

2021



Village of Kaslo

November 15, 2022

[VILLAGE OF KASLO LAND USE BYLAW 1130]

Consolidated Zoning Bylaw prepared for Convenience Purposes Only

TABLE OF AMENDMENTS TO ZONING BYLAW 1130

Bylaw	Amendment #	Date Adopted	Comments	Consolidation & Map Update
1157	6	June 24 th 2014	<p>Accessory Use Limitations 2.1 Home Occupation Section 2.8 (g) amended Regulation 3.6.1 amended Regulation 2.13 amended Select definitions replaced</p>	Yes
1163	1	November 25 th 2014	Rezone of LOT B, DISTRICT LOT 208 KOOTENAY DISTRICT, PLAN NEP90470 (230 North Marine Drive) to R-1.	Yes
1216	2	April 16 th 2018	<p>Rezone of Parcel M, BEING A CONSOLIDATION OF LOTS 39 & 40, SEE LB333629.</p> <p>C3 Minimum Lot Size reduced to 765m² (8,234 square feet)</p>	Yes
1226	OMNIBUS	August 28 th 2018	<p>Zone designations General Regulations Accessory Use Limitations Corner Lots Secondary Suites Legal non-conforming Urban Agriculture General prohibitions Bare land strata siting R-1 Minimum Lot Size R-2 Regulation C-2 Cannabis retail P-2 Regulation P-1 Permitted Uses CDA Regulation Parking Regulation Definitions</p> <p>REZONE for PID: 029-612-594, BLOCK 11 PLAN NEP393 DISTRICT LOT 208 KOOTENAY LAND DISTRICT PARCEL F, (BEING A CONSOLIDATION OF LOTS 29, 30 & 31, SEE CA4531117) to Central Business District Zone (C-2)</p> <p>REZONE for PID: 009-676-716, LOT A PLAN NEP15311 DISTRICT LOT 208 KOOTENAY LAND DISTRICT to Multiple Residential (RM-1).</p> <p>REZONE for PID: 005-590-485, LOT 2 BLOCK A PLAN NEP803 DISTRICT LOT 208 KOOTENAY LAND DISTRICT ASSIGNED (SEE 166561) EXC PL 12373 & NEP91757 to Civic/ Institutional Zone (P-2)</p> <p>REZONE for LOT 5 PLAN NEP993 DISTRICT LOT 653 KOOTENAY LAND DISTRICT, LOT 6 PLAN NEP993 DISTRICT LOT 653 KOOTENAY LAND DISTRICT, LOT 7 PLAN NEP993 DISTRICT LOT 653 KOOTENAY LAND DISTRICT and LOT 1 PLAN NEP7082 DISTRICT LOT 819 KOOTENAY LAND DISTRICT MUNICIPAL LANDING STRIP to Comprehensive Development Area (CDA-4)</p>	Yes
1246	4	January	Golf Course added as Permitted Uses	YES

		14 th , 2020	<p>under P-1. Day Care and Hospital added as a Permitted Uses under P-2. Added definition of Golf Course, Institutional Use.</p> <p>Rezone for LOT 22, PLAN NEP9499, DISTRICT LOT 209A, KOOTENAY LAND DISTRICT EXCEPT PLAN EPP3 (517 Arena Ave., Folio 533.280.079); LOT A, PLAN EPP32990, DISTRICT LOT 209A, KOOTENAY LAND DISTRICT (529 Arena Ave., Folio 533.280.080); LOT A, PLAN NEP66650, DISTRICT LOT 208, KOOTENAY LAND DISTRICT (673 A Ave., Folio 533.237.000); and, LOT 1 PLAN NEP81879 DISTRICT LOT 208 KOOTENAY LAND DISTRICT (500 6th St., Folio 533.239.100); from P1-P2</p>	
1270	5	December 14, 2021	<p>Establish zoning regulations for "RM-1A Multiple Dwelling Special Area and rezone PARCEL J (Being A Consolidation Of Lots 30, 31 And 32, See CA9165077), Block 8 District Lot 208 Kootenay District Plan 393 to RM-1A Multiple Dwelling Special Area (Penny Lane Apartments housing project)</p>	YES

VILLAGE OF KASLO

BYLAW NO. 1130, as amended

LAND USE BYLAW

A bylaw to divide the Village of Kaslo into zones and to regulate the use and development of land and buildings in the zones.

The **COUNCIL** of the **VILLAGE OF KASLO** assembled in open meeting **ENACTS** as follows:

1.0 INTERPRETATION

Citation

1.1 This Bylaw may be cited as the "Land Use Bylaw".

Definitions

1.2 The words and phrases used in this Bylaw have the same meanings as those defined in Schedule A attached to this Bylaw, the Schedule to the *Community Charter* and sections 5 and 5.1 of the *Local Government Act*, except where otherwise specifically defined in this Bylaw.

Zones

1.3 Pursuant to the provisions of the Local Government Act, as amended, the Village of Kaslo is divided into the following zones:

R-1	Single Family and Two Family Residential Zone
R-2	Mobile Home Park Zone
RM-1	Multiple Residential Zone
CDA-4	Comprehensive Development Area 4 Zone
C-1	Waterfront Commercial Zone
C-2	Central Business District Zone
C-3	Neighbourhood Commercial Zone
M-1	General Industrial Zone
P-1	Park and Open Space Zone
P-2	Civic/ Institutional Zone

- 1.4 The "Zoning Map" identifies the parcels included within each zone.
- 1.5 The boundary between two zones divided by a street or railway is the centre line from time to time of the street or railway.
- 1.6 Height, setback and projection regulations contained in this bylaw may be superseded by any Provincial regulation, such as the BC Building Code, and may take precedence in specific site plan situations.
- 1.7 The use of land and buildings, and the size, shape and siting of buildings located on the land in each zone are governed by the regulations contained within the respective zone.
- 1.8 Except where off-street parking or loading space regulations are expressly contained in a zone, the regulations in Section 4 apply to all buildings and zones.
- 1.9 Where a particular use of land or buildings is expressly permitted in one zone, that use is prohibited in all other zones where it is not expressly permitted.

Application

- 1.10 This Bylaw applies to all land within the boundaries of the Village of Kaslo.

Deemed lawful use

- 1.11 The use of any land or building that was lawfully used immediately prior to the date of adoption of this Bylaw and not permitted under this Bylaw is deemed to be a lawful use under this Bylaw.

Offence and Penalty

- 1.12 A person who contravenes any provision of this Bylaw commits an offence and is liable, on conviction, to the penalties prescribed by the *Offence Act*.

Validity

- 1.13 No provision of this Bylaw depends for its validity on the validity of any other provision.

Schedules

- 1.14 The schedules attached to this bylaw are integral parts of and are enforceable in the same manner as this bylaw.

Repeal

1.15 Village of Kaslo Land Use Bylaw No. 744, 1988 is repealed.

2.0 GENERAL REGULATIONS

Accessory Use Limitations

- 2.1 a. No accessory use shall be established on any parcel unless the principal building has been previously erected, or the accessory use is established simultaneously with the principal building.
- b. Where an accessory use building is attached to the principal building, it shall be considered part of the principal building and shall comply with all requirements of the Bylaw applicable to principal buildings.
- c. In a R-1 or R-2 zone, an accessory building shall not exceed a gross floor area of 80m² (860 sq. ft.).
- d. The maximum height for accessory use buildings in all zones is 5m (16.4 feet).
- e. An accessory building or structure shall not contain a dwelling unit unless it conforms to the applicable Carriage House regulation.
- f. Minimum Accessory Use Building Setbacks (all zones)

Front	Rear	Exterior	Interior
See (g)	1m (3.3 ft.)	3m (10 ft.)	1m (3.3 ft.)

- g. The minimum Front Yard accessory use building setback shall be the same as the Front Yard setback for principal buildings in the applicable zoning regulation.

Bylaw compliance

- 2.2 No person who owns or occupies any land, building or any part thereof must use or permit the use of such land or building or any part thereof or erect or add to or alter any building on any such land except in the manner expressly authorized by the applicable provisions of this Bylaw.

Building Permit

- 2.3 A building permit must not be issued for the construction of any building or structure that does not conform to the applicable provisions of this Bylaw.

Setback Exceptions

- 2.4 Where the top surface of an underground parking structure projects no more than 0.6 metres above the average finished ground elevation, it may be located in any portion of a lot.

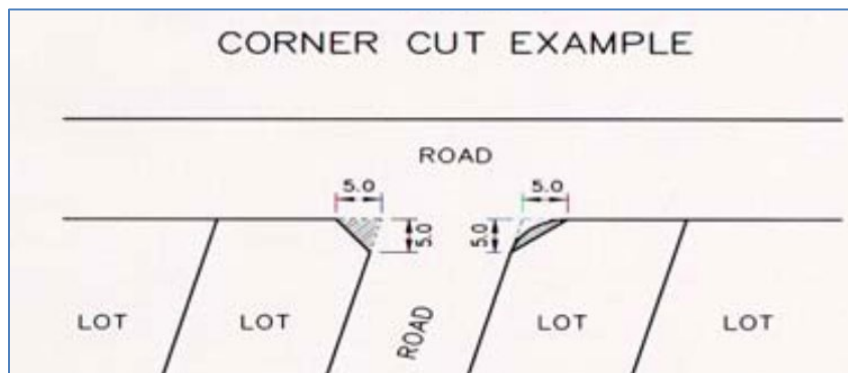
- 2.5 Setback requirements do not apply to free standing light poles, warning devices, antennas, masts, solar collectors, utility poles, wires, flagpoles, signs and sign structures, except that they may not interfere with a clear vision area prescribed in section 2.7.

Fences and Landscape Screen Height

- 2.6 Fences and landscape screens must not exceed a height of
- a. 0.9 metre where they are located on or adjacent to
 - i. a front or exterior lot line,
 - ii. an interior lot line within 4.5 metres of the front lot line, or
 - iii. a rear lot line within 4.5 metres of an exterior lot line; and
 - b. 2 metres where they are located on or adjacent to
 - i. an interior lot line greater than 4.5 metres from a front lot line, or
 - ii. a rear lot line greater than 4.5 metres from an exterior lot line.

Street Intersection Clear Vision Requirement

- 2.7 Corner Lot Regulations
- a. The shorter lot line abutting a street shall be deemed to be the front lot line and the longer lot line abutting the street shall be deemed to be the exterior side lot line.
 - b. An owner or occupant of a corner lot or land adjoining intersecting streets must not obstruct the line of vision of drivers of vehicles on those streets by placing or allowing to be placed buildings, fences or vegetation 1 or more metres (3.3 feet +) above the surface of those streets within a triangle on the corner lot or land formed by a line joining the points on the common legal boundaries of the intersecting streets and the corner lot or land 5 metres (16.5 feet) distant from the corner formed by the intersecting boundaries, as illustrated below.



- c. The regulation in section 2.7 (b) does not apply to buildings existing as of the date of adoption of this Bylaw.

Home Occupation

- 2.8 A home occupation, where permitted, is subject to the requirements that
- a. The activity must be conducted in a dwelling unit or accessory building;
 - b. The floor area devoted to the home occupation must not exceed 50% of the floor area of the dwelling unit;
 - c. Only one person who is not a resident of the dwelling may be employed in the home occupation;
 - d. No change must be made to the external appearance of the building to indicate a home occupation is being conducted, except for 1 non-illuminated sign not exceeding 0.1 m² in size;
 - e. No commodities may be offered for sale except those produced on the premises;
 - f. External storage or outdoor display of material, equipment or products is not permitted;
 - g. Home occupations must not be noxious or offensive to any other dwelling units or to the occupants of them or the general public by reason of offensive noise, vibration, smoke, dust, odour, heat, glare, radiation or electrical interference.

Bed and Breakfast Use

- 2.9 Bed and breakfast accommodation, where permitted, is subject to the requirements that
- a. The activity must be confined to a dwelling;
 - b. No more than 4 sleeping units may be used for bed and breakfast in any dwelling;
 - c. No change is made to the external appearance of the building to indicate a home occupation is being conducted except for 1 non-illuminated sign not exceeding 0.1 m² in size.

Secondary Suites

2.10 Secondary Suite Regulations

- a. No more than one secondary suite shall be permitted on a parcel of land and shall not be allowed in conjunction with a Carriage House.
- b. A Secondary Suite may be located within a principal building but not within an Accessory Use Building.
- c. A secondary suite shall not be permitted in a two-family dwelling or multiple dwelling.
- d. A secondary suite shall only be permitted in a principal dwelling on a parcel that is equal to or greater than 510m² (5490 sq. ft.) in area.
- e. The secondary suite shall not occupy more than 90m² (969 sq. ft.).

- f. A secondary suite shall not be permitted on a parcel of land if so prohibited by an applicable restrictive covenant.
- g. All secondary suites must be registered with the Village of Kaslo and this shall be done prior to the final inspection by the Building Official in the case of new construction.

Temporary Uses

2.11 Temporary Uses, Buildings and Structures

- a. Temporary Buildings and Temporary Shelters used for construction-related purposes connected to an active Regional District of Central Kootenay Building permit may be placed in all zones provided that:
 - i) The Temporary Building meets all applicable building and fire regulation codes;
 - ii) The Temporary Building or Shelter is located on the lot for which the Building Permit was issued;
 - iii) The Temporary Building and/or Temporary Shelter is removed within 30 days of completion of the permanent facility or 12 months after the Temporary Building and/ or Temporary Shelter is erected or installed, whichever is the lesser period;
 - iv) The Temporary Building or Shelter is not being used for the purpose of habitation.
- b. Temporary Use Permits, pursuant to the *Local Government Act*, may be issued by Council with conditions, including a financial security, for the following uses:
 - i) Special events of a commercial nature which are of limited duration and which will not preclude or compromise future permitted uses on the proposed site of the temporary use (all designations);
 - ii) Short term industrial activity such as portable asphalt plants, portable sawmills, heavy equipment storage and construction yards related to specific industrial projects of limited duration (M-1 or CDA only);
 - iii) Transitional industrial or commercial uses which comply with the area designation policies of the Official Community Plan but where zoning does not presently allow for such uses. To provide for temporary approval of transitional uses or uses where uncertainty exists as to their appropriateness or viability and where it is premature to decide upon rezoning and long-term land use rights, a Temporary Commercial and Industrial Use Permit may be issued for a limited period pursuant to the Local Government Act; (all designations);
 - iv) Temporary use of a recreational vehicle, travel trailer, or camper by an owner-builder or contractor employed on the development of a lot for a permitted use under an active and valid building permit (R1, RM1, C1, C2, C3 only).
- c. Financial securities for Temporary Use Permits, required to ensure the removal of the temporary use and other permit compliance, shall be

calculated on the following basis;

- i) Temporary Use that involves construction related to a Building Permit: 2.5 per cent of estimated construction costs;
- ii) All other uses: security range of \$1,000-\$5,000 at the discretion of Council.

Public Utility Buildings

2.12 Public Utility Buildings are permitted in any Zone.

Carriage House

2.13

a. **Ownership**

- (i) A carriage house must not be occupied as a residence except where the owner of the subject property resides in the carriage house or in the principal residence on the property.
- (ii) If the registered owner of the subject property ceases to reside in either the principal residence or the carriage house, the carriage house must not be used as a separate dwelling unit.

b. Only one (1) carriage house is allowed per residential property, and shall not be allowed in conjunction with a secondary suite in the principal dwelling, duplex, semi-detached, apartment, group homes, boarding and rooming houses, or bed and breakfast homes.

c. A carriage house shall not be sited or located on a separate parcel from the principal dwelling or be created as a strata lot, whether detached from, or attached to, the principal dwelling.

a. **Development Regulations**

- (i) The minimum lot area is 500m², regardless of zoning.
- (ii) The maximum gross floor area is 90m² or 60% of the building footprint area of the principal residence, whichever is less.
- (iii) The maximum height of the building is 7.5m or the height of the principal building, whichever is less.
- (iii) The setbacks for a carriage house shall meet the setback provisions for a principal dwelling for the zone in which the subject property is located.
- (iv) Siting shall be located no closer to the front lot line than the principal dwelling.
- (v) The minimum amenity space is 15m² each for the principal dwelling and for the carriage house.
- (vi) The structure containing the carriage house shall be landscaped or fenced in a manner that reasonably minimizes negative visual impact on

adjacent residential properties.

- (vii) The structure complies with the applicable Building Bylaw, BC Building Code, Sewer Regulation Bylaw and Waterworks Regulations Bylaw.
- (viii) The lot, if access to the municipal sewage collection and treatment system is not possible, must be confirmed in writing, by a qualified professional, as being capable of supporting a septic sewer system for both the principal residence and a carriage house.

2.14 Legal non-conforming lots for site area

Where a lot does not meet the minimum lot area prescribed by the applicable zone in accordance with this Zoning Bylaw, the lot may be used for the purposes permitted by said zone, subject to all other applicable regulations of this Zoning Bylaw.

2.15 Lot consolidation

- a) If proposed construction of a building, structure or addition will straddle two or more lots, the separate lots must be consolidated to form one parcel with a single Certificate of Indefeasible Title.
- b) Where the legal and survey costs of creating a single Certificate of Indefeasible Title pursuant to Section 2.15 (a) will demonstrably match or exceed the value of the proposed construction, the owner may propose to enter into a legal covenant with the Village, at their own expense, pursuant to Section 219 of the *Land Title Act*, to restrict the future breakup or subdivision of the existing property folio and indemnify the Village.
- c) Where a legal covenant is executed pursuant to Section 2.15(b), the size of the property for planning regulation purposes shall be the area of the overall assessment folio applicable to the parcels concerned.

2.16 Urban Agriculture

- a. Hobby farm home occupations are permitted in the R-1 (Single and Two Family Residential) zone, pursuant to Section 2.8 of this Bylaw and compliance with all other applicable regulatory bylaws.
- b. Agricultural uses on a commercial or industrial scale are permitted in M-1 (General Industrial), P-1 (Park and Open Space) and CDA (Comprehensive Development Area) zones on lots of 1000 square metres (10,764 square feet) or greater.
- c. Hobby farm uses are permitted in the C-3 (Neighbourhood Commercial) zone, pursuant to compliance with all other applicable legislation and bylaws.
- d. No more than six (6) hens may be kept on an R-1 or C-3 lot under 1000 square metres (10,764 square feet).

2.17 General Prohibitions

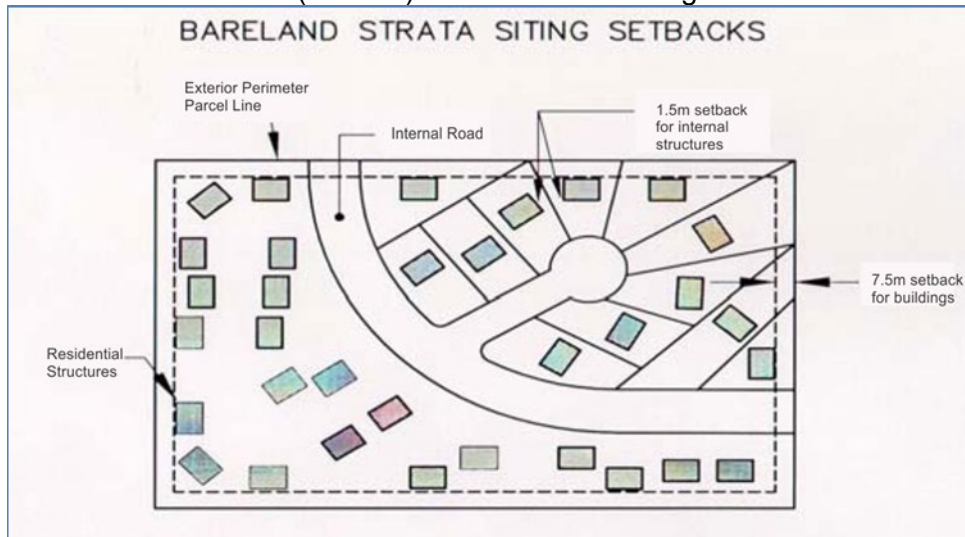
- a. If a use is not specifically listed in this Bylaw, it is considered to be prohibited.
- b. Cannabis related businesses are prohibited in all zones with the exception of the C-2 Central Business District Zone.

- c. Cannabis related production is prohibited in all zones with the exception of the M-1 General Industrial Zone.
- d. Use of a tent or recreation vehicle for habitation is prohibited in all zones with the exception of the P-1 Parks and Open Spaces Zone for the specific purpose of seasonal campground operations.
- e. The keeping of roosters, cocks or cockerels as part of an Urban Agriculture use is prohibited in all zones.
- f. The keeping of livestock as part of an Urban Agriculture use is prohibited in all zones.

2.18 Siting on Bare Land Strata Lots

Siting regulations under this Bylaw do not apply to bare land strata lots except in relation to the exterior perimeter parcel line; and that;

- a. No person shall site a building or structure on a bare land strata lot less than 7.5 metres (24.6 feet) from an exterior perimeter parcel line; and
- b. No person shall site a building or structure on a bare land strata lot less than 1.5 metres (4.9 feet) from another building or structure.



3.0 ZONING REGULATIONS

3.1 R-1 – SINGLE FAMILY AND TWO FAMILY RESIDENTIAL

3.1.1 Permitted Uses

- a. Single Family Dwelling and Two Family Dwelling
- b. School, Church, Hospital, Personal Care Facility and Day Care
- c. Public buildings and uses
- d. Accessory Uses and Buildings
- e. Home occupation
- f. Bed and Breakfast , subject to the regulations in section 2.9.
- g. Carriage House/ Secondary Suites subject to regulations 2.13 or 2.10
- h. Short Term Rental Accommodation, subject to same regulations in Section 2.9 as Bed and Breakfast home occupations.

3.1.2 Lots created by Subdivision

- a. Single Family Dwelling:
 - (i) Site Area (minimum): 464 square metres (4,994.5 square feet)
 - (ii) Street Frontage (minimum): 15 metres (49.2 feet)
- b. All other uses (including duplexes and semi-detached dwellings):
 - (i) Site Area (minimum): 765 square metres (8,234 square feet)
 - (ii) Street Frontage (minimum): 22 metres (72.2 feet)

3.1.3 Height

- a. Building height (maximum) **10m**

3.1.4 Setbacks and Projections

- a. Front Yard setback (minimum) **7.5m**
- b. Rear Yard setback (minimum) **4.5m**
- c. Side Yard setback (minimum) **1.5m** from interior lot line
- d. Side Yard setback (minimum) **4.5m** from exterior lot line
- e. Projections (maximum) **0.6m** into setback

3.1.5 Site Coverage, Open Site Space and Parking

- a. **Site coverage** (maximum) **40%**
- b. **Open site space** (minimum) **30%** of the area of a lot and **33%** of a rear yard
- c. **Parking** Subject to the regulations in Section 4

3.2 R-2 – MOBILE HOME PARK

3.2.1 Permitted Uses

- a. Mobile Home;
- b. Caretaker Dwelling;
- c. Accessory Use;
- d. Home Occupation;
- e. Short Term Rental Accommodations

3.2.2 Accessory Uses

- a. Carport;
- b. Deck;
- c. Office/ workshop

3.2.3 Lots Created by Subdivision

- a. Area, minimum: 1 hectare/ 10,000 square metres (2.5 acres);
- b. Frontage, minimum: 10% of the perimeter of the lot

3.2.4 Density, Space and Frontage

- a. Number of dwellings
 - (i) Not more than 20 mobile home dwellings per hectare are permitted (8 mobile home dwellings per acre);
 - (ii) Legal non-conforming R-2 lots are limited to amended site plans of no more than 1 mobile home dwelling per 500 square meters (0.12 acres);
- b. Area of Mobile Home Space
 - (i) No less than 325 square metres (3,500 square feet) for a single wide mobile home;
 - (ii) No less than 420 square metres (4,520 square feet) for a double-wide mobile home;
- c. Minimum Mobile Home Frontage
 - (i) No less than 12 metres (39 feet) for a single-wide mobile home;
 - (ii) No less than 14.5 metres (48 feet) for a double-wide mobile home;

3.2.5 Setbacks from Parcel and Mobile Home Space Lines for Principal Building(s)

- a.
 - (i) Parcel line setback minimum (any): 4.5 metres (14.8 feet)
 - (ii) Legal non-conforming parcel setback minimums:
 - Rear parcel line: 2.1 metres (7 feet)
 - Interior parcel line: 3 metres (10 feet)
 - Front/ exterior lines: 4.5 metres (14.8 feet)
- b. Front mobile home space line minimum: 1.8 metres (6 feet)
- c. Rear mobile home space line minimum: 1.5 metres (5 feet)
- d. Side mobile home space line minimum: 1.5 metres (5 feet)
- e. Projections into parcel setback (max): 0.6 metres (2 feet)

3.2.6 Principal Structure Height

- a. Principal building minimum: 7.5 metres (25 feet)

3.2.7 Site Coverage, Open Site Space and Parking

- a. Site Coverage (maximum) 40% of the parcel
- b. Open Site Space (minimum) 30% of the parcel
- c. Parking is subject to the regulations in Section 4 as applied to Single Family Dwelling Residential Uses.

3.2.8 Conditions of Uses

- a. Residential uses on parcels un-serviced by community sewer will require an onsite septic solution capacity study completed by a qualified wastewater engineer.

Village of Kaslo's Mobile Home Parks Bylaw No. 624, 1979 was repealed by amending bylaw No. 1226.

3.3 RM-1 – MULTIPLE RESIDENTIAL

3.3.1 Permitted Uses

- a. **Multiple Dwelling**
- b. **Single Family** and **Two Family Dwelling** subject to the regulations in the R-1 Zone
- c. **School, Church, Hospital, Personal Care Facility** and **Day Care**
- d. **Public Buildings and Uses**
- e. **Accessory Uses and Buildings**
- f. **Home Occupation**
- g. **Bed and Breakfast**, subject to the regulations in section 2.9.

3.3.2 Site Area and Street Frontage

- a. **Site area** (minimum) **1000m²** with a minimum frontage
- b. **Street Frontage** (minimum) **22m** or **1/10 of lot perimeter**, whichever is greater

3.3.3 Density

- a. **Number of units** (maximum) **60 units/gross hectare** with surface parking
75 units/gross hectare with underground parking

3.3.4 Height

- a. **Building height** (maximum) **12m**

3.3.5 Setbacks and Projections

- a. **Front Yard setback** (minimum) **7.5m**
- b. **Rear Yard setback** (minimum) **7.5m**
- c. **Side Yard setback** (minimum) **1.5m** from interior lot line
- d. **Side Yard setback** (minimum) **7.5m** from exterior lot line
- e. **Projections** (maximum) **0.6m** into setback

3.3.6 Site Coverage and Parking

- a. **Site coverage** (maximum) **40%**

- b. **Open site space** (minimum) **30%** of the area of a lot and **33%** of a rear yard
- c. **Parking** Subject to the regulations in Section 4

3.3.7 Amenity Areas

The following minimum amenity areas must be provided for each dwelling unit in a multiple dwelling:

- a. bachelor/studio units **10 m²**
- b. 1 bedroom **15 m²**
- c. 2 bedroom **20 m²**
- d. 3 bedroom **30 m²**
- e. 4 bedroom and over **40 m²**

3.4 RM-1A – MULTIPLE RESIDENTIAL SPECIAL ZONE A (added by Bylaw 1170)

Purpose

The purpose of the RM-1A Multiple Residential Special Zone A is to provide a zone for an affordable housing development pursuant to Sections 482 and 483 of the Local Government Act [RSBC 2015]. If the municipality and the owner do not enter into a housing agreement prior to the issuance of a building permit, the normal RM-1 zone regulations shall apply except for the minimum site area and setback requirements as set out below.

3.4.1 Permitted Uses

- h. **Multiple Dwelling**
- i. **Accessory Uses and Buildings**

3.4.2 Site Area and Street Frontage

- c. **Site area** (minimum) **696m²**
- d. **Street Frontage** (minimum) **22m**

3.4.3 Density

- b. **Number of dwelling units** (maximum) **10** of which 70% are affordable rental housing units

3.4.4 Height

- b. **Building height** (maximum) **12m**

3.4.5 Setbacks and Projections

- f. **Front Yard setback** (minimum) **3.0m**
- g. **Rear Yard setback** (minimum) **7.5m**
- h. **Side Yard setback** (minimum) **1.5m** from an interior lot line, or **4.5m** from an exterior lot line or a lot line abutting a single-family dwelling
- i. **Projections** (maximum) **0.6m** into setback

3.4.6 Site Coverage and Parking

- d. **Site coverage** (maximum) **40%**
- e. **Amenity Area** (minimum) **20%** of the area of a lot
- f. **Parking** Section 4 does not apply; a minimum of 7 paved, unobstructed parking spaces with a minimum size of 2.6m x 5.5m shall be provided on the lot, of which one may be dedicated to a community car share.

3.5 C-1 – WATERFRONT COMMERCIAL

3.5.1 Permitted Uses

- a. **Marina, Boat Launch and Float Plane Facilities**
- b. **Transient Accommodation**
- c. **Campground**
- d. **Retail**
- e. **Service**
- f. **Restaurant** (may hold a food primary licence under the Liquor Control and Licensing Act)
- g. **Neighbourhood Pub**
- h. **Multiple Dwelling** subject to regulations in RM-1 Zone
- i. **Public Buildings and Uses**
- j. **Accessory Uses and Buildings**

3.5.2 Site Area and Street Frontage

- | | |
|--|------------------------------|
| a. <u>Site area</u> (minimum) | 765m² |
| b. <u>Street Frontage</u> (minimum) | 1/10 of lot perimeter |

3.5.3 Density

- | | |
|---|---|
| a. <u>Number of units for Multiple Dwellings</u> (maximum) | 60 units/gross hectare
75 units/gross hectare with underground parking |
|---|---|

3.5.4 Height

- | | |
|--|------------|
| a. <u>Building height</u> (maximum) | 10m |
|--|------------|

3.4.5 Setbacks and Projections

- | | |
|--|--|
| a. <u>Front Yard setback</u> (minimum); | 4.5m |
| b. <u>Rear Yard setback</u> (minimum) | 3.0m |
| c. <u>Side Yard setback</u> (minimum) | 3.0m from interior <u>lot lines</u> |
| d. <u>Side Yard setback</u> (minimum) | 4.5m from exterior <u>lot lines</u> |

e. **Projections** (maximum)

0.6m into setback

3.5.6 Parking and Loading Areas

Subject to the regulations in Section 4.

3.6 C-2 – CENTRAL BUSINESS DISTRICT

3.6.1 Permitted Uses

- a. **Retail**
- b. **Office**
- c. **Service**
- d. **Recreation and Entertainment**
- e. **Restaurant** (may hold a food primary licence under the Liquor Control and Licensing Act)
- f. **Neighbourhood Pub**
- g. **School**
- h. **Light Industrial** and **Parking Area**
- i. **Church, Hospital, Personal Care Facility** and **Day Care**
- j. **Public Buildings and Uses**
- k. **Accessory Uses and Buildings**
- l. Uses permitted in the **C-1 Zone, Waterfront Commercial** and **RM-1 Zone, Multiple Residential**, subject to the respective regulations applicable in those zones

3.6.2 Site Area and Street Frontage

- a. **Site area** (minimum) **765m²**
- b. **Street Frontage** (minimum) **1/10 of lot perimeter**

3.6.3 Height

- a. **Building height** (maximum) **12m**

3.6.4 Setbacks and Projections

- | | |
|--|---|
| a. <u>Front Yard setback</u> (minimum); | 0.0m except 4.5m abutting Highway 31, 31A or a residential zone ; 7.5m for <u>Service Station</u> |
| b. <u>Rear Yard setback</u> (minimum) | 4.5m |
| c. <u>Side Yard setback</u> (minimum) | from interior <u>lot line</u> 0.0m except 4.5m abutting Highway 31, 31A or a residential zone ; 4.5m for <u>Service Station</u> |
| d. <u>Side Yard setback</u> (minimum) | from exterior <u>lot line</u> 0.0m except 4.5m abutting Highway 31, 31A or a residential zone ; 7.5m for <u>Service Station</u> |
| e. <u>Projections</u> (maximum) | 0.6m into <u>setback</u> |

3.6.5 Parking and Loading

Subject to the regulations in Section 4

3.6.6 Cannabis Related Business

- a. A total of two (2) cannabis related businesses are permitted;
- b. A cannabis related business is not permitted to operate adjacent to the property line of another cannabis related business.

3.6.7 Conditions of Use

- a. Light Industrial uses may require use analysis to determine whether effluent discharged complies with municipal sewer regulations and wastewater treatment plant capabilities.

3.7 C-3 – NEIGHBOURHOOD COMMERCIAL

3.7.1 Permitted Uses

- a. **Retail and Office**
- b. **Personal Service**
- c. **Public Buildings and Uses**
- d. **Accessory Uses and Buildings** including a juice bar associated with a fitness facility
- e. **Uses permitted in the Multiple Residential RM-1 Zone**, subject to the respective regulations applicable in that zone.

3.7.2 Location of Uses

- a. **Retail, Office, and Personal Service** uses must be located only on a **first storey**

3.7.3 Site Area and Frontage

- | | |
|--|---|
| a. <u>Site area</u> (minimum) | 765m² (8,234 square feet) |
| b. <u>Street Frontage</u> (minimum) | 1/10 of lot perimeter |

3.7.4 Height

- | | |
|--|------------|
| a. <u>Building height</u> (maximum) | 10m |
|--|------------|

3.7.5 Setbacks and Projections

- | | |
|---|---|
| a. <u>Front Yard setback</u> (minimum) | 4.5m |
| b. <u>Rear Yard setback</u> (minimum) | 3.0m |
| c. <u>Side Yard setback</u> (minimum) | 3.0.m from interior <u>lot lines</u> |
| d. <u>Side yard setback</u> (minimum) | 4.5m from exterior <u>lot lines</u> |
| e. <u>Projections</u> (maximum) | 0.6m into <u>setback</u> |

3.7.6 Screening

Lot lines abutting a residential zone must be buffered by a continuous **landscape screen** a minimum of 2m in height.

3.7.7 Parking and Loading

Subject to the regulations in Section 4

3.8 CDA – COMPREHENSIVE DEVELOPMENT AREAS

3.8.1 Purpose

This section of the Land Use Bylaw is reserved for subsequent amendments that will create Comprehensive Development Area regulations for parcels identified for potential rezoning to this designation in the Official Community Plan.

3.8.2 CDA-4 Kaslo Aerodrome Lands

Description: LOT 5 PLAN NEP993 DISTRICT LOT 653 KOOTENAY LAND DISTRICT, LOT 6 PLAN NEP993 DISTRICT LOT 653 KOOTENAY LAND DISTRICT, LOT 7 PLAN NEP993 DISTRICT LOT 653 KOOTENAY LAND DISTRICT and LOT 1 PLAN NEP7082 DISTRICT LOT 819 KOOTENAY LAND DISTRICT MUNICIPAL LANDING STRIP

PID: 012-956-449; 012-938-637; 012-938-955; 012-938-629

3.8.2.1 Permitted Uses

- a. Agriculture;
- b. Aircraft landing strip;
- c. Aircraft Maintenance, Repair, Sales and Storage;
- d. Aviation Fuel Depot and Sales;
- e. Aviation Related Services;
- f. Freight Terminal;
- g. Heliport;
- h. Gravel extraction and sales (permitted only for the Village of Kaslo and authorized lessees within a defined area of LOT 1 PLAN NEP7082 DISTRICT LOT 819 KOOTENAY LAND DISTRICT MUNICIPAL LANDING STRIP);
- i. Office;
- j. Light industry;
- k. Parking Lot;
- l. Warehouse;
- m. Low impact recreation

3.8.2.2 Accessory Uses

- a. Accessory Buildings and Structures
- b. Office/ workshop

3.8.2.3 Lots Created by Subdivision

- a. **Aircraft Maintenance, Repair, Sales and Storage**
 - (i) Area, minimum: 225 square metres (2,422 square feet)
 - (ii) Frontage, minimum: 15 metres (49.2 feet)
- b. **All other uses**
 - (i) Area, minimum: 765 square metres (8,234 square feet)
 - (ii) Frontage, minimum: 10% of perimeter of lot

3.8.2.4

The following siting, sizing and dimension requirements apply:

- a. Yards and setback requirements shall be in accordance with the BC Building Code and applicable Government of Canada regulations or guidelines for non-certified, registered aerodromes;
- b. The maximum height of all buildings and structures shall be in accordance with Government of Canada regulations or guidelines that apply to non-certified, registered aerodromes.

3.9 M-1 ZONE – GENERAL INDUSTRIAL

3.9.1 Permitted Uses

- a. **Manufacturing, Processing, Repair and Storage**
- b. **Wholesale**
- c. **Public Buildings and Uses**
- d. **Accessory Uses and Buildings**
- e. Uses permitted in the C-2 zone, Central Business District subject to the respective regulations applicable in that zone except the uses permitted in sections 3.5.1 (g) and (h) and sections 3.3.1 (a), (b) and (c).

3.9.2 Site Area and Street Frontage

- | | |
|--|------------------------------|
| a. <u>Site area</u> (minimum) | 1115m² |
| b. <u>Street Frontage</u> (minimum) | 1/10 of lot perimeter |

3.9.3 Height

- | | |
|--|------------|
| a. <u>Building height</u> (maximum) | 12m |
|--|------------|

3.9.4 Setbacks and Projections

- | | |
|---|--|
| a. <u>Front Yard setback</u> (minimum) | 7.5m |
| b. <u>Rear Yard setback</u> (minimum) | 4.5m |
| c. <u>Side yard setback</u> (minimum) | 4.5m or 7.5m from interior <u>lot lines</u> abutting a residential zone |
| d. <u>Side Yard setback</u> (minimum) | 7.5m from exterior <u>lot lines</u> |
| e. <u>Projections</u> (maximum) | 0.6m into <u>setback</u> |

3.9.5 Screening

- a. All industrial activity and storage areas not contained within a building must be enclosed by a landscape screen or an opaque fence a minimum of **2m** in height

3.9.6 Parking and Loading

Subject to the regulations in Section 4.

3.10 P-1 – PARK AND OPEN SPACE

3.10.1 Permitted Uses

- a. Low impact recreation
- b. Farmer's market
- c. Urban Agriculture or community gardens
- d. Marina/ boat launch facilities
- e. Campground facilities
- f. Park facilities
- g. Golf Course

3.10.2 Accessory Uses

- a. Accessory Buildings and Structures
- b. Office/ workshop

3.10.3 Lots Created by Subdivision

- a. Area, minimum: 1000 square metres (0.25 acres)
- b. Frontage, minimum: 10% of the perimeter of the lot

3.10.4 Principal Buildings and Structures

- a. Front setback minimum: 3.5 metres (11.5 feet)
- b. Rear setback minimum: 3.5 metres (11.5 feet)
- c. Side setback minimum: 3.5 metres (11.5 feet)
- d. Side Interior setback minimum: 3.5 metres (11.5 feet)
- e. Height, maximum: 12 metres (39.4 feet)

3.10.5 Parking

- a. Subject to the regulations in Section 4.

3.11 P-2 – CIVIC / INSTITUTIONAL

3.10.1 Permitted Uses

- a. Community Care Facility
- b. Institutional Use
- c. Recreational Facility
- d. Day Care
- e. Hospital

3.11.2 Accessory Uses

- a. Accessory Buildings and Structures
- b. Residential use forming an integral part of the permitted use
- c. Urban agriculture or community gardens

3.11.3 Lots Created by Subdivision

- a. Area, minimum: 325 square metres (3,498.4 square feet)
- b. Frontage, minimum: 7 metres (22 feet, 12 inches)

3.11.4 Principal Buildings and Structures

- a. Front setback minimum: 3.5 metres (11.5 feet)
- b. Rear setback minimum: 4.5 metres (14.8 feet)
- c. Side setback minimum: 1.5 metres (4.9 feet)
- d. Side Interior setback minimum: 3.5 metres (11.5 feet)
- e. Height, maximum: 12 metres (39.4 feet)

3.11.6 Conditions of Uses

- a. Residential use may require a use analysis study to determine the maximum number of permitted units

3.11.7 Parking

- a. Subject to the Public/Institutional regulations in Section 4.

4.0 OFF-STREET PARKING AND LOADING AREA REGULATIONS

4. 1 Required parking spaces, loading spaces and manoeuvring aisles must be provided and maintained on the same lot as the use or building for which they are required by this Bylaw.
4. 2 All required parking spaces and loading spaces must be completed prior to commencement of a use and prior to the issuance of an occupancy permit.
4. 3 Parking spaces in residential zones must be located no closer to the front lot line than the front face of the principal building.
4. 4 Any area of a lot used for parking or loading must be constructed so as to permit unobstructed access to and egress from each space at all times and must be developed to ensure that adequate provision is made for access by vehicles to parking spaces by means of unobstructed manoeuvring aisles as prescribed in Tables 2 and 3.
4. 5 Each parking area must be designed and constructed in accordance with accepted engineering practices, with ramp grades not exceeding 15% gradient, and parking areas not exceeding 8% gradient.
4. 6 Each parking space and manoeuvring aisle in all parking areas must be surfaced with durable dust-free material, such as but not limited to, asphalt, concrete, paving blocks, or permeable material.
4. 7 Parking areas must be graded to prevent surface drainage being directed to adjacent lands.
4. 8 The boundaries between each parking space must be clearly delineated by means of painted lines on the parking surface or by means of vehicle stops.
4. 9 On land located in the RM-1 Zone - Multiple Residential, 1 of every 4 required parking spaces must be designated and clearly marked as "Visitor Parking" and shall be available for use by non-occupants of the lot at all times.
4. 10 In any development requiring 25 or more parking spaces, Disabled Persons' parking spaces must be provided in a ratio of 1 for every 50 required parking spaces, plus 1 space for any remainder in excess of the required number of spaces divided by 50.
4. 11 Seniors' housing complexes must provide Disabled Persons' parking spaces in a ratio of 1 for every 6 required parking spaces.
4. 12 Each Disabled Persons' parking space must be a minimum of 3.7 metres in width and shall occupy the portion of the parking area nearest to the building entrance that accommodates wheelchair access.
4. 13 Drop curbs to accommodate wheelchair access must be provided on any curb between a Disabled Persons' parking space and the building entrance.
4. 14 Each Disabled Persons' parking space must have a firm, slip-resistant and level surface.

4. 15 Each Disabled Persons' parking space must be marked by signage or pavement markings to indicate usage only by vehicles displaying an approved disabled permit obtained from the Resource Centre for Independent Living (RCIL).

NUMBER OF OFF-STREET PARKING SPACES

- 4.16 The minimum number of off-street parking spaces required for each use or building must be calculated in accordance with Table 1.

Table 1

Residential Uses	
Single Family Dwelling or Carriage House	1 space per <u>dwelling unit</u>
Two Family Dwelling	1 space per <u>dwelling unit</u>
Multiple Dwelling	1.5 space per <u>dwelling unit</u>
Commercial Uses	
<u>Bed and Breakfast</u>	1 space per <u>dwelling unit</u> and 0.5 space per guest room
<u>Hotel, motel, lodge</u>	1 space per sleeping unit plus spaces for any additional uses specified elsewhere in this table
<u>Hostel</u>	0.25 spaces per sleeping unit
<u>Short Term Rental Accommodation</u>	2 spaces
<u>Office</u>	1 space per 46m ² (495 sq. ft) of floor area
<u>Retail, Small Scale Repair and Service</u>	1 space per 46m ² (495 sq. ft) of floor area
<u>Restaurant and Liquor Licensed Establishment</u>	1 space per 5 seats
<u>Entertainment</u>	1 space per 5 seats
<u>Service Station</u>	3 spaces per service bay
<u>Wholesale, Warehousing and Storage</u>	1 space per 250 m ² (2,691 sq. ft) of floor area
<u>Manufacturing, Processing, Large Scale Repair and Service</u>	1 space per 250 m ² (2,691 sq. ft) of floor area
Public/Institutional Uses	
<u>Schools</u>	2 per classroom
<u>Day Care</u>	3 spaces
<u>Personal Care Facility</u>	0.25 space per bed or dwelling unit plus 1 staff parking space for every 10 rest home bed units
<u>Hospitals</u>	2 for each 3 patient beds
<u>Church</u>	1 space per 18.6 m ² (200.2 sq. ft) of floor area used for assembly within a <u>Church Building</u>
Other Uses	
<u>Boat Launch Facility</u>	3 spaces
<u>Marina</u>	1 space for every 4 berths 3 spaces for each charter boat 1 space per <u>dwelling unit</u>
<u>Float Plane Facilities</u>	2 spaces for every berth
<u>Golf Course – 9 holes</u>	25 spaces
All other uses not provided for herein	1 space per 46m ² (495 sq. ft) of floor area or portion thereof

4. 17 Unless otherwise provided in Table 1, if a development contains more than one use or involves collective parking for more than one building or use, the total number of spaces required must be the sum of the various classes of uses calculated separately and any space required for one use must not be included in the calculations for any other use.
- 4.18 Where the calculation of the total required spaces results in a fractional number, the required number must be rounded up to the next whole number.

DIMENSIONS OF OFF-STREET PARKING SPACES

- 4.19 Parking spaces provided in conjunction with any single family or two family dwelling must be a minimum of 2.6 metres wide by 5.5 metres deep.
- 4.20 Parking areas provided in conjunction with any use must conform to Table 2, provided that
- up to 50% of the total required parking spaces may be designed for small cars by reducing the depth of stall for 90 degree parking from 5.5 metres to 4.5 metres; and
 - small car spaces are clearly designated for that use.
- 4.21 Despite the provisions of Table 2, where any parking space abuts any portion of a fence or structure, the minimum stall width must be increased by 0.3 metre for that parking space.

Table 2

Parking Angle in Degrees	Minimum Parking Space Width	Minimum Depth Perpendicular to Manoeuvring Aisle	Minimum Depth Parallel to Manoeuvring Aisle	Minimum Width of Manoeuvring Aisle
0	2.4 m	2.4 m	6.7 m	3.7 m one way
30	2.4 m	4.8 m	4.9 m	3.7 m one way
45	2.4 m	5.6 m	3.4 m	3.7 m one way
60	2.4 m	6.0 m	2.8 m	6.4 m two way*
90	2.4 m	5.5 m	2.4 m	7.9 m two way*
90	2.6 m	5.5 m	2.6 m	7.6 m two way*
90	2.75 m	5.5 m	2.75 m	7.3 m two way*

* The minimum width for a manoeuvring aisle accessing only one bank of parking shall be 6.75 m

NUMBER OF OFF-STREET LOADING SPACES

- 4.22 The minimum number of loading spaces required for each use or building must be calculated in accordance with Table 3.

Table 3

C-1 and C-2 Zones	1 space per 1400 m ² of gross floor area
M-1 Zone	1 space per 2800 m ² of gross floor area

LOCATION, SITING, AND DESIGN OF LOADING AREAS

4.23 All required off-street loading areas must:

- a. provide loading spaces having dimensions of not less than 3.5 metres in width, 7.5 metres in length, and a minimum 4.25 metres of clearance between the surface of the loading space and any structure above;
- b. have unobstructed vehicular access and egress from a street;
- c. be graded and drained in accordance with accepted engineering standards to ensure that no drainage is directed to adjacent lands; and
- d. be clearly designated as Loading Areas.

4.24 EXEMPTION OF EXISTING BUILDINGS FROM PARKING AND LOADING REQUIREMENTS

The regulations contained in this section shall not apply to buildings, structures and uses existing on the effective date of this Bylaw except that:

- a. off-street parking and loading shall be provided and maintained in accordance with this section for any addition to any existing building and structure or any change or addition to such existing use including home occupations.
- b. off-street parking and loading provided prior to the adoption of this Bylaw shall not be reduced below the applicable off-street parking requirements of this section.

READ A FIRST TIME this 27th day of November 2012

READ A SECOND TIME this 27th day of November 2012

PUBLIC HEARING held on 22nd day of January 2013

READ A THIRD TIME this 24th day of January 2013

RECONSIDERED AND ADOPTED the 24th day of January 2013

Mayor

Chief Administrative Officer

I hereby certify that this is a true and correct copy of the Village of Kaslo Land Use Bylaw No. 1130, as adopted by Council.

Chief Administrative Officer

SCHEDULE A

VILLAGE OF KASLO LAND USE BYLAW NO. 1130

DEFINITIONS

"Accessory Building" means a building which accompanies a principal building.

"Accessory Use" means a use incidental to or normally associated with the principal use.

"Agriculture" means the primary production of farm products such as dairy products, poultry products, cattle, hogs, sheep or other animals, wheat or other grains, and vegetables, orchards, vineyards or other field crops, and any other activity designated as farm use by the Agricultural Land Commission Act, and its regulations, and farm operations as defined in the Farm Practices Protection (Right to Farm) Act. This use may include the processing and marketing of on-farm products and those off-farm products permitted by the Agricultural Land Commission (ALC).

"Amenity Area" means that part of a building or lot intended for the use of the occupants exclusive of entrances, hallways, driveways and parking areas.

"Area" of a lot means the superficial area but does not include any portion thereof consisting of land covered with water.

"Basement" means that portion of a building between two floor levels which is partly underground, and which has at least one half of its height from the finished floor to finished ceiling above grade.

"Bed and Breakfast" means a home occupation carried on in a single-family dwelling owned and occupied by the operator which provides not more than 4 rooms accommodating up to 8 transient paying guests for sleeping purposes only where the room rate includes breakfast which is served on the premises.

"Boundary" in reference to a lot is deemed to extend in a vertical plane throughout its length both upwards and downwards ad infinitum from the surface of the lot.

"Building" includes a structure.

"Cannabis Related Business" means a retail sales business that sells cannabis in accordance with federal, provincial and municipal cannabis or marijuana enactments and regulations, for medical or other purposes.

"Cannabis Related Production" means the primary production of cannabis products in accordance with federal, provincial and municipal cannabis or marijuana enactments and regulations, for medical or other purposes.

"Carriage House" means a second dwelling unit located on a residential lot with an existing single detached dwelling. A carriage house may be a purpose-built structure, or a renovated garage or accessory building.

"Centre line" when used in reference to a street means an imaginary line drawn between the boundaries of the street so that it is always equidistant from the street boundaries on either side of it.

"Church" means a building set apart and used exclusively for public worship.

"Corner Lot" means a lot having a continuous street frontage along two or more intersecting streets.

"Day Care" means a licensed community care facility for persons of various ages not forming part of the day care operator's family.

"Density" means the maximum number of dwelling units permitted on a lot based on the lot area.

"Dwelling unit" means any room or suite of rooms containing cooking, sleeping and sanitary facilities and used or intended to be used by one family exclusively for the purpose of providing a place of permanent residence therein.

"Family" means one person or a group of persons who through marriage, blood relationship or other circumstances occupy a dwelling unit.

"First Storey" means the storey above the basement of a building, and in the case of a building without a basement, means the lowest storey.

"Floor Area" when used in reference to a building means the entire area which is enclosed by the interior face of the exterior walls on any floor level. Floor Area excludes balconies, open decks, unenclosed porches or verandas. In multiple dwellings, floor area excludes the area of the floor or floors of any and all portions of the building used or intended to be used for the parking or movement of vehicles, mezzanines, corridors, hallways, landings, foyers, staircases, stairwells, and elevator shafts

"Front Lot Line" means the street frontage, provided that if a lot abuts two or more streets the front lot line means the street frontage facing the main entrance of the principal building on the lot.

"Front Yard" means a yard located between the front wall of a building and the front lot line, and extending the full width of the lot.

"Golf Course" means a 9-hole golf course along with integral amenities and accessory uses related thereto, including but not limited to a driving range, grounds maintenance facilities, parking, and a club house containing a restaurant.

"Grade" means that certain elevation calculated to be the average of all the several elevations of any and all points at which a building or any part or parts thereof come into contact with the existing natural surface of the ground comprising the lot upon which the building stands, but for the purpose of this definition any fill added to the existing natural surface of the ground comprising the lot or artificial mounds of earth or rocks placed at or near the wall of the building above the level of the floor of the basement, or lowest part of the building shall not be taken into account.

"Height" when used with reference to a building means the distance measured in a vertical line between the highest point on the highest part of the building and the grade located below the highest point, excluding from the measurement any mast, antenna, vent,

chimney, elevator shaft, solar heating panel or like structure or thing that projects above the surface of the roof.

"Hobby Farm" means small scale urban agriculture or farming operated for pleasure or supplemental income rather than for primary income.

"Home Occupation" means making, servicing, or repairing goods, or providing services for hire or gain by a person on the lot where that person resides.

"Hospital" has the meaning assigned thereto by the "*Hospital Act*".

"Institutional Use" means a building or land used by a government, organization, group or association, for the promotion of charitable, non-commercial, or educational purposes and not for profit or gain.

"Internal Boundary" means any boundary of a lot other than the street boundary thereof.

"Land" as defined in the Community Charter is applicable to this bylaw and includes the surface of water.

"Landscape Screen" means an opaque visual barrier formed by a row of shrubs or trees or by a wooden fence or a masonry wall or by a combination of these.

"Light Industrial" means a use where all processing, fabricating, assembly, storage or disassembly of items takes place wholly within an enclosed building.

"Livestock" means cattle, sheep, goats or horses kept on a property for pleasure or commercial purposes.

"Loading Space" means an area of a lot used to provide access for vehicles to a loading door, platform or bay for the purpose of loading and unloading.

"Lot" other than a strata lot, means a single area of land, designated and registered at the applicable Land Title Office as not more than one parcel of land, and if a parcel of land is divided by a street, each part will be deemed to be a separate lot.

"Lot Line" means the boundary of a lot.

"Manoeuvring Aisle" means a driveway or lane providing access for motor vehicles to and from the parking spaces in a parking area.

"Manufactured Home" means a structure, transportable in one or more sections, whether ordinarily equipped with wheels or not, that is designed, constructed or manufactured to provide residential accommodation and to be moved from one place to another by being towed or carried and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" but does include "modular homes" and "mobile homes."

"Marina" means the use of land or surface of water for the sale, rental and/or storage of boats, marine supplies, marine fuel and docking facilities.

"Mobile Home" means a factory-built dwelling unit built to CSA specification Z-240 under the Manufactured Home Act suitable for year-round, long-term occupancy, designed to be

transported from the factory to its ultimate site on an integral chassis with integral or detached wheels and arriving at the site ready for occupancy with or without a permanent foundation when attached to the required facilities. The term “mobile home” does not include recreational vehicles, travel trailers, campers or other vehicles which are exempt from the provisions of the Manufactured Home Act and do not comply with the standards prescribed by the Canada Mortgage and Housing Corporation.

“Mobile Home Park” means land used for the purpose of providing spaces for the accommodation of two or more mobile homes.

“Modular Home” means a factory-built dwelling unit built to CSA specification A-277 under the Manufactured Home Act (SBC 2003) suitable for year-round, long-term occupancy that is transportable in one or more sections and is designed for use with a permanent foundation when attached to the required utilities.

“Multiple Dwelling” means a building containing three or more self-contained dwelling units.

“Neighbourhood Pub” means an establishment licensed to serve liquor in conjunction with live entertainment and/or dancing as a Liquor Primary establishment under the *Liquor Control and Licensing Act*, and which offers full lunch and dinner menus complete with hot and cold meals.

“Open Site Space” means that portion of a lot which is landscaped and permeable, not occupied or obstructed by any building, portion of building, driveway or parking lot or covered by any impermeable surfaces.

“Parking Area” means an open area of land, other than a street, used for the parking of vehicles and available to the public or as an accommodation to employees, clients, patients or customers with or without a fee being charged, or for the storage of delivery vehicles, but does not include any area wherein vehicles for sale or repair are kept or stored.

“Personal Care Facility” means a facility where regular care or supervision is given by a health care professional, as well as assistance with the performance of personal functions and activities necessary for daily living, for persons such as the aged or chronically ill who are unable to perform them efficiently for themselves.

“Personal Service” means small-scale businesses that provide services for individuals and includes, without limitation, barbershops, beauty salons, fitness facilities, shoe and small appliance repair shops, laundromats, drycleaners, florists and seamstress shops.

“Principal Building” means a building that contains the primary or main use on a lot.

“Projection” means normal projections into building setback areas such as eaves, cornices, chimneys, stairs and railings.

“Public Building and Use” means the non-commercial use of land and/or building for art or cultural exhibits; cemetery; community centre; courts of law; fire station; hospital; schools, legislative chambers; library; passive or active recreation use or facility; police station.

“Public Utility Building” means a structure or building required for a publicly or privately owned use or utility providing essential and emergency services for the Village or the

Regional District where the use is established, authorized, regulated or administered under the legislative authority of the governments of British Columbia or Canada.

"Rear Lot Line" means the lot line opposite to and most distant from the front lot line, provided that where the rear portion of a lot is bounded by two intersecting side lot lines the rear lot line is the point of their intersection.

"Rear Yard" means a yard located between the rear wall of a building and the rear lot line and extending the full width of the lot.

"Regional District" means the Regional District of Central Kootenay.

"Restaurant" means a place where food and beverages are prepared and sold for consumption.

"Retail" means premises where goods, merchandise and other materials are offered for retail sale to the general public. Typical uses include but are not limited to: food, hardware, pharmaceutical, retail liquor sales, clothing, thrift store, auctioneer establishments and sporting goods stores, grocery stores.

"Secondary Suite" means a separate dwelling unit which is completely contained within a principal building and is subordinate to a principal dwelling unit on the same parcel.

"Self-contained Dwelling Unit" means a suite of rooms with a separate entrance from the other units in the building in which the suite of rooms is located, designed for occupancy by one family, and containing kitchen, toilet and bathroom facilities.

"Service" means a business which provides services for individuals.

"Service Station" means the retail sale of motor fuels and lubricants and includes as accessory uses, automobile diagnostic centres, servicing and minor repair of motor vehicles and sale of automotive accessories.

"Setback" means the shortest horizontal distance from a boundary of a lot to the face of the nearest wall of a building.

"Short Term Rental Accommodations" are self-contained principal or secondary residential dwelling units, temporarily unoccupied and repurposed by the owner, for the purpose of operating a commercially marketed transient accommodation business.

"Side Yard" means a yard located on the side of a building and extending from the front wall to the rear wall of the building.

"Single Family Dwelling" means a detached building having independent exterior walls and containing only one self-contained dwelling unit.

"Site" means a lot having its principal frontage upon a street, occupied or to be occupied by one building and its accessory buildings, and including such open site spaces as are required under this Bylaw.

"Site Coverage" means that percentage of the area of the whole of a lot which is covered by or beneath one or more buildings.

"Sleeping Unit" means a room or suite of rooms containing sleeping and sanitary facilities.

"Street" includes a lane, road, sidewalk, and other public highway.

"Street Frontage" means the boundary between a lot and the street, provided that where a lot is bounded either in whole or in part by more than one street, the boundary which the lot has in common with the wider or widest of such streets shall be deemed to be the street frontage. Where a lot does not have a boundary with a street it shall mean the boundary between the lot and the area of any right-of-way easement giving access to such lot, and provided further that in respect of a lot which is not connected with a street by means of an easement, it shall mean the boundary nearest to the nearest public highway.

"Surface Parking Space" means any space or area used or intended to be used for the parking or movement of motor vehicles and is neither underground parking space nor contained within the portion of the lot upon which a building actually stands.

"Temporary" means a maximum of 180 days in a calendar year, unless applied to Temporary Use Permits pursuant to the *Local Government Act*.

"Transient Accommodation" means the use of land or a building for the temporary accommodation of visitors, and without limitation includes hotels, motels and vacation rentals.

"Two Family Dwelling" means a building entirely comprised of two self-contained dwelling units.

"Underground Parking Space" means any enclosed space, containing one or more parking units, used or intended to be used for the parking or movement of motor vehicles and contained entirely within a structure or part of a building, the whole of which structure or part lies entirely below the grade of the structure or building.

"Width" when used in reference to a lot, means the length of the lesser external dimension of the least rectangle within which the lot may be contained.

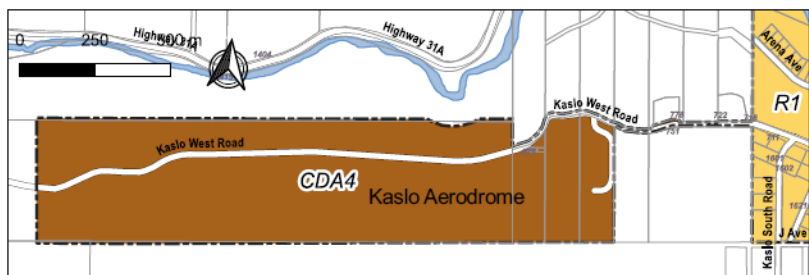
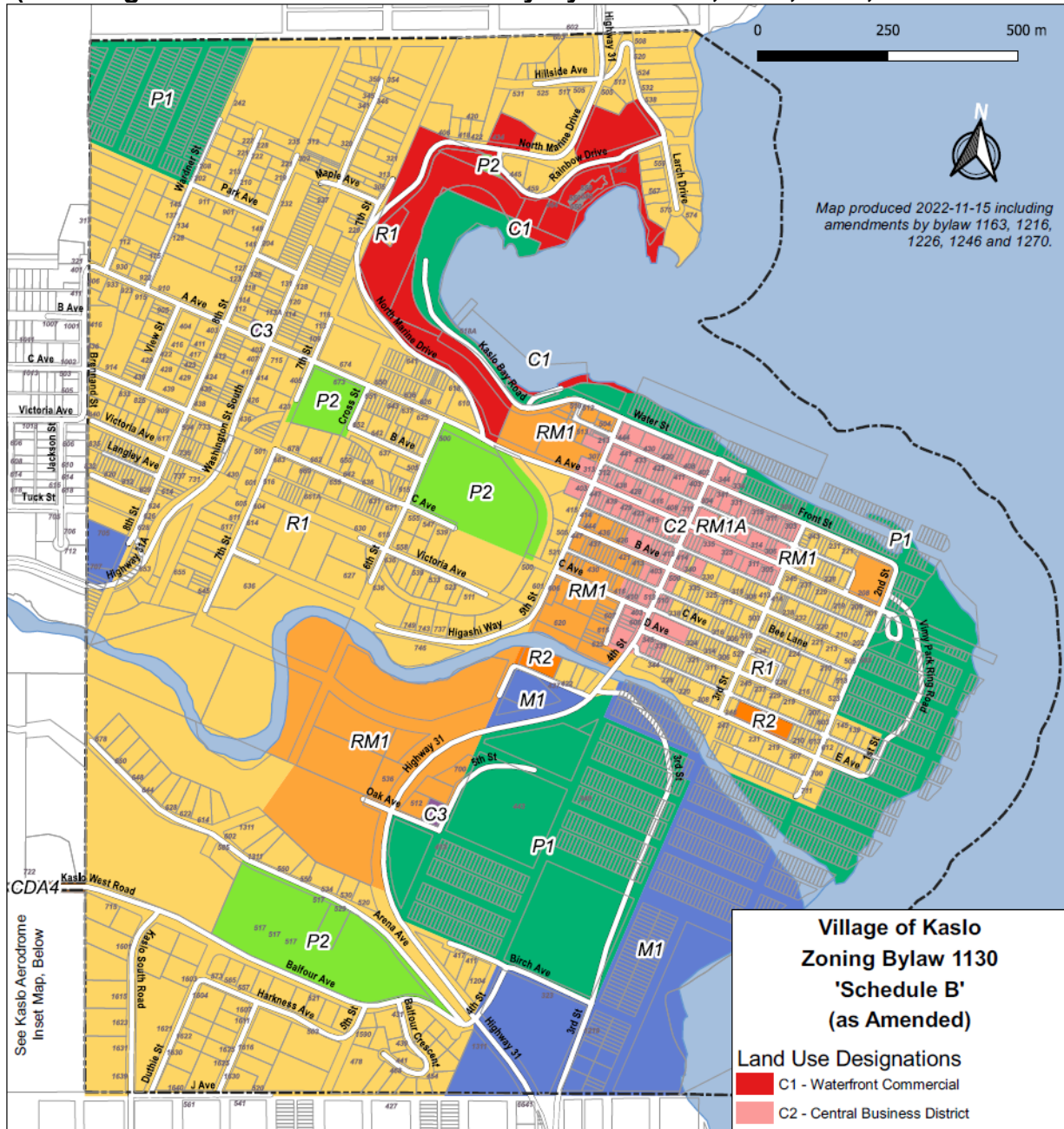
"Village" means the Village of Kaslo.

"Village Building Official" means the person designated by the Council of the Village to perform the duties of a building official in the administration of this Bylaw and the Building Bylaw of the Village.

"Yard" means a part of a site which is unoccupied and unobstructed by a building or structure, except where the structure is permitted to be located in the yard, from the ground upward, excepting the chimneys, fire escapes and ordinary projections of sills, belt courses, cornices and eaves of the building or structure.

"Zone" means a zone established by section 1.3 and identified on a map referred to in section 1.4 of this Bylaw.

SCHEDULE B
VILLAGE OF KASLO LAND USE BYLAW NO. 1130 ZONING MAP
 (Showing consolidated amendments by Bylaws 1163, 1216, 1226, 1246 and 1270)



**Village of Kaslo
 Zoning Bylaw 1130
 'Schedule B'
 (as Amended)**

Land Use Designations

- C1 - Waterfront Commercial
- C2 - Central Business District
- C3 - Neighbourhood Commercial
- CDA4 - Aerodrome Development Area
- M1 - Industrial
- P1 - Parks and Open Space
- P2 - Civic / Institutional
- R1 - Single and Two Family Residential
- R2 - Mobile Home Park
- RM1 - Multiple Residential
- RM1A Multiple Dwelling Special Area