4. HEIGHT

The maximum Height is 15.0 m for Principal Buildings and 4.5 m for Accessory Buildings.

5. SETBACKS

The minimum Setback from Parcel lines are as follows:

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.0 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

a) 3.0 m from a side Parcel line, provided that where the abutting Parcel is in a detached residential Zone, a Setback of not less than 5 meters from the side Parcel line shall be required.
9.4 P-4 RESOURCE MANAGEMENT AREA

1. INTENT

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

2. PERMITTED USES

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

a) Parks

b) Trails

c) Natural Open Space

d) Forestry, logging and other forest management activities including but not limited to silviculture, log sorting and storage, slash and prescribed burning, but no manufacturing except portable wood processing.

e) Extracting of raw materials from the land, including the preliminary grading, temporary storage, sorting or crushing of materials provided that no further processing is permitted on the site, except where the product is regulated by the BC Mines Act.

3. PARCEL SIZE

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

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>20ha</td>
</tr>
</tbody>
</table>

4. REGULATIONS

No specific regulations apply to Parcels located in areas Zoned P-4 with respect to Parcel Frontage, Maximum Height, or Setback.
1. INTENT
The intent of this zone is to permit One-Family Detached Dwellings to appear within areas primarily suited for resource management but accessible to Red Mountain skiing terrain.

2. PERMITTED USES
The following uses and no others shall be permitted in the P-5 Zone:
   a) Parks
   b) Trails
   c) Natural Open Space
   d) Forestry, logging and other forest management activities including but not limited to silviculture, log sorting and storage, slash and prescribed burning, but no manufacturing except portable wood processing.
   e) Extracting of raw materials from the land, including the preliminary grading, temporary storage, sorting or crushing of materials provided that no further processing is permitted on the site, except where the product is regulated by the BC Mines Act.
   f) One Family Detached Dwelling
   g) Accessory Buildings and uses

3. PARCEL SIZE
On a Parcel located in an area Zoned P-5, no plan of subdivision approved which contravenes the regulations set out below:

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>20ha</td>
</tr>
</tbody>
</table>

4. COVERAGE
The maximum Building Parcel Coverage is 120 sq. m.

5. SETBACKS
The minimum setback from parcel lines are as follows:

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
<th>Interior Side</th>
<th>Exterior</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0 m</td>
<td>2.0 m</td>
<td>2.0 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

6. HEIGHT
   c) The maximum Height for Principal Buildings is 10.0 m
   d) The maximum Height is 4.5 m for all other Accessory Buildings.
10.0 COMPREHENSIVE DEVELOPMENT

10.1 CD-1 – COMPREHENSIVE DEVELOPMENT ZONE 1

1. INTENT

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

2. SUB ZONES

Low Density Residential – LDR-1
Multi-Family Residential – MFR-1
Alpine Village Core – AVC-1
Lower Alpine Village Core ‘A’ – AVC-2
Lower Alpine Village Core ‘B’ – AVC-3
Upper Alpine Village Core – AVC-4
Mountain Activity Area – MA-1
Open Space – OS-1
Resort Parking – RP-1
Resort Light Industrial- RLI-1

3. REGULATIONS

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

a) Permitted Uses of Land, Buildings and Structures in all Sub Zones. Except as otherwise stated in this Bylaw, the following uses are permitted in all Zones;
   i) Highways;
   ii) Temporary Buildings and Structures, for non-domicile use, required for an approved construction project on the same parcel provided that the temporary Buildings and Structures are removed within thirty days of completion of the approved construction;
iii) Storage of materials required for an approved construction project on the same parcel or adjoining parcel provided that the materials are removed within thirty days of completion of the approved construction;

iv) Trails and lifts; and

v) Office Buildings.

b) The heights of Buildings and Structures may be exceeded for monuments, chimney stacks, flagpoles and lighting poles or any non-habitable design feature.

c) Total equivalent units permitted in the CD-1 Zone are separated into specific areas as shown on Diagram 10.1 the map entitled “CD-1 Zone Equivalent Units”.

d) Total Commercial use in the CD-1 Zone is limited to 6,503 square metres, comprising a maximum 4,645 square metres of commercial retail use and a maximum 1,858 square metres of skier services commercial use. Retail commercial use is limited to a maximum gross floor area of 200 square metres per commercial unit.
Diagram 10.1 – CD 1 Zone Equivalent Units

- 100 Equivalent Units
- 6 Equivalent Units
- 48 Equivalent Units
- 880 Equivalent Units
10.1.1 CD-1 - Low Density Residential – LDR-1

1. PERMITTED USES

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

a) One Family Detached Dwelling;
b) Two Family Detached Dwelling;
c) Playground and park;
d) Short-Term Rental;
e) Home occupations;
f) Accessory Buildings, Structures and uses.
g) Secondary Suite

2. CONDITIONS OF USE

a) A Secondary Suite shall be permitted subject to the provisions of section 4.1.2 (b);
b) An Home Occupation shall be permitted subject to the provisions of section 4.1.2 (d);
c) A Short-Term Rental shall be permitted subject to the provisions of section 4.1.2 (e)
d) Off Street Parking and loading requirements are subject to the provisions of Section 11.

3. PARCEL SIZE

The minimum parcel area is 550 m².

4. PARCEL COVERAGE

For One Family Detached Dwellings:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>35%</td>
<td>40%</td>
</tr>
</tbody>
</table>

For Two Family Detached Dwellings:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>40%</td>
<td>45%</td>
</tr>
</tbody>
</table>

5. SETBACKS

The minimum Setbacks from Parcel lines are as follows:

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
<th>Interior</th>
<th>Exterior</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0 m</td>
<td>2.0 m</td>
<td>1.8 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>
6. HEIGHT

a) The maximum **Height** for **Principal Buildings** is 10 m.

b) The maximum **Height** is 4.5 m for all other **Accessory Buildings**.

7. DENSITY

a) The maximum number of equivalent units permitted on all parcels within the LDR-1 subzone is 100.

b) Excepting approved cluster development, density is limited to 12 equivalent units per gross hectare.

c) Density can increase to a maximum of 25 equivalent units per net hectare for cluster development, as the land conditions permit or through provision of additional open space.
10.1.2 CD-1 – Multi-Family Residential – MFR-1

1. PERMITTED USES
   The following uses and no others shall be permitted in the MFR-1 sub zone of the CD-1 zone:
   a) One Family Detached Dwelling;
   b) Two Family Detached Dwelling;
   c) Multiple Family Dwelling;
   d) Playground and Park;
   e) Short-Term Rental;
   f) Home Occupation;
   g) Accessory Buildings, Structures and uses.
   h) Secondary Suite

2. CONDITIONS OF USE
   a) A Secondary Suite Dwelling shall be permitted subject to the provisions of Section 4.1.2 (b);
   b) An Home Occupation shall be permitted subject to the provisions of section 4.1.2 (d);
   c) Off Street Parking and loading requirements are subject to the provisions of Section 11.

3. PARCEL SIZE
   On a Parcel located in an area Zoned CD-1 – MFR1, no plan of subdivision shall be approved which contravenes the regulations set out below.
   For One Family Detached Dwelling:
<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
<th>Min Building Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>275 m²</td>
<td>750 m²</td>
<td>4.5 m</td>
</tr>
</tbody>
</table>
   For Two Family Detached Dwelling Use:
<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
<th>Min Building Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>550 m²</td>
<td>1,250 m²</td>
<td>4.5 m</td>
</tr>
</tbody>
</table>
   For Multiple Family Dwelling Use:
<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>750 m²</td>
<td>2,400 m²</td>
</tr>
</tbody>
</table>
4. COVERAGE

For **One Family Detached Dwellings** with a **Parcel Area** less than 550 square meters:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>40%</td>
<td>45%</td>
</tr>
</tbody>
</table>

For **One Family Detached Dwellings** with a **Parcel Area** equal to or greater than 550 square meters:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>35%</td>
<td>40%</td>
</tr>
</tbody>
</table>

For **Two Family Detached Dwellings**:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>40%</td>
<td>45%</td>
</tr>
</tbody>
</table>

For **Multiple Family Dwellings**:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>50%</td>
<td>60%</td>
</tr>
</tbody>
</table>

5. HEIGHT

a) The maximum **Height** for **Principal Buildings** is 10 m.

b) The maximum **Height** is 15.0 for a **Multiple Family Dwelling**.

c) The maximum **Height** is 4.5 m for **Accessory Buildings**.

6. SETBACKS

The minimum **Setbacks** from **Parcel** lines are as follows:

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
<th>Interior Side</th>
<th>Exterior Side</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0 m</td>
<td>2.0 m</td>
<td>1.8 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
<th>Interior Side</th>
<th>Exterior Side</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0 m</td>
<td>3.0 m</td>
<td>4.0 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

7. DENSITY

a) Where topography makes possible direct multiple family dwellings to land on the outer edge of the Village Core (Sub Zones AVC-1, AVC-2, AVC-3, and AVC-4).

b) The maximum number of equivalent units permitted on all parcels within the MFR-1 subzone is 295.
10.1.3 CD-1 – Alpine Village Core – AVC-1

1. PERMITTED USES
   The following uses and no others shall be permitted in the AVC-1 sub zone of the CD-1 zone:
   
   a) Multiple Family Dwelling;
   b) Hostel;
   c) Hotel;
   d) Short-Term Rental;
   e) Resort Commercial Use;
   f) Eating and Drinking Establishments;
   g) Personal Service Establishment;
   h) Real estate office;
   i) Skier Services;
   j) Public Assembly;
   k) Recreation facilities;
   l) Day-care facilities; and
   m) Accessory uses, Buildings and Structures.

2. PARCEL SIZE
   The minimum parcel area required in the AVC-1 sub-zone is 1200 square meters.

3. SETBACKS
   There are no prescribed setbacks in this zone.

4. PARCEL COVERAGE
<table>
<thead>
<tr>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>85%</td>
</tr>
</tbody>
</table>

5. HEIGHT
   a) The maximum Height is 20 m for Principal Buildings and 6.0 m for Accessory Buildings.
6. PARKING

a) **Parking** within AVC-1 shall be on-site and underground or under Building to reflect the pedestrian orientation of the sub-zone. Up to 10% of the required parking or 10 spaces, whichever is less, may be provided as surface parking for short term, visitor, or accessible parking. For non-residential uses, up to fifty percent (50%) of required parking spaces may be located on another parcel of privately owned land within 400 metres of the subject parcel, subject to the following conditions:

i) In no case shall any transfer under this regulation reduce or otherwise compromise the availability of required on-site parking spaces for the parcel to which the on-site parking requirement has been transferred; and,

ii) The landowners of the parcel being developed and the parcel, to which the parking is being transferred, shall enter into an agreement with the City under Section 219 of the Land Title Act, registered in priority over any other charges, restricting the use of the necessary portion of the parcel to which the parking is being transferred, to “parking.”

b) On street parking is not permitted in this sub-zone.

7. DENSITY

a) The maximum number of equivalent units permitted on all parcels within the AVC-1 sub-zone is 370.

b) Total Commercial use in the AVC-1 sub-zone is limited to 5,110 square metres.

c) Allocation of this commercial use is shown on Diagram **10.1.3** - Map entitled AVC-1 Subzone Commercial Use.
Diagram 10.1.3 – AVC-1 Subzone Commercial Use.
1. **PERMITTED USES**

   The following uses and no others shall be permitted in the AVC-2 sub-zone of the CD-1 zone:
   
   a) **Multiple Family Dwelling**;
   b) **Recreation Facilities**;
   c) **Hostel**
   d) **Short-Term Rental**; and
   e) **Accessory uses, Buildings and Structures**.

2. **PARCEL SIZE**

   The minimum parcel area required in the AVC-2 sub-zone is 1200 square meters.

3. **SETBACKS**

   There are no prescribed setbacks in this zone.

4. **PARCEL COVERAGE**

<table>
<thead>
<tr>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>85%</td>
</tr>
</tbody>
</table>

5. **HEIGHT**

   a) The maximum **Height** is 18 m for **Principal Buildings** and 6.0 m for **Accessory Buildings**.
6. PARKING

   a) **Parking** within AVC-2 shall be on-site and underground or under **Building** to reflect the pedestrian orientation of the sub-zone. Up to 10% of the required parking or 10 spaces, whichever is less, may be provided as surface parking for short term, visitor, or accessible parking. For non-residential uses, up to fifty percent (50%) of required parking spaces may be located on another parcel of privately owned land within 400 metres of the subject parcel, subject to the following conditions:

   i) In no case shall any transfer under this regulation reduce or otherwise compromise the availability of required on-site parking spaces for the parcel to which the on-site parking requirement has been transferred; and,

   ii) The landowners of the parcel being developed and the parcel, to which the parking is being transferred, shall enter into an agreement with the City under Section 219 of the Land Title Act, registered in priority over any other charges, restricting the use of the necessary portion of the parcel to which the parking is being transferred, to “parking.”

   c) On street parking is not permitted in this sub-zone.

7. DENSITY

   a) The maximum number of equivalent units permitted on all parcels within the AVC-2 sub-zone is 71.
10.1.5 CD-1 – Lower Alpine Village Core ‘B’ – AVC-3

1. PERMITTED USES

The following uses and no others shall be permitted in the AVC-3 sub-zone of the CD-1 zone:

a) Multiple family dwelling;
b) Resort Commercial Use;
c) Eating and Drinking Establishments;
d) Personal Service Establishment;
e) Real Estate Office;
f) Short-Term Rental;
g) Public Assembly;
h) Recreation Facilities;
i) Day-care Facilities; and
j) Accessory uses, Buildings and Structures.

2. PARCEL SIZE

The minimum parcel area required in the AVC-3 sub-zone is 1200 square meters.

3. SETBACKS

There are no prescribed setbacks in this zone.

4. PARCEL COVERAGE

<table>
<thead>
<tr>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>85%</td>
</tr>
</tbody>
</table>

5. HEIGHT

The maximum Height is 20 m for Principal Buildings and 6.0 m for Accessory Buildings.
6. PARKING

a) **Parking** within AVC-3 shall be on-site and underground or under **Building** to reflect the pedestrian orientation of the sub-zone. Up to 10% of the required parking or 10 spaces, whichever is less, may be provided as surface parking for short term, visitor, or accessible parking. For non-residential uses, up to fifty percent (50%) of required parking spaces may be located on another parcel of privately owned land within 400 metres of the subject parcel, subject to the following conditions:

i) In no case shall any transfer under this regulation reduce or otherwise compromise the availability of required on-site parking spaces for the parcel to which the on-site parking requirement has been transferred; and,

ii) The landowners of the parcel being developed and the parcel to which the parking is being transferred, shall enter into an agreement with the City under Section 219 of the Land Title Act, registered in priority over any other charges, restricting the use of the necessary portion of the parcel to which the parking is being transferred, to “parking.”

c) On street parking is not permitted in this sub-zone.

7. DENSITY

a) The maximum number of equivalent units permitted on all parcels within the AVC-3 sub-zone is 45.

b) Retail sales shall not exceed a total gross floor area of 93 square metres per commercial unit within the AVC-3 sub-zone.

c) Total Commercial use in the AVC-3 sub-zone is limited to 557 square metres.
1. PERMITTED USES

The following uses and no others shall be permitted in the AVC-4 sub zone of the CD-1 zone:

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

2. PARCEL SIZE

The minimum parcel area required in the AVC-4 sub-zone is 1200 square meters.

3. SETBACKS

There are no prescribed setbacks in this zone.

4. PARCEL COVERAGE

<table>
<thead>
<tr>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>85%</td>
</tr>
</tbody>
</table>

5. HEIGHT

The maximum Height is 20 m for Principal Buildings and 6.0 m for Accessory Buildings.
6. PARKING

a) Parking within AVC-4 shall be on-site and underground or under Building to reflect the pedestrian orientation of the sub-zone. Up to 10% of the required parking or 10 spaces, whichever is less, may be provided as surface parking for short term, visitor, or accessible parking. For non-residential uses, up to fifty percent (50%) of required parking spaces may be located on another parcel of privately owned land within 400 metres of the subject parcel, subject to the following conditions:

i) In no case shall any transfer under this regulation reduce or otherwise compromise the availability of required on-site parking spaces for the parcel to which the on-site parking requirement has been transferred; and,

ii) The landowners of the parcel being developed and the parcel, to which the parking is being transferred, shall enter into an agreement with the City under Section 219 of the Land Title Act, registered in priority over any other charges, restricting the use of the necessary portion of the parcel to which the parking is being transferred, to “parking.”

c) On street parking is not permitted in this sub-zone.

7. DENSITY

a) The maximum number of equivalent units permitted on all parcels within the AVC-4 sub-zone is 163.

b) Retail sales shall not exceed a total gross floor area of 186 square metres per commercial unit within the AVC-4 sub-zone.

c) Total Commercial use in the AVC-4 sub-zone is limited to 836 square metres.
**10.1.7 CD-1 – Mountain Activity Area – MA-1**

1. **PERMITTED USES**

   The following uses and no others shall be permitted in the MA-1 sub-zone of the CD-1 zone:
   
   a) Cross-country and downhill ski trails;
   b) **Eating and drinking establishments**;
   c) Ski lifts and towers;
   d) **Skier Services Buildings**; and
   e) **Accessory uses, Buildings and Structures**.
   f) **Recreation Cabin – Maximum 1 per parcel**

2. **REGULATIONS**

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

3. **SETBACKS**

   No Building or Structures shall be located within 5 metres of any lot line.

4. **HEIGHT**

   The maximum Height is 15 m for **Principal Buildings** and 6.0 m for **Accessory Buildings**.

5. **PARKING**

   Section 11 (**Parking regulations**) does not apply to the permitted uses in this sub-zone.
10.1.7.1 CD-1 – Mountain Activity Area – MA-1 JUMBO

1. PERMITTED USES

The following uses and no others shall be permitted in the MA-1 JUMBO sub-zone of the CD-1 zone:

a) Cross-country and downhill ski trails;
b) Eating and drinking establishments;
c) Ski lifts and towers;
d) Skier Services Buildings; and
e) Accessory uses, Buildings and Structures.
f) Recreation Cabin – Maximum 1 per parcel
g) Accessory Recreation Cabin – Maximum 1 per parcel

2. REGULATIONS

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

3. SETBACKS

No Building or Structures shall be located within 5 metres of any lot line.

4. HEIGHT

The maximum Height is 15 m for Principal Buildings and 6.0 m for Accessory Buildings.

5. PARKING

Section 11 (Parking regulations) does not apply to the permitted uses in this sub-zone.
10.1.7.2  CD-1 – Mountain Activity Area – MA-1 Paradise

1. PERMITTED USES
   The following uses and no others shall be permitted in the MA-1 Paradise sub-zone of the CD-1 zone:
   a) Cross-country and downhill ski trails;
   b) **Eating and drinking establishments**;
   c) Ski lifts and towers;
   d) **Skier Services Buildings**; and
   e) **Accessory uses**, **Buildings** and **Structures**.
   f) **Tourist Cabins**
   g) **Accommodation Units**

2. REGULATIONS
   **Buildings and Structures within the MA-1 sub-zone must be connected to a liquid waste disposal system that is approved by the Interior Health Authority.**

3. DENSITY
   Maximum 11 **Accommodation Units**.

4. HEIGHT
   The maximum **Height** is 15 m for **Principal Buildings** and 6.0 m for **Accessory Buildings**.

5. PARKING
   Section 11 (**Parking regulations**) does not apply to the permitted uses in this sub-zone.
10.1.8 CD-1 – Open Space – OS-1

1. **PERMITTED USES**

   The following uses and no others shall be permitted in the OS-1 sub-zone of the CD-1 zone:

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

2. **REGULATIONS**

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

3. **HEIGHT**

   The maximum **Height** is 4.5 m for **Accessory Buildings** and **Structures**.
10.1.9 CD-1 – Resort Parking – RP-1

1. **PERMITTED USES**

   The following uses and no others shall be permitted in the RP-1 sub-zone of the CD-1 zone:

   a) **Parking**;
   
   b) **Skier Services**;
   
   c) **One Family Detached Dwelling**;
   
   d) **Accessory Buildings** and uses;

2. **REGULATIONS**

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

   b) Not more than one **One Family Detached Dwelling** shall be located on a parcel in the RP-1 sub zone.

   c) A landscape buffer at least 10 metres in width shall be maintained around the parking lot located east of **Highway 3B**.

3. **HEIGHT**

   The maximum **Height** is 10 m for **Principal Buildings** and 4.5 m for **Accessory Buildings**.
10.1.10 CD-1 – Resort Light Industrial– RI-1

1. PERMITTED USES

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

a) Equipment maintenance;

b) Storage facilities;

c) Accessory Buildings and Structures.

2. REGULATIONS

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

b) A landscape buffer at least 10 metres in width shall be maintained around the storage facilities.

3. PARCEL AREA

The minimum parcel area is 950 square metres.

4. SETBACKS

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

5. HEIGHT

The maximum permitted height for all Buildings and Structures shall be 12 metres.
10.2 COMPREHENSIVE DEVELOPMENT CD-2

1. INTENT

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

2. SUB ZONES

Gateway Residential 1 – GW-1
Gateway Residential 2 – GW-2

3. REGULATIONS

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

a) Permitted Uses of Land, Buildings and Structures in all Sub Zones. Except as otherwise stated in this Bylaw, the following uses are permitted in all Zones;

i) Highways;

ii) Temporary Buildings and Structures, for non-domicile use, required for an approved construction project on the same parcel provided that the temporary Buildings and Structures are removed within thirty days of completion of the approved construction;

iii) Storage of materials required for an approved construction project on the same parcel or adjoining parcel provided that the materials are removed within thirty days of completion of the approved construction;

iv) Trails and lifts; and

v) Office Buildings.

b) The heights of Buildings and Structures may be exceeded for monuments, chimney stacks, flagpoles and lighting poles or any non-habitable design feature.

c) The maximum number of equivalent units permitted on all parcels within the CD-2 Zone is 170 as shown on Diagram 10.2 the map entitled “CD-2 Zone Equivalent Units”.

Diagram 10.2 – CD-2 Zone Equivalent Units

Legend
- 38 Equivalent Units
- 48 Equivalent Units
- 37 Equivalent Units
- 25 Equivalent Units
- Rossland Boundary
- Parcel
- Buildings
10.2.1 CD-2 – Gateway Residential 1 – GW-1

1. PERMITTED USES

   The following uses and no others shall be permitted in the GW-1 sub-zone of the CD-2 Zone:
   
   a) One Family Detached Dwelling;
   b) Two Family Detached Dwelling;
   c) Multiple Family Dwelling;
   d) Park and Playground;
   e) Public Assembly;
   f) Short-Term Rental;
   g) Recreation Facilities;
   h) Home Occupation;
   i) Accessory Buildings, Structures and uses.
   j) Secondary Suite

2. CONDITIONS OF USE

   a) A Secondary Suite Dwelling shall be permitted subject to the provisions of Section 4.1.2 (b);
   b) An Home Occupation shall be permitted subject to the provisions of section 4.1.2 (d);
   c) A Short-Term Rental shall be permitted subject to the provisions of section 4.1.2 (e)
   d) Off Street Parking and loading requirements are subject to the provisions of Section 11.
3. PARCEL SIZE

On a Parcel located in an area Zoned CD-2 – GW1, no plan of subdivision shall be approved which contravenes the regulations set out below.

For One Family Detached Dwelling:

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
<th>Min Building Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>275 m²</td>
<td>750 m²</td>
<td>4.5 m</td>
</tr>
</tbody>
</table>

For Two Family Detached Dwelling Use:

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
<th>Min Building Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>550 m²</td>
<td>1,250 m²</td>
<td>4.5 m</td>
</tr>
</tbody>
</table>

For Multiple Family Dwelling Use:

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>750 m²</td>
<td>2,400 m²</td>
</tr>
</tbody>
</table>

4. SETBACKS

The minimum Setbacks from Parcel lines are as follows:

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
<th>Interior Side</th>
<th>Exterior Side</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0 m</td>
<td>4.0 m</td>
<td>1.8 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>
5. COVERAGE

For One Family Detached Dwellings with a Parcel Area less than 550 square meters:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>40%</td>
<td>45%</td>
</tr>
</tbody>
</table>

For One Family Detached Dwellings with a Parcel Area equal to or greater than 550 square meters:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>35%</td>
<td>40%</td>
</tr>
</tbody>
</table>

For Two Family Detached Dwellings:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>40%</td>
<td>45%</td>
</tr>
</tbody>
</table>

For Multiple Family Dwellings:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>50%</td>
<td>60%</td>
</tr>
</tbody>
</table>

6. HEIGHT

d) The maximum Height for Principal Buildings is 10 m.

e) The maximum Height is 15.0 for a Multiple Family Dwelling.

f) The maximum Height is 4.5 m for Accessory Buildings.

7. DENSITY

a) Density is limited to 25 equivalent units per hectare.
10.2.2 CD-2 – Gateway Residential 2 – GW-2

1. PERMITTED USES

   The following uses and no others shall be permitted in the GW-2 sub-zone of the CD-2 Zone:
   
   a) **Short-Term Rental** Use;
   
   b) **Multiple Family Dwelling**;
   
   c) **Eating and Drinking Establishment** within a multiple family dwelling used as a short term rental;
   
   d) **Resort Commercial Use** within a multiple family dwelling used as a short term rental;
   
   e) Personal service Use within a multiple family dwelling used as a short term rental;
   
   f) **Recreation Facilities** within a multiple family dwelling used as a short term rental;
   
   g) **Accessory Buildings, Structures** and uses.

2. PARCEL SIZE

   The minimum parcel area required in the GW-2 sub-zone is 1200 square meters.

3. SETBACKS

   The minimum Setbacks from Parcel lines are as follows:

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
<th>Interior Side</th>
<th>Exterior Side</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0 m</td>
<td>4.0 m</td>
<td>1.8 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

4. PARCEL COVERAGE

   Max Surface Parcel Coverage

   75%

5. HEIGHT

   The maximum Height is 18 m for **Principal Buildings** and 4.5 m for **Accessory Buildings**.

6. DENSITY

   a) Density is limited to 25 equivalent units per hectare.

   b) The maximum size of an **Eating and Drinking Establishment**, Resort retail sales, or Resort personal service operation is 200 square metres per commercial unit.
10.3 COMPREHENSIVE DEVELOPMENT CD-3

1. INTENT

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

2. SUB ZONES

Residential Fringe Area – RFA
Resort Rural Residential – RRR

3. REGULATIONS

The general regulations shall be applicable to all sub Zones contained within this CD-3 Zone.

a) Permitted Uses of Land, Buildings and Structures in all Sub Zones. Except as otherwise stated in this Bylaw, the following uses are permitted in all Zones;

i) Highways;

ii) Temporary Buildings and Structures, for non-domicile use, required for an approved construction project on the same parcel provided that the temporary Buildings and Structures are removed within thirty days of completion of the approved construction;

iii) Storage of materials required for an approved construction project on the same parcel or adjoining parcel provided that the materials are removed within thirty days of completion of the approved construction;

iv) Trails and lifts; and

v) Office Buildings.

b) The heights of Buildings and Structures may be exceeded for monuments, chimney stacks, flagpoles and lighting poles or any non-habitable design feature.
10.3.1 CD-3 – Residential Fringe Area – RFA

1. PERMITTED USES

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

a) One Family Detached Dwelling;
b) Two Family Detached Dwelling;
c) Multiple Family Dwelling;
d) Short-Term Rental;
e) Natural Open Space;
f) Playground and park;
g) Accessory Buildings and Structures.
h) Secondary Suite

2. CONDITIONS OF USE

A Secondary Suite Dwelling shall be permitted subject to the provisions of Section 4.1.2 (b);

3. PARCEL SIZE

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

For One Family Detached Dwelling:

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
<th>Min Building Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>275 m²</td>
<td>750 m²</td>
<td>4.5 m</td>
</tr>
</tbody>
</table>

For Two Family Detached Dwelling Use:

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
<th>Min Building Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>550 m²</td>
<td>1,250 m²</td>
<td>4.5 m</td>
</tr>
</tbody>
</table>

For Multiple Family Dwelling Use:

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>750 m²</td>
<td>2,400 m²</td>
</tr>
</tbody>
</table>
### 4. COVERAGE

For **One Family Detached Dwellings** with a **Parcel Area** less than 550 square meters:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>40%</td>
<td>45%</td>
</tr>
</tbody>
</table>

For **One Family Detached Dwellings** with a **Parcel Area** equal to or greater than 550 square meters:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>35%</td>
<td>40%</td>
</tr>
</tbody>
</table>

For **Two Family Detached Dwellings**:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>40%</td>
<td>45%</td>
</tr>
</tbody>
</table>

For **Multiple Family Dwellings**:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>50%</td>
<td>60%</td>
</tr>
</tbody>
</table>

### 5. SETBACKS

The minimum **Setbacks** from **Parcel** lines are as follows:

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
<th>Interior Side</th>
<th>Exterior Side</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0 m</td>
<td>4.0 m</td>
<td>1.8 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

### 6. DENSITY

a) Excepting approved cluster development, density is limited to 16 equivalent units per gross hectare in this sub-zone.

b) Density can increase to a maximum of 30 equivalent units per net hectare for cluster development, as the land conditions permit or through provision of additional open space.

c) The maximum number of equivalent units permitted on all parcels within the RFA sub zone is 44.
10.3.2 CD-3 – Resort Rural Residential – RRR

1. PERMITTED USES

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

a) One Family Detached Dwelling;
b) Two Family Detached Dwelling;
c) Multiple Family Dwelling
d) Secondary suite
e) Home occupation;
f) Accessory buildings and uses
g) Short-Term Rental

2. CONDITIONS OF USE

a) A Secondary Suite shall be permitted subject to the provisions of section 4.1.2 (b);
b) An Home Occupation shall be permitted subject to the provisions of section 4.1.2 (d);
c) A Short-Term Rental shall be permitted subject to the provisions of section 4.1.2 (e)
3. PARCEL SIZE

a) On a Parcel located in an area Zoned RRR, no plan of subdivision shall be approved which contravenes the regulations set out below.

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
<th>Min Building Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.2 ha</td>
<td>0.4 ha</td>
<td>4.5 m</td>
</tr>
</tbody>
</table>

b) Notwithstanding the minimum parcel area above, where topography makes possible, cluster development involving a minimum of 6 lots (any combination of One or Two Family Detached Dwellings) is permitted with the following regulations:

i) For One Family Detached Dwelling Use:

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
<th>Min Building Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>275 m²</td>
<td>2,000 m²</td>
<td>4.5 m</td>
</tr>
</tbody>
</table>

ii) For Two Family Detached Dwelling Use:

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
<th>Min Building Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>550 m²</td>
<td>2,000 m²</td>
<td>4.5 m</td>
</tr>
</tbody>
</table>
4. SETBACKS

a) The minimum **setbacks** from **Parcel** lines are as follows:

<table>
<thead>
<tr>
<th></th>
<th>Front</th>
<th>Rear</th>
<th>Interior Side</th>
<th>Exterior Side</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4.0 m</td>
<td>3.0 m</td>
<td>4.0 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

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

c) 30 metres from Topping Creek.

d) Notwithstanding the setbacks above, where topography makes possible, cluster development involving a minimum of 6 lots (any combination of **One or Two Family Detached Dwellings**) is permitted with the following setbacks:

<table>
<thead>
<tr>
<th></th>
<th>Front</th>
<th>Rear</th>
<th>Interior Side</th>
<th>Exterior Side</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4.0 m</td>
<td>2.0 m</td>
<td>1.8 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

4. COVERAGE

a) The maximum building parcel coverage is 350 m².

b) Notwithstanding the coverage above, where topography makes possible, cluster development involving a minimum of 6 lots (any combination of **One or Two Family Detached Dwellings**) is permitted with the following coverage:

i) For **One Family Detached Dwellings** with a **Parcel Area** equal to or greater than 550 square meters:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>35%</td>
<td>40%</td>
</tr>
</tbody>
</table>

ii) For **Two Family Detached Dwellings** and **One Family Detached Dwellings** with a **Parcel Area** smaller than 550 sq meters:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>40%</td>
<td>45%</td>
</tr>
</tbody>
</table>

c) For **Multiple Family Dwellings** the maximum **Building Parcel Coverage** is the lesser of 24% or 500 m². The maximum **Surface Parcel Coverage** is the lesser of 30% or 600 m².
5. HEIGHT

a) For One Family and Two Family Detached Dwellings the maximum Height is 10 m for Principal Buildings.

b) For Multiple Family Dwellings the maximum Height is 12 m for Principal Buildings.

c) The maximum Height is 4.5 m for Accessory Buildings.

6. DENSITY

Total equivalent units permitted in the RRR Zone are separated into specific areas as shown on Diagram 10.3.2 below, the map entitled “RRR Subzone Equivalent Units”.

Diagram 10.3.2 – RRR Subzone Equivalent Units
10.3.3 CD-3 – Resort Holiday Park - RHP

1. INTENT

The intent of this zone is to permit a variety of forms of accommodation including cabins, tents, RV’s or similar. A holiday park also provides facilities such as laundry, showers and picnic/barbeque facilities, limited commercial and recreational facilities.

2. PERMITTED USES

The following uses and no others shall be permitted in the CD3 - RHP Zone:

a) Resort Campground
b) One Family Detached Dwelling
c) Short-Term Rental
d) Secondary Suite Dwelling
e) Detached Secondary Suite Dwelling
f) Agriculture Use;
g) Agriculture Stand;
h) Accessory Buildings, Structures and uses

3. CONDITIONS OF USE

a) A Short-Term Rental shall be permitted subject to the provisions of section 4.1.2 (e)

b) Off Street Parking and loading requirements are subject to the provisions of Section 11.

c) A Secondary Suite Dwelling shall be permitted subject to the provisions of Section 4.1.2 (b);

d) A Detached Secondary Suite Dwelling shall be permitted subject to the provisions of section 4.1.2 (c);

3. PARCEL SIZE

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

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.0 ha</td>
</tr>
</tbody>
</table>

4. COVERAGE

Maximum 20% of the parcel area may be covered by buildings and structures combined.
5. **SETBACKS**  
The minimum setback from parcel lines are as follows:

<table>
<thead>
<tr>
<th></th>
<th>Front</th>
<th>Rear</th>
<th>Interior Side</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4.0 m</td>
<td>2.0 m</td>
<td>2.0 m</td>
</tr>
</tbody>
</table>

6. **HEIGHT**  
The maximum **Height** for **Principal and Accessory Buildings** is 10.0 m.

7. **DENSITY**  
a) Maximum 20 campsites per hectare,
b) Maximum 15 **tourist cabins** per hectare.
c) Maximum 1 **One Family Detached Dwelling** per parcel.

8. **OTHER REGULATIONS**  
a) Outdoor storage areas must be surrounded by a solid **landscape screen** not less than 2.0m in height.
b) A **landscape buffer** at least 2 metres in width shall be maintained in the interior and rear setbacks.
10.3.4 CD 3 - Resort Mixed Use - RMU

1. INTENT

The intent of this zone is to permit a variety of forms of accommodation including cabins, tents, RV’s, hostel and other dwellings. The zone also provides facilities such as laundry, showers and picnic/barbeque facilities, limited commercial and recreational facilities to serve guests.

2. PERMITTED USES

The following uses and no others shall be permitted in the CD3 - RMU Zone:

a) Resort Campground;
b) Multiple Family Dwelling;
c) Two Family Dwelling;
d) Single Family Dwelling;
e) Secondary Suite Dwelling;
f) Detached Secondary Suite Dwelling;
g) Short term Rental;
h) Tourist Cabin;
i) Hostel;
j) Resort Commercial Use;
k) Neighbourhood Oriented Commercial Use;
l) Accessory Buildings, Structures and uses

3. CONDITIONS OF USE

a) A Short term Rental Accommodation shall be permitted subject to the provisions of section 4.1.2 (e)
b) A Secondary Suite Dwelling shall be permitted subject to the provisions of Section 4.1.2 (b);
c) A Detached Secondary Suite Dwelling shall be permitted subject to the provisions of section 4.1.2 (c);
d) b) Off Street Parking and loading requirements are subject to the provisions of Section 11.
e) All Resort and Neighbourhood Commercial uses in the zone shall be limited to a total of 200 square metres;
3. **PARCEL SIZE**

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

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>550 sq m</td>
</tr>
</tbody>
</table>

4. **COVERAGE**

For One Family Detached Dwellings with a Parcel Area equal to or greater than 550 square meters:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>35%</td>
<td>40%</td>
</tr>
</tbody>
</table>

For Two Family Detached Dwellings:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>40%</td>
<td>50%</td>
</tr>
</tbody>
</table>

For Multiple Family Dwellings and all other uses:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>50%</td>
<td>60%</td>
</tr>
</tbody>
</table>

5. **HEIGHT**

d) The maximum Height for Principal Buildings is 10.0 m;

e) The maximum Height is 13.0 m for a Multiple Family Dwelling.

f) The maximum Height is 4.5 m for Accessory Buildings.

6. **DENSITY**

a) Maximum 15 tourist cabins per hectare.

b) Maximum 25 equivalent units per hectare.

7. **OTHER REGULATIONS**

a) Outdoor storage areas must be surrounded by a solid landscape screen not less than 2 metres in height.

b) A landscape buffer at least 2 metres in width shall be maintained in the interior, exterior and rear setbacks.
1. **INTENT**

   The purpose of this zone is to provide for the development of multiple family dwellings and limited Commercial space in the old hospital building at 1961 Georgia St.

2. **PERMITTED USES**

   a) **Clinic** subject to section 3 below;
   
   b) **Office** subject to section 3 below;
   
   c) **Personal Service Establishment** subject to section 3 below;
   
   d) **Multiple Family Dwelling** subject to section 4 below;
   
   e) Ambulance Services;
   
   f) **Parking area**;
   
   g) **Accessory Buildings**

3. **REGULATIONS**

   1. Commercial uses are permitted on the first and second floor only.
   
   2. In this zone, **Office** use is limited to Medical/Professional Services, which means the provision of services by an individual who is registered or duly licensed as such to practice under the provisions of the authority of appropriate jurisdiction. Without restricting the generality of the above, this includes but is not limited to the following:
      
      i. Doctors and Dentists;
      
      ii. Chiropractors;
      
      iii. Physiotherapists;
      
      iv. Other health professionals;
      
      v. Lawyers;
      
      vi. Accountants;
      
      vii. Engineers;
      
      viii. Architects.
   
   3. Where parking areas are adjacent to other parcels, a landscape buffer must be provided to screen parking areas.
4. **SETBACKS**  
The minimum setback from parcel lines immediately adjacent to R-zones is 1.5 m.

5. **COVERAGE**  
The maximum **Building** parcel coverage is 55%.

6. **HEIGHT**  
The maximum height is 15.0 metres for principal **Buildings** and 5.0 metres for **Accessory Buildings**.

7. **DENSITY**  
**Multiple Family Dwellings** are permitted in the CD-4 zone, provided that the multiple family dwelling(s) have a maximum density of 46 units per net hectare.
10.5 COMPREHENSIVE DEVELOPMENT CD-5 – Mixed One and Two Family Dwellings

1. INTENT

The purpose of this zone is to provide for the development of one and two family dwellings on a large parcel located on Spokane St to the south of the City Centre.

2. PERMITTED USES

a) One Family Detached Dwellings;

b) Two Family Detached Dwellings;

c) Home occupation;

d) Accessory Buildings and uses.

3. REGULATIONS

An Home Occupation shall be permitted subject to the provisions of section 4.1.2 (d).

4. COVERAGE

For One Family Detached Dwelling Use:

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Min Parcel Frontage</th>
<th>Min Building Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>550 m²</td>
<td>18 m</td>
<td>4.5 m</td>
</tr>
</tbody>
</table>

ii) For Two Family Detached Dwelling Use:

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Min Parcel Frontage</th>
<th>Min Building Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>800 m²</td>
<td>18 m</td>
<td>4.5 m</td>
</tr>
</tbody>
</table>

5. SETBACKS

The minimum Setbacks from Parcel lines are as follows:

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
<th>Interior Side</th>
<th>Exterior Side</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.0 m</td>
<td>7.0 m</td>
<td>1.8 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

6. COVERAGE

i) One Family Detached Dwellings:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>35%</td>
<td>45%</td>
</tr>
</tbody>
</table>

ii) For Two Family Detached Dwellings:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>40%</td>
<td>50%</td>
</tr>
</tbody>
</table>
7. HEIGHT

The maximum height is 10.0 metres for principal Buildings and 4.5 metres for Accessory Buildings.

8. DENSITY

a) Up to a maximum of five One Family Detached Dwellings;

b) Up to a maximum of three Two Family Detached Dwellings;
10.6 COMPREHENSIVE DEVELOPMENT CD-6 – COOK AVE-Mixed Residential

1. INTENT

The intent of this Zone is to allow mixed housing types within specific area formerly known as Cooke Ave School.

2. PERMITTED USES

The following uses only shall be permitted in the CD6 Cooke Ave Mixed Residential Zone:

  g) One Family Detached Dwelling;
  h) Two Family Detached Dwelling;
  i) Multiple Family Dwelling;
  j) Home Occupation;
  k) Secondary Suite; and

3. REGULATIONS

In this zone, Height means the vertical distance from the lowest natural grade adjacent to an exterior wall of a building to the highest point of the roof.

4. CONDITIONS OF USE

  d) A Secondary Suite Dwelling shall be permitted subject to the provisions of Section 4.1.2 (b);
  e) An Home Occupation shall be permitted subject to the provisions of section 4.1.2 (d);
  f) Off Street Parking and loading requirements are subject to the provisions of Section 11 except that the access must ONLY be provided on Cook Ave and is limited to 2 driveways. The driveway width may increase to 6.0 metres.

5. PARCEL SIZE

On a Parcel located in an area Zoned CD6, no plan of subdivision shall be approved which contravenes the regulations set out below.

For One Family Detached Dwelling:

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
<th>Min Building Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>275 m²</td>
<td>840 m²</td>
<td>4.5 m</td>
</tr>
</tbody>
</table>

For Two Family Detached Dwelling Use:

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
<th>Min Building Width</th>
</tr>
</thead>
</table>
For **Multiple Family Dwelling** Use:

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Max Parcel Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>750 m²</td>
<td>2,400 m²</td>
</tr>
</tbody>
</table>

### 6. COVERAGE

For **One Family Detached Dwellings** with a **Parcel Area** less than 550 square meters:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>40%</td>
<td>50%</td>
</tr>
</tbody>
</table>

For **One Family Detached Dwellings** with a **Parcel Area** equal to or greater than 550 square meters:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>35%</td>
<td>40%</td>
</tr>
</tbody>
</table>

For **Two Family Detached Dwellings**:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>40%</td>
<td>50%</td>
</tr>
</tbody>
</table>

For **Multiple Family Dwellings**:

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>50%</td>
<td>60%</td>
</tr>
</tbody>
</table>
7. FLOOR AREA RATIO

   e) For One Family Detached Dwellings, with a Parcel Area less than 550 square meters, the floor area ratio shall not exceed a factor of 0.6.

   f) For One Family Detached Dwellings, with a Parcel Area equal to or greater than 550 square meters, not to exceed the maximum Parcel Area, the floor area ratio shall not exceed a factor of 0.5.

   g) For Two Family Detached Dwellings the floor area ratio shall not exceed a factor of 0.6.

   h) For Multiple Family Dwellings the floor area ratio shall not exceed a factor of 1.0.

8. HEIGHT

   d) The maximum Height for Principal Buildings is 10.0 m subject to section 10.6.3 above.

   e) The maximum Height is 12.0 m for a Multiple Family Dwelling subject to section 10.6.3 above.

   f) The maximum Height is 4.5 m for Accessory Buildings subject to section 10.6.3 above.

9. SETBACKS

   The minimum Setbacks from Parcel lines are as follows:

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
<th>Interior Side</th>
<th>Exterior Side</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0 m</td>
<td>2.0 m</td>
<td>1.8 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
<th>Interior Side</th>
<th>Exterior Side</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0 m</td>
<td>2.0 m</td>
<td>1.8 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

   a) The exterior side setback along the undeveloped Cliff St Right of Way may be reduced to 2.0 m.

10. DENSITY

    The maximum number of equivalent units permitted in the CD6 Zone is 16 with a maximum number of 24 dwelling units. The maximum number of dwellings within a Multiple Family Dwelling is 6 dwelling units.

11. DENSITY BONUS

    The density may be increased to 28 dwelling units provided that the 4 additional units are each less than 50 sq. m.
10.7 COMPREHENSIVE DEVELOPMENT CD-7 – CD ZONE 7 – EVERGREEN MULTI FAMILY

1. INTENT

The intent of this Zone is to allow the development of multiple family development at the end of Cedar Crescent in an area known as Evergreen.

2. PERMITTED USES

The following uses and no others shall be permitted in the CD7 Zone:

d) Multiple Family Dwellings
e) Home Occupation
f) Accessory Buildings and Uses

3. CONDITIONS OF USE

c) An Home Occupation shall be provided subject to the provisions of section 4.1.2 (d)
d) Off Street Parking and loading requirements are subject to the provisions of Section 11.
e) A landscape buffer at least 3 metres in width shall be maintained around any parking areas.

4. PARCEL SIZE

On a Parcel located in an area Zoned CD-7, no plan of subdivision shall be approved which contravenes the regulations set out below:

<table>
<thead>
<tr>
<th>Min Parcel Area</th>
<th>Min Parcel Frontage</th>
</tr>
</thead>
<tbody>
<tr>
<td>950 m²</td>
<td>18 m</td>
</tr>
</tbody>
</table>

5. FLOOR AREA RATIO

For Multiple Family Dwellings the floor area ratio shall not exceed a factor of 1.0.

6. SETBACKS

The minimum Setbacks from Parcel lines are as follows:

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
<th>Exterior</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0 m</td>
<td>4.0 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

**Interior Side Setback:** 2 metre is required except where the Parcel abuts a R1 Residential Zone, in which case 10.0 m from the Interior Parcel Line.
7. PARCEL COVERAGE

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>50%</td>
<td>60%</td>
</tr>
</tbody>
</table>

8. HEIGHT

   c) The maximum **Height** is 13.0 m for a **Multiple Family Dwelling**
   d) The maximum **Height** is 4.5 m for **Accessory Buildings**.

9. DENSITY

   a) The total number of **dwelling units** permitted in this zone is 18 units.
   b) A **building** may not contain more than 6 **dwelling units**.
1. **INTENT**

   The intent of this Zone is to allow a mixed-use building comprising affordable housing units and City Hall on the ground floor.

2. **PERMITTED USES**

   The following uses and no others shall be permitted in the CD8 Zone:
   
   a) **Affordable Housing Units**
   
   b) **Home Occupation**
   
   c) **Civic Use**
   
   d) **Accessory Buildings and Uses**

3. **CONDITIONS OF USE**

   a) An **Home Occupation** shall be provided subject to the provisions of section 4.1.2 (d)

4. **SETBACKS**

   The minimum **Setbacks** from **Parcel** lines are as follows:

<table>
<thead>
<tr>
<th>Front</th>
<th>Rear</th>
<th>Exterior</th>
<th>Interior</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0 m</td>
<td>2.0 m</td>
<td>2.6 m</td>
<td>3.0 m</td>
</tr>
</tbody>
</table>

   a) Unenclosed balconies, porches, or sundecks, canopies and awnings, may intrude into the setback area, provided that such reduction shall apply only to the projecting feature.

5. **PARCEL COVERAGE**

<table>
<thead>
<tr>
<th>Max Building Parcel Coverage</th>
<th>Max Surface Parcel Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>50%</td>
<td>60%</td>
</tr>
</tbody>
</table>

6. **HEIGHT**

   a) No **principal building** shall exceed a height of 13 m or 4 storeys, whichever is less.

   b) The maximum **Height** is 4.5 m for **Accessory Buildings**.

7. **PARCEL SIZE**

   The parcel size shall remain at 3,587 sq m, for the subject parcel to which the CD-8 Zone is applied.

8. **DENSITY**

   a) The total number of dwelling units permitted in this zone is 37 units.
9. OFFSTREET PARKING

Notwithstanding regulations in Part 11 of the Zoning Bylaw, the following are regulations for off street parking and loading in the CD8 Zone.

a) Required Off street parking spaces

**Affordable Housing Units**
- 1.0 off-street parking stall per DU with one or two sleeping units;
- 1.5 off-street parking stalls per DU with three sleeping units;
- 2.0 off-street parking stalls per DU with 4 or more sleeping units;
- plus 0.2 per DU for visitor parking

b) The number of on-street parking stalls adjacent to land, a Building or a Structure in the CD8 zone shall be credited against the number of required off-street parking spaces.

c) Access to the parking area shall be provided by one access point with access driveway width and an aisle width of 6 metres.

d) Due to adverse soil conditions, the total parking area required by this bylaw shall be not be permeable.

e) In lieu of landscaped islands, the area surrounding the parking area will be landscaped.
11.0 OFF STREET PARKING AND LOADING

11.1 Application of Regulations
Space for the off-street parking and loading of motor vehicles in respect of a use permitted under this Bylaw shall be provided and maintained in accordance with the regulations of this section.

11.2 Exemptions from Parking and Loading Requirements
The regulations contained in this section shall not apply with respect to land, a Building or a Structure existing at the date of adoption of this Bylaw, so long as the land, Building or Structure continues to be put to a use that does not require more parking or loading spaces than were required for the use existing at the date of adoption of this Bylaw.

11.3 Calculating the Number of Required Parking and Loading Spaces
The number of required parking and loading spaces shall be calculated as follows:

1. The number of off-street parking spaces required for a use, Building or Structure shall be calculated according to the Off-street Parking Table 11.1 of this section.

Diagram 11.1 | Required Off-street Parking Spaces

<table>
<thead>
<tr>
<th>COLUMN I</th>
<th>COLUMN II</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CLASS OF BUILDING</strong></td>
<td><strong>REQUIRED NUMBER OF PARKING SPACES</strong></td>
</tr>
<tr>
<td>RESIDENTIAL DWELLINGS</td>
<td></td>
</tr>
<tr>
<td>One and Two Family Detached Dwellings</td>
<td>2 per principal dwelling unit(DU)</td>
</tr>
<tr>
<td></td>
<td>1 per principal DU if each principal DU has a net floor area less than 90 sq. m.</td>
</tr>
<tr>
<td>One Family Detached Dwelling with one(1) or more short term rental guest rooms</td>
<td>2 per DU, plus 1 space per guest room</td>
</tr>
<tr>
<td>One Family Detached Dwelling with Secondary Suite or Detached Secondary Suite</td>
<td>2 per principal DU, plus 1 per Accessory DU</td>
</tr>
<tr>
<td></td>
<td>1 per principal DU if principal DU has a net floor area less than 90 sq. m</td>
</tr>
<tr>
<td>Secondary Suite or Detached Secondary Suite used as a Short Term Rental Guest Suite</td>
<td>1 space per guest room</td>
</tr>
<tr>
<td><strong>One Family Detached Dwelling used as a Short Term Rental Guest Home</strong></td>
<td><strong>1 space per guest room</strong></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>Multiple Conversion dwelling</strong></td>
<td>2 per principal DU</td>
</tr>
<tr>
<td></td>
<td>1 per principal DU if each principal DU has a net floor area less than 90 sq. m.</td>
</tr>
<tr>
<td><strong>Mobile Home</strong></td>
<td>1 per DU</td>
</tr>
<tr>
<td><strong>Multiple Family Dwellings including Apartment Dwellings, Apartment Dwellings in Conjunction with a Commercial Use and Townhouse Dwellings and Multiple Family Dwellings used as a Short term Rental.</strong></td>
<td>a) 1.0 off-street parking stall per DU with one or two sleeping units;</td>
</tr>
<tr>
<td></td>
<td>b) 1.5 off-street parking stalls per DU with three sleeping units;</td>
</tr>
<tr>
<td></td>
<td>c) 2.0 off-street parking stalls per DU with 4 or more sleeping units;</td>
</tr>
<tr>
<td></td>
<td>plus 0.2 per DU for visitor parking</td>
</tr>
</tbody>
</table>

**COMMERCIAL**

| **Art Studio** | 2.0 per 100 sq. m. GFA |
| **Automotive or vehicle sales** | 2.0 per 100 sq. m. GFA |
| **Automotive or vehicle repair** | 2 per service bay |
| **Broadcasting Studios** | 2.5 per 100 sq. m. GFA |
| **Building and garden supply** | 1 per 37 sq. m. of commercial floor area |
| **Campground or Resort Campground** | 1 per site/tourist cabin |
| **Financial Institutions** | 2.5 per 100 sq. m. GFA |
| **Funeral Home** | 1 per 5 seats |
| **General Office** | 2.5 per 100 sq. m. GFA |
| **Golf Course** | 3 per hole |
| **Hotel** | 1 per 2 guest rooms |
| **Motel** | 1 per guest room |
| **Medical and Dental Clinics** | 1 per 50 sq. m. of gross floor area |
| **Neighbourhood Oriented Store** | 2 per 100 sq. m. of retail floor area |
| **Nurseries, Greenhouses** | 1 per 30 sq. m. |
| **Personal Service Establishments** | 1 per 45 sq. m. of gross floor area |
| **Restaurants, Cafes, Public Houses, Clubs or Lodges** | 1 per 6 seats |
| **Retail Stores** | 2.0 per 100 sq. m. GFA |
| | 2.3 per 100 sq. m. GFA |
| | 2.4 per 100 sq m. GFA |
| | 2.5 per 100 sq. m. GFA |
| Service stations, vehicle washes | 1 per 2 employees on duty, plus 1 per service bay, plus additional required spaces for other associated uses (e.g. retail) |
| Ski Resort | 1 per 4 units of Comfortable Carrying Capacity (As determined by the Canadian Alpine Ski Policy Guidelines.) |
| Theatres | 1 per 4 units of Comfortable Carrying Capacity |
| Unspecified Commercial Uses | 1 per 30 sq. m of gross floor area |
| **INDUSTRIAL** | |
| All light industrial uses on all parcels | 1 per 50 sq. m of gross floor area |
| **PUBLIC AND INSTITUTIONAL** | |
| Community Halls and Churches | 1 per 3 seats |
| Daycare | 1 per employee on duty |
| School | 1 per classroom |
| **Hospital** | |
| Intermediate Care Facility | 1 per employee per shift plus 1 per 5 beds |
| Libraries, Civic and Public Service Buildings | 1 per 90 sq. m. |
| Nursing and Extended Care Homes | 1 per employee on shift |
| Recreation Facility | 1 per 45 sq. m. gross floor area plus 1 per 10 seats |
| Stadium or Arena | 1 per 4 seats |
| Unspecified Institutional | 1 per 50 sq. m of gross floor area |

2. Where the calculation of the required off-street parking spaces results in a fraction, the required number of stalls shall be rounded down to the next full number.

3. Where seating is the basis for determining the number of off-street parking spaces and seating consists of benches, pews, booths or similar seating arrangements, each 0.5 m of width of such seating shall be deemed to be one seat.

4. In the case of mixed uses, the total requirements for off-street parking shall be the sum of the requirements for the various uses computed separately.

5. Not withstanding 11.13 (4), cumulative parking requirements for mixed-use occupancies may be reduced where it can be determined that the peak requirements of the occupancies occur at different and not conflicting times, subject to the following conditions:

The applicant shall submit a parking demand summary sheet identifying the greatest shared parking demand for all uses by using the demand calculations providing in Table 11.2 Parking Occupancy Rates. The calculations shall be completed as follows:
a) The minimum number of parking spaces to be provided for each use shall be determined by using Table 11.1 Required Off-street Parking Spaces.

b) The minimum number of parking spaces for each use shall be multiplied by the "occupancy rate" for each weekday and weekend time period.

c) For each time period, determine the combined total number of parking spaces required for all uses.

d) Identify the greatest minimum number of parking spaces required amongst the various time periods to establish the period of greatest shared demand.

e) Once the greatest shared parking demand for all weekday and weekend time periods is determined, Council will take into account the following factors in consideration of any reduction in parking requirements:

1) Distance between sharing uses and the parking facility;
2) Pedestrian connections among sharing uses and the parking facility;
3) Vehicular connections;
4) Whether parking will be paid;
5) Location and proximity to the town centre area;
6) General surrounding development density;
7) Proximity to transit corridors or stations;
8) Special trip reduction programs, such as vanpooling, transit, shuttle or telecommuting;
9) Need for any reserved parking spaces.

Table 11.2 | Parking Occupancy Rates

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>8am-5pm</td>
<td>6pm-12am</td>
<td>12am-6am</td>
<td>8am-5pm</td>
<td>6pm-12am</td>
<td>12am-6am</td>
</tr>
<tr>
<td>Residential</td>
<td>60%</td>
<td>100%</td>
<td>100%</td>
<td>80%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Office/ Warehouse/Industrial</td>
<td>100%</td>
<td>20%</td>
<td>5%</td>
<td>5%</td>
<td>5%</td>
<td>5%</td>
</tr>
<tr>
<td>Commercial</td>
<td>90%</td>
<td>80%</td>
<td>5%</td>
<td>100%</td>
<td>70%</td>
<td>5%</td>
</tr>
<tr>
<td>Hotel</td>
<td>70%</td>
<td>100%</td>
<td>100%</td>
<td>70%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Restaurant</td>
<td>70%</td>
<td>100%</td>
<td>10%</td>
<td>70%</td>
<td>100%</td>
<td>20%</td>
</tr>
<tr>
<td>Movie Theatre</td>
<td>40%</td>
<td>80%</td>
<td>10%</td>
<td>80%</td>
<td>100%</td>
<td>10%</td>
</tr>
<tr>
<td>Entertainment</td>
<td>40%</td>
<td>100%</td>
<td>10%</td>
<td>80%</td>
<td>100%</td>
<td>50%</td>
</tr>
<tr>
<td>Conference/Convention</td>
<td>100%</td>
<td>100%</td>
<td>5%</td>
<td>100%</td>
<td>100%</td>
<td>5%</td>
</tr>
<tr>
<td>Institutional (non-church)</td>
<td>100%</td>
<td>20%</td>
<td>5%</td>
<td>10%</td>
<td>10%</td>
<td>5%</td>
</tr>
<tr>
<td>Institutional (church)</td>
<td>10%</td>
<td>5%</td>
<td>5%</td>
<td>100%</td>
<td>50%</td>
<td>5%</td>
</tr>
</tbody>
</table>
f) The number of on-street parking stalls adjacent to land, a **Building** or a **Structure** in the C1 zone shall be credited against the number of required off-street parking spaces.

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

### 11.4 Access and Circulation

a) Each off-street parking or loading space shall be accessible by vehicle from a highway.

b) Where more than 10 off-street parking and loading spaces are provided, access to these spaces from an aisle which intersects with a highway shall be provided.

c) Where more than 30 off-street parking spaces are provided, access to these spaces from an aisle that intersects with a highway at least at two points shall be provided.

d) Access driveways shall:

   1) Have a maximum permitted width at the point of access of 4.0 m
   2) Not exceed a 20% grade.
   3) Be limited to one for parcels with a frontage of 20 m or less.
   4) Wherever possible, be shared where adjoining access driveways occur on adjacent parcels.

### 11.5 Payment of Money in Lieu of Parking Spaces

a) With the exception of parcels, **Buildings** or a **Structures** located in an residential zone, payment of money instead of providing required off-street parking spaces may be made, at the option of the owner or occupier of the land, **Building** or **Structure**, to the City of Rossland when the City of Rossland determines compliance otherwise with these regulations would be undesirable or impractical.

b) Where payment of money instead of providing required off-street parking spaces is made it shall be in the amount of $3,000.00 per off-street parking space, subject to annual review, which amount shall be placed in the City’s parking facilities reserve fund.

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

1) Except for areas of adverse soil conditions as determined by the **Building Inspector**, 40% of the total parking area required by this bylaw shall be permeable or semi permeable surface.

   a) The installation of permeable surfaces shall:
1) Follow manufacturer specifications for minimum and maximum slopes.
2) Include the construction of a sub-grade to allow adequate drainage and prevent frost heave.
3) Ensure drainage shall not directly discharge onto neighbouring lands.
4) Include the installation of perforated sub-drains below permeable surfaces, as required, to store, filter or convey water to additional stormwater facilities.
5) If permeable surfaces are planned for use along driveways leading to public streets or other heavily traveled routes, the surface material and base course must be selected, designed and certified to withstand the anticipated traffic loading stresses and maintenance impacts.

b) Landscaped islands, containing trees, shall be provided every 4 (four) vehicle surface spaces within a surface parking area.

11.7 Dimension of Parking Spaces
a) In Zones other than R Zones, each off-street parking space and parking lot shall be provided in accordance with the following minimum specifications:

<table>
<thead>
<tr>
<th>Diagram 11.3</th>
<th>Specifications for Parking Stalls and Structures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking Angle</td>
<td>$90^\circ$</td>
</tr>
<tr>
<td>Stall Width</td>
<td>2.9m</td>
</tr>
<tr>
<td>Stall Length</td>
<td>5.5m</td>
</tr>
<tr>
<td>Aisle Width</td>
<td>6.0m</td>
</tr>
<tr>
<td>Access Driveway Width</td>
<td>4.0m</td>
</tr>
</tbody>
</table>

b) In R-zones the minimum parking space shall be 3.0m wide by 5.0m long.
11.8 Location of Parking Spaces

a) In all residential Zones, required off-street parking spaces shall be provided and maintained on the same land as the use, Building or Structure they serve.

b) In Zones other than residential Zones, off-street parking spaces may be located on a site not more than 70 metres from the site on which the use, Building or Structure is located, provided that the owner enters into a restrictive covenant, approved by City Council and registered on title, providing the use of the site for parking in conjunction with the site on which the use, Building or Structure is located.

11.9 Parking for Visitors of Multi-Family and Mixed Use Dwellings

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

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

11.10 Parking for Disabled Persons

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

1) be at least 4.0 m in width and at least 6.0 m in length;
2) be located as close as possible to a main disabled-accessible Building entrance;

3) be clearly identified for the exclusive use of disabled persons.

11.11 Snow Removal
For parcels containing 4 or more parking spaces, the following regulations shall apply:

a) If the parking area is required to be used in the winter an additional area equal to 20% of the required parking area shall be provided for snow storage on-site. Specific areas to be cleared shall include the full dimensions of roadways, walkways, and parking areas and aisles.

b) Areas required for snow storage may not be counted towards parking requirements.

c) A 50% reduction in the required snow storage area shall be permitted if an adequate snow melt system is constructed for any parking area.

d) A 70% reduction in the required snow storage area shall be permitted if solar technology is used for the snow melt system constructed for any parking area.

e) These snow storage and melt elements shall be designed so that snow is not stored in a manner where, when melting, it directly discharges into riparian areas or other public drainage ways or in any way harms the quality of the City’s water. Snow shall not be placed in any creek or other public drainage ways within the City.

f) Provide snow storage areas away from public streets and other areas where motorist and pedestrian sight lines are essential.

g) Sod areas, portions of landscaped areas, bio-retention areas and overflow parking areas may be identified for snow storage with any plant material selected accordingly.

h) Permeable surfaces are encouraged for use in snow storage areas.

i) The owner or occupier of the site shall, at its cost, make arrangements to remove the snow from the parking area to a location acceptable to the City of Rossland in a timely manner and no later than 24 hours after a snowfall.

j) Snow storage is only permitted on public rights-of-way subject to the approval of the Director of Public Works and where the distance from the edge of the paved and municipally-maintained roadway to the front or side property line is in excess of 4m.

11.12 Other Regulations

a) Where a dwelling unit or units are located in a non-residential zone in conjunction with a non-residential use, on-site parking must located in such a way as not to impair access to the premises for the non-residential use.

b) No on-street parking is permitted within the Red Mountain Resort Village Area.
11.13 Driveway
a) In a residential zone, off-street parking shall have access from a street or lane. The driveway shall have a minimum width of 2.4 m but not to exceed 4.0 m and shall be graded and surfaced pursuant to the surfacing requirements for parking stated in section 11.

11.14 Loading Space Area
a) No use may be undertaken in any zone unless the off-street loading requirements in this Bylaw have been met for that use.
b) The number of off-street loading spaces required for any use is calculated according to Table 11.3 of this Bylaw:

<table>
<thead>
<tr>
<th>COLUMN I</th>
<th>COLUMN II</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail store, Manufacturing, Fabricating, Processing, Warehousing, and Wholesaling Establishment</td>
<td></td>
</tr>
<tr>
<td>(i) less than 300 sq. m. in floor area</td>
<td>0</td>
</tr>
<tr>
<td>(ii) 300 to 465 sq. m. in floor area</td>
<td>1</td>
</tr>
<tr>
<td>(iii) 465 to 2,300 sq. m. in floor area</td>
<td>2</td>
</tr>
<tr>
<td>(iv) greater than 2,300 sq. m. in floor area</td>
<td>3</td>
</tr>
</tbody>
</table>

c) In cases of mixed use, required loading spaces for one use shall not be considered as required loading spaces for any other use, unless it can be determined that the peak loading requirements of the various uses occur at different and not conflicting times, subject to the terms and conditions set out in Section 11.
d) Off-street parking spaces shall not be credited as off-street loading spaces.
e) Each off-street loading space shall be not less than 7.5m in length, 3.0 m in width and shall provide no less than 4.0 m of vertical clearance. In no case shall the length of a loading space be such that a vehicle in the process of loading or unloading shall extend into any highway.
f) Off-street loading facilities shall be located on the same site as the use, Building or Structure served, but not within the required front or side setback or closer than 7.5 m to the nearest intersection of any two highways.
g) Each off-street loading space shall have vehicular access to a highway.
h) Off-street loading space surfaces shall be subject to Section 11.
i) Where illumination of off-street loading areas is provided, lighting fixtures shall be located, arranged and shielded so that no direct rays of light are oriented upwards or shine beyond the boundaries of the Parcel.
j) Off-street loading spaces shall be sited at an elevation convenient to a floor level used for loading purposes in the Building.

k) Off-street loading spaces existing on the adoption date of this Bylaw shall not be reduced below the applicable requirements for off-street loading in this Bylaw.

11.15 Storage of Vehicles and Materials

a) No commercial vehicle; disassembled or wrecked vehicle; trailer; recreational trailer or vehicle; construction or heavy equipment of any kind or any Building material shall be parked or stored in an R zone or CD zone except as follows:

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

b) No site in a zone other than an industrial zone shall be used for:

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

11.16 Bicycle Parking

a) For a parcel in a multi-family residential zone or a commercial Zones containing three or more residential dwelling units, bicycle parking facilities shall be provided capable of accommodating the parking of that number of bicycles determined on the following basis:

2 bicycle parking spaces per unit;

b) Where bicycle parking is required, at least 50% of the bicycle parking spaces provided shall be located in a weather-protected area close to the main entrance of the Building for which the bicycle spaces are intended.

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

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