

REGULAR MEETING OF COUNCIL

AGENDA

DATE: Monday, October 6, 2014
TIME: 4:30 p.m.
LOCATION: Council Chambers, Enderby City Hall

1. APPROVAL OF AGENDA

2. ADOPTION OF MINUTES

[Regular Meeting Minutes of September 15, 2014](#)

pg 1-4

3. PUBLIC AND STATUTORY HEARINGS

4. PETITIONS AND DELEGATIONS

5. DEVELOPMENT MATTERS

6. BUSINESS ARISING FROM THE MINUTES AND/OR UNFINISHED BUSINESS

7. BYLAWS – 1st and 2nd Reading

- a. [Zoning Bylaw No. 1550, 2014](#) – Memo from Assistant Corporate Officer and Planning Assistant dated October 1, 2014

pg 5-139

BYLAWS – Adoption

- b. [Permissive Tax Exemption Bylaw No. 1551, 2014](#)
A bylaw to exempt certain properties from exemption for the year 2015

pg 140-141

- c. [Parks, Recreation, and Culture Fees Imposition Bylaw No. 1553, 2014](#)
A bylaw to impose fees for providing recreation programs and facilities

pg 142-145

- d. [Cemetery Regulation Bylaw No. 1515, 2012 Amendment Bylaw No. 1552, 2014](#)

A bylaw to amend cemetery regulation bylaw no. 1552, 2012

pg 146-148

8. REPORTS

Mayor and Council

9. NEW BUSINESS

- a. [Foster Wedding Reception Request](#) – Memo from Chief Administrative Officer dated September 30, 2014

pg 149-151

- b. [Enderby Artists' Initiative – Digital Billboard Sponsorship Application](#) pg 152-153
- c. [Enderby Library Friends – Digital Billboard Sponsorship Application](#) pg 154-155
- d. [Metered Water Rates – General Information & Mock Billing Statistics](#) –
Memo for Chief Financial Officer dated September 29, 2014 pg 156-159

10. PUBLIC QUESTION PERIOD

11. CLOSED MEETING RESOLUTION

Closed to the public, pursuant to Section 89 (a) () of the *Community Charter*

12. ADJOURNMENT

THE CORPORATION OF THE CITY OF ENDERBY

Minutes of a Regular Meeting of Council held on Monday, September 15, 2014 at 4:30 p.m. in the Council Chambers of City Hall

Present: Mayor Howie Cyr
Councillor Tundra Baird
Councillor Brad Case
Councillor Raquel Knust
Councillor Beryl Ludwig
Councillor Greg McCune
Councillor Earl Shipmaker

Chief Administrative Officer – Tate Bengtson
Deputy Chief Administrative Officer – Barry Gagnon
Chief Financial Officer – Jennifer Bellamy
Assistant Corporate Officer and Planning Assistant – Kurt Inglis
Recording Secretary – Bettyann Kennedy
The Press and Public

APPROVAL OF AGENDA

The following item was added to the agenda under New Business:

- B. C. Community Achievement Awards

Moved by Councillor Knust, seconded by Councillor Ludwig that the agenda be approved as amended.

Carried Unanimously

ADOPTION OF MINUTES

Regular Meeting Minutes of September 2, 2014

Moved by Councillor Case, seconded by Councillor McCune that the minutes of the regular meeting of September 2, 2014 be adopted as circulated.

Carried Unanimously

BUSINESS ARISING FROM THE MINUTES AND/OR UNFINISHED BUSINESS

Little City Fashions Demolition Update – Memo from Chief Administrative Officer dated September 11, 2014

Moved by Councillor Baird, seconded by Councillor Shipmaker that the memorandum be received and filed.

Carried Unanimously

Cliff Avenue west of Sicamous Street Improvements – Memo from Chief Administrative Officer dated September 11, 2014

Moved by Councillor Ludwig, seconded by Councillor Case that the memorandum be received and filed.

Carried Unanimously

BYLAWS – 3 Readings

Permissive Tax Exemption Bylaw No. 1551, 2014

A bylaw to exempt certain properties from taxation for the year 2015

Moved by Councillor Ludwig, seconded by Councillor Shipmaker that Permissive Tax Exemption Bylaw No. 1551, 2014 be introduced and given three readings.

Carried Unanimously

Discussion:

The threshold for tax exemptions is 5%. The Chief Financial Officer has reported that we are almost at that mark at 4.9%. This could impact the next phase of development at the Enderby Memorial Terrace.

Moved by Councillor Shipmaker, seconded by Councillor McCune that Enderby Seniors Housing Society be informed that the City's limit for tax exemptions has almost been reached and could impact the City's ability to provide full tax exemptions in the future.

Carried Unanimously

Parks, Recreation, and Culture Fees Imposition Bylaw No. 1553, 2014

A bylaw to impose fees for providing recreation programs and facilities

Moved by Councillor Case, seconded by Councillor Ludwig that Parks, Recreation, and Culture Fees Imposition Bylaw No. 1551, 2014 be introduced and given three readings.

Carried Unanimously

Cemetery Regulation Bylaw No. 1515, 2012 Amendment Bylaw No. 1552, 2014

A bylaw to amend cemetery regulation bylaw no. 1552, 2012

Moved by Councillor Baird, seconded by Councillor Case that Cemetery Regulation Bylaw No. 1515, 2012 Amendment Bylaw No. 1552, 2014 be introduced and given three readings.

Carried Unanimously

REPORTS

Councillor Knust

Volunteered at the Salmon Arm Fair. The floral displays in Salmon Arm are stunning.

Moved by Councillor Knust, seconded by Councillor McCune that a letter be forwarded to the City of Salmon Arm commending them on their public floral displays and asking them to share with us the methods used to attain and maintain their blooms.

Carried Unanimously

Councillor Baird

Enderby and District Services Commission:

- The Commission will be partnering with the RDNO to work on boating regulations as per the Shuswap River Watershed Sustainability Plan. Councillor Baird will represent the Commission.
- The Lions Club have proposed construction of a new sign at Riverside RV Park. The Commission has asked for modifications to the design.
- Met with a landscape architect at Barnes Park to review a new vision for the park and working with what already exists.

Councillor Case

Enderby and District Services Commission:

- Were advised by Farm Credit Canada that the grant application for spray park was unsuccessful.
- A policy has been developed for grant applicants to ensure accountability for the funds received.
- Commission accepted the digital billboard policy and is still working on how it will work for rural user groups.

Mayor Cyr

- Attended the Round Lake Treatment Centre's 35th Anniversary. There have been 10,000 clients helped over the past 35 years.
- Met with Urban Systems regarding the Regional Employment Land Action Plan. Discussed ways to attract industrial business to Enderby.
- Workflow Management meeting at RDNO.
- Enderby and District Services Commission have approved a Lions Club project pending drawing amendments.
- Barnes Park – looking forward to conceptual design for development. A \$25,000 grant application for outdoor equipment cannot be used for the spray park though.

Public Hearing Report – Tuesday, September 2, 2014

Moved by Councillor Case, seconded by Councillor Baird that the report be received and filed.
Carried Unanimously

Building Permit Detail Report – August 2014

Moved by Councillor Baird, seconded by Councillor McCune that the report be received and filed.

Carried Unanimously

NEW BUSINESS

Late Item: B. C. Community Achievement Awards

Mayor Cyr has nomination forms. The deadline for submissions is November 15th.

PUBLIC QUESTION PERIOD

Stacy Pavlov of the Advertiser queried as to the cost recovery process for the demolition of the Little City Fashions property.

The Chief Administrator explained that works would be invoiced to the property owner; if unpaid would be applied to the property taxes; if taxes unpaid it would form part of a tax sale upset price. The cost of the demolition will depend on the hazardous material removal costs.

CLOSED MEETING RESOLUTION

Moved by Councillor Ludwig, seconded by Councillor Baird that, pursuant to Section 92 of the *Community Charter*, the regular meeting convene In-Camera to deal with matters deemed closed to the public in accordance with Section 90 (1) (c) of the *Community Charter*.

The regular meeting re-convened at 4:58 p.m.

The following item was declassified from confidential to non-confidential:

Maternity Transition Plan – Memo from Chief Administrative Officer dated September 10, 2014

Moved by Councillor Shipmaker, seconded by Councillor Case that Council appoint Barry Gagnon as Deputy Chief Financial Officer effective January 1, 2015; and

THAT Council adopt the Successorship and Transition Plan as revised for Chief Financial Officer maternity leave; and

FURTHER THAT Council brings the Maternity Transition Plan out of In-Camera.

Carried Unanimously

ADJOURNMENT

Moved by Councillor Baird, seconded by Councillor McCune that the regular meeting adjourn at 4:58 p.m.

Carried Unanimously

MAYOR

CHIEF ADMINISTRATIVE OFFICER

THE CORPORATION OF THE CITY OF ENDERBY

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Assistant Corporate Officer and Planning Assistant
Date: October 1, 2014
Subject: Zoning Bylaw No. 1550, 2014 - First Reading and Second Reading and Forward to Public Hearing

RECOMMENDATION

THAT the City of Enderby Zoning Bylaw No. 1550, 2014 be given First and Second Reading and forwarded to a Public Hearing for October 20, 2014;

AND THAT the City of Enderby Zoning Bylaw No. 1550, 2014 be referred to the Regional District of North Okanagan Planning Staff for review and comment.

BACKGROUND

The City of Enderby received a Federal Gas Tax Grant to undertake an Integrated Community Sustainability Planning (ICSP) process followed by a policy and regulatory framework alignment. The ICSP process involved a significant level of public consultation which led to the identification of community values, objectives, and priorities related to the environmental, social, and economic pillars of sustainability. These objectives, values, and priorities were integrated into the City's recently adopted Official Community Plan (OCP). The City's Zoning Bylaw is now being rewritten to continue implementation of the ICSP.

The key proposed changes to the Zoning Bylaw include:

Proposed Change	Community Benefits
Broadening bed and breakfast use within residential zones	<u>Economic Development:</u> improved support for home-based businesses and entrepreneurship; increase in accommodation which will support local tourism opportunities
Modernizing home occupation use	<u>Economic Development:</u> improved support for home-based businesses and entrepreneurship
Broadening secondary suite use within residential zones	<u>Social Development:</u> increase in affordable housing and rental housing supply <u>Smart Growth Development:</u> maximizing use of existing infrastructure through increased density
Consolidation of two industrial zoning designations	<u>Economic Development:</u> providing a streamlined and flexible development process to attract new industry and redevelopment

Reducing rear yard setbacks and increasing maximum building height and lot coverage within the Service Commercial (C.4) zone	Economic Development: more flexible development standards which increases development potential for property owners
Regulating lot coverage related to driveways and parking areas	Environmental Protection: promoting natural water infiltration; reducing the amount of runoff reaching City's storm sewer system
Regulating the use, siting, and finishing of shipping containers	Public Safety: mitigating any potential safety hazards related to the use of shipping containers
Relaxing regulations related to temporary residences for medical care	Social Development: supporting assisted living opportunities; enabling local seniors to age in place
Implementing a revised approach to administering Riparian Areas Regulations (RAR) and regulating floodplain management and agricultural setbacks from watercourses	Environmental Protection: protection of riparian areas and watercourses from development, including agriculture Social Development: Protecting life, property, and infrastructure from flooding hazards

ICSP Related Amendments

The key proposed changes to the Zoning Bylaw, which are outcomes of the ICSP process, are as follows:

Bed and Breakfast Use

Earlier in 2014, a resident made an inquiry regarding bed and breakfast use within residential zones (bed and breakfasts are currently only permitted in the Residential Two Family (R.2) and Country Residential (C.R) zones). Staff are proposing to add bed and breakfasts as a permitted use to the Residential Single Family (R.1) and Residential Single Family (R.1-A) zones. Issues such as the maximum number of rentable rooms and the maximum duration of stays are regulated within the definition of 'Bed and Breakfast' while the parking requirements for this use are incorporated into *Schedule "B"- Off-street Parking*. The proposed approach of broadening bed and breakfast use within residential zones is consistent with the approaches of Vernon, Salmon Arm, and Kelowna.

The ICSP process identified the need for more short stay accommodation to support tourism as well as a need for improved support for home occupations.

Home Occupation Use

Staff are proposing to broaden home occupation uses to allow not only the retail sales of commodities produced on site, but also limited commodities produced off site which are incidental to a service being provided. The area in which retail commodities can be displayed and stored is limited to 5% of the home occupation use, to a maximum of 2.25 m² (24.2 square feet). Furthermore, Staff are proposing to allow home occupations to employ one person who does not reside in the residential building on site, provided that one additional parking space is provided to accommodate that additional employee. This broadened approach provides greater flexibility to home occupations while ensuring that:

1. the retail sale of commodities is done on a scale which would not significantly impact other retail establishments throughout the community; and
2. parking is adequately managed on site.

The ICSP process identified the need for improved support for home occupation opportunities as a means of providing local employment and strengthening the local economy.

Industrial Zoning Consolidation

In 2013, the ICSP Infill and Redevelopment Working Group provided a set of recommendations to Council. One of these recommendations related to consolidating Enderby's three industrial zones. Staffed performed an analysis and are proposing to consolidate the community's three industrial zones into two zones.

Enderby's Light Industrial (I.1) and Industrial Park (I.3) zones are virtually identical except that the Industrial Park (I.3) zone allows for the retail sale and service/repair of heavy equipment, machinery, nurseries, and greenhouses as well as the manufacturing, processing and storage of wood products. It is proposed that these two zones be consolidated into a single Light Industrial (I.1) zone which has the same permitted uses as the Industrial Park (I.3) zone. The existing Industrial Park (I.3) zoned area to the north of town would be rezoned to Light Industrial (I.1) but there would be no material impact to these property owners as the permitted uses for the properties would stay the same. Furthermore, the existing Light Industrial (I.1) zoned area in the centre of the community would be rezoned to Service Commercial (C.4); the current uses associated with these Light Industrial (I.1) properties are permitted within the Service Commercial (C.4) zoning designation and these properties would benefit from having a zoning designation which has a broader set of permitted uses which are more consistent with that of a downtown core. Please be advised that several minor changes have been proposed to the Service Commercial (C.4) zoning provisions to ensure that these properties are not encumbered should they construct, reconstruct, alter, move or extend buildings or structures in the future; these changes include:

- Increasing the maximum height of buildings and structures from 10 m (32.81 feet) or two (2) storeys to 12 m (39.37 feet) or three (3) storeys, which is consistent with the maximum height requirements of the General Commercial (C.1) and Highway and Tourist Commercial (C.2) zones;
- Increasing the maximum lot coverage for all buildings and structures from fifty percent (50%) to sixty percent (60%). Although the maximum lot coverage for buildings and structures is being increased, it is not anticipated that the overall amount of impermeable surfaces for Service Commercial (C.4) properties will increase as property owners will still be required to pave a significant portion of their properties to meet off-street parking and loading requirements. Furthermore, increasing the maximum lot coverage has the potential added benefit of increasing assessment related to industrial building improvements; and
- Reducing the rear yard setback for properties not abutting a residential zone from 3 m (9.842 feet) to 0 m (0 feet); given the uses associated with the Service Commercial (C.4) zoning

designation, it is not anticipated that this reduction to the rear yard setback will negatively impact the use or enjoyment of properties.

It is proposed that one of these Light Industrial (I.1) zoned properties, International Polycraft, which currently has a manufacturing and processing use, retain its industrial zoning designation in order to avoid a legally, non-conforming use status for the property. Please note that all properties proposed to be rezoned to Service Commercial (C.4) have been contacted and are in support of the approach.

There are no proposed changes to the General Industrial (I.2) zone itself although it is proposed that the boundaries of the General Industrial (I.2) area to the south of town are expanded to encompass all of Okanagan Fertilizer. Okanagan Fertilizer is currently located on several properties which have multiple industrial zoning designations; extending the boundaries of the General Industrial (I.2) zone to the north will provide Okanagan Fertilizer with a consistent zoning designation. Okanagan Fertilizer was contacted and they were fully in support of extending the General Industrial (I.2) boundaries to encompass all of their parcels; furthermore, Okanagan Fertilizer advised that they were contemplating initiating a rezoning process to achieve the same objective.

The ICSP process identified the need for more industrial anchor developments as well as a more streamlined development process through an updated policy and regulatory framework.

Height of Residential Buildings

As per previous Council direction, it is proposed that the maximum height of single family residential dwellings be increased to be more consistent with neighbouring communities. The height of single family residential dwellings was increased from 8 m (26.25 feet) to 9 m (29.53 feet) and in cases where the average natural slope of the lot exceeds five percent (5%), the maximum height of residential buildings was increased from 5 m (16.40 feet) above the centreline of the adjacent road or the mid-point of the rear property line, to 7 m (22.97 feet). It is not anticipated that this increase in maximum height will negatively impact the views of properties throughout the community.

The ICSP process identified the need for alternative, sustainable development standards which provide flexibility to developers.

Secondary Suites

It is proposed that secondary suites within single family homes be added as a permitted use within Residential Two Family (R.2), Residential Multi-Family (R.3), and Country Residential (C.R) zones. Broadening the use of secondary suites within residential areas is a critical aspect of Enderby's infill and redevelopment strategy as secondary suites add density to residential areas and existing neighbourhoods while not requiring additional infrastructure. Furthermore, secondary suites are critical to the community's supply of rental and affordable housing. Secondary suites in the Residential Two Family (R.2), Residential Multi-Family (R.3), and Country Residential (C.R) zones will be regulated in the same manner as they are within the Residential Single Family (R.1 and R.1-A) zones i.e. maximum floor area, off-street parking, only permitted in single family dwellings, etc.

The ICSP process identified the need for affordable and rental housing opportunities throughout the community as well as increased density in residential areas to maximize the use of community infrastructure.

Water Body Provisions

Schedule "G" - Water Body Provisions was developed and incorporated into the Zoning Bylaw in order to satisfy objectives related to:

- Riparian Areas Regulation (RAR);
- Floodplain management; and
- Agricultural setbacks from watercourses.

The RAR Section within *Schedule "G"* defines the scenarios when development may occur within a Riparian Assessment Area; this approach satisfies RAR and is consistent with the approach used by the Regional District of North Okanagan.

It is proposed that the floodplain management provisions of the previous Zoning Bylaw be directly incorporated into *Schedule "G" - Water Body Provisions* in their entirety. Please be advised that no changes have been made to the Schedule "G.1" and "G.2" Floodplain maps which were part of the floodplain management provisions of the previous Zoning Bylaw.

Lastly, the current Zoning Bylaw does not contain provisions related to agricultural setbacks from watercourses. Setbacks from watercourses for agricultural buildings and facilities have been developed for all zones which permit agricultural uses, consistent with the Ministry of Agriculture Fact Sheet, and have been incorporated into *Schedule "G" - Water Body Provisions*.

The proposed *Schedule "G" - Water Body Provisions* was referred to the following Provincial Ministries for comment:

1. Ministry of Forests, Lands, and Natural Resource Operations;
2. Ministry of Environment; and
3. Ministry of Agriculture.

In response, the Ministry of Agriculture requested that provisions related to 'Seasonal Feeding Areas' and 'Solid Agricultural Waste' be added to Table 2 of *Schedule "G"* while the Ministry of Environment advised that they had no concerns regarding *Schedule "G"* as all of the legislation governing the Schedule rests with either Ministry of Forests, Lands and Natural Resource Operations or with the Ministry of Agriculture (please see attached correspondence).

Up until the date of this memo, the City has not received a response from the Ministry of Forests, Lands and Natural Resource Operations

The ICSP process identified the need to protect and preserve the natural environment, especially the Shuswap River. Furthermore, the process identified the importance of protecting the community from flooding of the Shuswap River.

Lot Coverage

The existing provisions related to maximum lot coverage in residential zones only regulated buildings and structures and are silent on driveway and parking areas; this can result in driveway and parking areas, which are generally paved, providing a significant area of impermeable surfacing. These impermeable surfaces result in a higher degree of surface runoff which eventually reaches the City's storm sewer system and is discharged into the Shuswap River; natural infiltration helps to recharge groundwater sources while removing contaminants from stormwater.

It is proposed that the lot coverage provisions for residential zones, except for apartment and multi-family uses within the Residential Multi-Family (R.3) zone, be amended to regulate the maximum lot coverage related to driveway and parking areas; this proposed approach is consistent with the approaches of Lumby and Vernon.

The lot coverage of driveway and parking areas for apartment and multi-family uses within the Residential Multi-Family (R.3) zone would be controlled by the maximum lot coverage provisions for buildings and structures coupled with the minimum open space requirements for apartment and multi-family buildings.

The ICSP process identified the need to reduce the amount of impermeable surfaces within development in order to promote natural water infiltration and reduce the amount of runoff reaching the City's storm sewer system.

Temporary Residence for Medical Care

The existing Zoning Bylaw regulates temporary residences for the purpose of providing a separate residence for the medical care and nursing of an owner of land or an immediate relative. It is proposed that these regulations be relaxed to promote temporary residences for medical care as a tool for supporting the local senior population and enabling them to age in place. The relaxing of these regulations would include removing provisions related to:

- Requiring the applicant to grant the City a blanket statutory right-of-way to permit the City to enter onto an owner's land; and
- Requiring the applicant to provide the City with an irrevocable letter of credit as security to ensure the owner upholds their covenants and obligations related to removal, demolition or conversion of a temporary residence.

The aforementioned provisions are aimed at enabling the City to ensure the temporary residential use is discontinued once the period of medical care ceases, and that the City has the ability to recoup the costs related to removing, demolishing, or converting a temporary residence if such residential use is not discontinued; however, registering a restrictive covenant, which is still required under the regulations,

could include these or other provisions on a case by case basis; furthermore, the City has other tools at its disposal to address matters of this sort.

The ICSP process identified the need to support the local senior population by strengthening assisted living opportunities and enabling seniors to 'age in place.'

Non-ICSP Related Amendments

Other key proposed changes to the Zoning Bylaw, which are not direct outcomes of the ICSP process, are as follows:

Dog Kennel Use

Under the current Zoning Bylaw, dog kennels were considered a 'limited agricultural use' and were permitted within the Country Residential (C.R) zone; however, dog kennels were not defined or specifically regulated within the C.R zone. Staff are proposing to remove dog kennels from the definition of 'limited agricultural use' and include an explicit definition of 'dog kennel' which would regulate issues such as the minimum number of dogs required before a use would be considered a dog kennel. Dog kennels would continue to be permitted only within the C.R zone.

Screening

It is proposed that the use of hedging for screening purposes is removed from the Zoning Bylaw. This is consistent with Council direction following concerns that hedging can become unsightly and unsafe (fire hazard) when not properly maintained.

Shipping Containers

A robust set of regulations regarding the use of shipping containers is proposed. These regulations relate to the use, siting, and finishing of shipping containers and the zones where they are permitted. Together, these regulations help to ensure that shipping containers do not negatively impact the use and enjoyment of subject and neighbouring properties and also mitigate potential safety issues such as access for emergency responders and preventing explosions related to the storage of flammable and combustible substances. These regulations are consistent with the recommendations of the Fire Chiefs of BC Report regarding the shipping container related death of Enderby Volunteer Fire Fighter Daniel Botkin; furthermore, these regulations are consistent with feedback from the Fire Chief of the Enderby Fire Department. These zoning regulations are part of a multi-faceted approach to regulating shipping containers which also includes the BC Building Code and Fire Code.

Assembly Use

It is proposed that 'Assembly use' (churches, auditoriums, youth centres, daycares, etc.) is removed as a permitted use within industrial zones. The uses associated with an assembly use are generally not appropriate for an industrial area where there are significant impacts related to noise and traffic.

The 7th Day Adventist church is currently the only assembly use located on an industrial zoned property. This property will not be negatively affected by the removal of 'assembly use' as a permitted use within the industrial zoning designation as this property is included in the Vernon Street Light Industrial (I.1) properties that are proposed to be rezoned to Service Commercial (C.4), which would permit 'assembly use'.

Driveway Access

Schedule "B" - Off-street Parking and *Schedule "C" - Off-street Loading* have been revised to include provisions which regulate the minimum width of maneuvering aisles which provide access to parking areas and loading zones; the existing Zoning Bylaw was silent on these standards.

Various Housekeeping and Formatting Items

Dozens of other housekeeping items and formatting corrections have been incorporated into the draft Zoning Bylaw. These include:

- Addition of relevant definitions;
- Updating Section references;
- Updating references to Provincial and Federal agencies, legislation, and regulations;
- Updating Special Building Line Setbacks to reflect municipal major and minor collector roads as identified on Schedule "C" of City of Enderby Official Community Plan Bylaw No. 1549, 2014;
- Inclusion of provisions related to the maximum height of retaining walls as per recommendations from RDNO Planning Staff;
- Removal of references to particular City of Enderby Staff positions;
- Inclusion of Temporary Use Permit provisions which have been reallocated from the Official Community Plan;
- Removal of irrelevant parking requirements of *Schedule "B" - Off-street Parking*;
- Minor updates to *Schedule "F" - Campground Regulations*; and
- Revising industrial parking requirements to relate to square footage of use, as opposed to number of employees, in order to be consistent with the approaches of other communities.

In addition to internal review by City of Enderby Staff, the City's existing Zoning Bylaw was referred to the Regional District of North Okanagan Planning Staff for preliminary review and comment. The comments received from RDNO Planning Staff have been incorporated into the Zoning Bylaw and it is proposed that the Bylaw be referred to the RDNO Planning Staff for further review and comment given the nature of the amendments since the initial review. Zoning Bylaw No. 1550, 2014 has also been referred to the Ministry of Transportation and Infrastructure which has given the Bylaw preliminary approval; the Bylaw cannot be adopted until the Ministry has given final approval following 3rd Reading of the Bylaw.

Respectfully Submitted,



Kurt Inglis, Assistant Corporate Officer and Planning Assistant

Kurt Inglis

From: Recksiedler, Blaine AGRI:EX [Blaine.Recksiedler@gov.bc.ca]
Sent: September-03-14 2:58 PM
To: 'Kurt Inglis'
Cc: Recksiedler, Blaine AGRI:EX
Subject: RE: City of Enderby Zoning Bylaw Schedule "G" Referral

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Kurt,

I have reviewed the above-noted Schedule G, with the following comments.

Please see Section 2.4.8.3 and Section 2.4.8.4 of the ministry's Guide for Bylaw Development in Farming Areas, http://www.al.gov.bc.ca/resmgmt/publist/800Series/840000-1_Guide_for_Bylaw_Development_in_Farming_Areas-2013.pdf,

According to 2.4.8.3:

2.4.8.3 Setbacks from a Potential Flood Area

Due to the variable nature of British Columbia's land base and water bodies, no general standards have been established for flood proofing. Each municipality or regional district should contact the Provincial Regional Water Management Office for floodplain mapping information and flood proofing requirements. Where local and site-specific information is unavailable, the Ministry of Agriculture has developed a factsheet titled Flood Construction Levels and Setbacks for Farm Building Situations that aims to reduce injury and property damage in flood situations.

http://www.al.gov.bc.ca/resmgmt/publist/800Series/823400-2_Flood_Const_Levels_and_Setbacks.pdf

Regarding setbacks from watercourses, it is noted that the table, 'Building and Facilities Setbacks from Watercourses for Riparian Protection in Farming Areas' is similar to Table 2, Section 2.4.8.4 Setbacks from Watercourses of the Minister's Bylaws Standards, with the exception of provisions for "Seasonal Feeding Areas and Solid Agricultural Waste (Field Storage) with greater than two (2) weeks storage capacity". These should be included as components in Category 1.

Regards,
Blaine Recksiedler
Ministry of Agriculture

From: Kurt Inglis [mailto:kinglis@cityofenderby.com]
Sent: Tuesday, September 2, 2014 9:55 AM
To: Recksiedler, Blaine AGRI:EX
Cc: tbengtson@cityofenderby.com; bgagnon@cityofenderby.com
Subject: City of Enderby Zoning Bylaw Schedule "G" Referral

Good afternoon Blaine,

Firstly, thank you very much for your comments in regards to the City of Enderby's Official Community Plan referral. The comments were much appreciated.

Furthermore, the City of Enderby is respectfully requesting the Ministry of Agriculture to review *Schedule "G" - Water Body Provisions* of the draft City of Enderby Zoning Bylaw. Schedule "G" relates to floodplain management, Riparian Areas Regulations, and farming areas regulations.

If you have any questions or issues, please don't hesitate to call or email.

Thanks Blaine!

Kurt Inglis
Assistant Corporate Officer and Planning Assistant
City of Enderby
P.O. Box 400, 619 Cliff Avenue
Enderby BC, V0E 1V0

Telephone: 250-838-7230 | Fax 250-838-6007
Email: kinglis@cityofenderby.com | Website: cityofenderby.com

Kurt Inglis

From: Pfeffer, Jessica ENV:EX [jessica.pfeffer@gov.bc.ca]
Sent: September-04-14 11:05 AM
To: 'Kurt Inglis'
Cc: Bell, Christina ENV:EX
Subject: Follow Up: City of Enderby Zoning Bylaw Schedule "G" Referral

Good morning Kurt,

I wanted to advise you that there are no concerns regarding Schedule "G" – Water Body Provisions, from a Ministry of Environment perspective, as all of the legislation governing the schedule rests with either Ministry of Forests, Lands and Natural Resource Operations or with the Ministry of Agriculture.

Sincerely,

Jessica Pfeffer
Senior Policy Advisor, Intergovernmental Relations
Strategic Policy Branch, BC Ministry of Environment
Phone: 250.356.2191
5th Floor, 2975 Jutland Road | Victoria, BC | V8T 5J9

From: Kurt Inglis [mailto:kinglis@cityofenderby.com]
Sent: Friday, August 29, 2014 12:59 PM
To: Pfeffer, Jessica ENV:EX; Bell, Christina ENV:EX
Cc: tbengtson@cityofenderby.com; bgagnon@cityofenderby.com
Subject: City of Enderby Zoning Bylaw Schedule "G" Referral

Good afternoon Christina and Jessica,

Firstly, thank you very much for your comments in regards to the City of Enderby's Official Community Plan referral. The comments were much appreciated.

Furthermore, the City of Enderby is respectfully requesting the Ministry of Environment to review *Schedule "G" - Water Body Provisions* of the draft City of Enderby Zoning Bylaw. Schedule "G" relates to floodplain management, Riparian Areas Regulations, and farming areas regulations.

If you have any questions or issues, please don't hesitate to call or email.

Thanks and have a great long weekend!

Kurt Inglis
Assistant Corporate Officer and Planning Assistant
City of Enderby
P.O. Box 400, 619 Cliff Avenue
Enderby BC, V0E 1V0

Telephone: 250-838-7230 | Fax 250-838-6007
Email: kinglis@cityofenderby.com | Website: cityofenderby.com

Kurt Inglis

From: Tormala, Travis TRAN:EX [Travis.Tormala@gov.bc.ca]
Sent: September-24-14 1:33 PM
To: 'Kurt Inglis'
Subject: Bylaw 1550
Attachments: MoTI Comments.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Kurt,

Attached are MoTI comments.

Cheers,

Travis Tormala
District Development Technician
Ministry of Transportation and Infrastructure
Vernon Office
Office Phone- 250-503-3606
Fax- 250-503-3631



City of Enderby

619 Cliff Avenue

PO Box 400

Enderby, British Columbia V0E 1V0

Canada

Your File #:

eDAS File #: 2014-04663

Date: Sep/24/2014

Attention: Kurt Inglis

Re: Proposed Bylaw 1550

Preliminary Approval is granted for Zoning Bylaw No. 1550 for one year pursuant to section 52(3)(a) of the *Transportation Act*.

If you have any questions please feel free to call Travis Tormala at (250) 503-3606.
Yours truly,

Travis Tormala
District Development Technician

Local District Address

Vernon Area Office

4791 23rd Street

Vernon, BC V1T 4K9

Canada

Phone: (250) 503-3664 Fax: (250) 503-3631

THE CORPORATION OF THE CITY OF ENDERBY

ZONING BYLAW NO. 1550, 2014

WHEREAS the Council of The Corporation of the City of Enderby may adopt a Zoning Bylaw, regulate the provision of off-street parking and loading spaces, and require and regulate screening and landscaping pursuant to Division 7 of Part 26 of the Local Government Act;

NOW THEREFORE, the Council of The Corporation of the City of Enderby in open meeting assembled enacts as follows:

1. Title

This Bylaw may be cited as "The Corporation of the City of Enderby Zoning Bylaw No. 1550, 2014".

2. The following attached schedules are hereby made part of this Bylaw;

Schedule "A" – Zoning Bylaw Text
Schedule "B" – Off-Street Parking
Schedule "C" – Off-Street Loading
Schedule "D" – Lot Frontage, Area, and Design Requirements
Schedule "E" – Total Number of Animals Making up One Animal Unit
Schedule "F" – Campground Regulations
Schedule "G" – Water Body Provisions
Schedule "G.1" – Floodplain Map
Schedule "G.2" – Floodplain Map
Schedule "H" – Zoning Map for the City of Enderby

3. The City of Enderby Zoning Bylaw No. 966, 1987, and all amendments is hereby repealed

4. This bylaw shall come into force and effect upon its adoption.

READ A FIRST TIME this _____ day of _____, 20____

READ A SECOND TIME this _____ day of _____, 20____

Advertised on the _____ day of _____, 20____ and the _____ day of _____, 20____,
and a Public Hearing held on the _____ day of _____, 20____.

READ A THIRD TIME this _____ day of _____, 20____

Received the approval of the Ministry of Transportation & Infrastructure this _____ day
of _____, 20____.

ADOPTED this _____ day of _____, 20____.

"Tate Bengtson"

CHIEF ADMINISTRATIVE OFFICER

"Howie Cyr"

MAYOR

SCHEDULE "A"

THE CORPORATION OF THE

CITY OF ENDERBY

ZONING BYLAW NO. 1550, 2014

Table of Contents

DIVISION ONE – ADMINISTRATION AND ENFORCEMENT	5
101 Enforcement	5
DIVISION TWO – INTERPRETATION	6
DIVISION THREE – GENERAL REGULATIONS	15
301 Application	15
302 Zones.....	15
303 Permitted Uses of Land, Buildings, and Structures	15
304 Siting, Size, Shape, and Dimensions of Land, Buildings, and Structures	15
305 Off-Street Parking and Loading Spaces	16
306 Agricultural Land Reserve	16
307 Uses of Land, Buildings, and Structures.....	16
308 Siting, Size, and Dimensions of Buildings and Structures	20
309 Screening and Landscaping:	23
310 Signs.....	25
311 Temporary Residence for the Medical Care and Nursing of an Owner or an Immediate Relative.....	31
312 Medical Marijuana Production Facilities within the Agricultural Land Reserve	32
313 Temporary Use Permits.....	33
314 Shipping Containers	33
315 Subdivision Without Community Sewer.....	35
DIVISION FOUR – COMMERCIAL ZONES	36
401 General Commercial Zone (C.1).....	36
402 Highway And Tourist Commercial Zone (C.2)	42

403	Service Commercial Zone (C.4)	47
DIVISION FIVE – INDUSTRIAL ZONES		51
501	Light Industrial Zone (I.1).....	51
502	General Industrial Zone (I.2).....	55
DIVISION SIX – RESIDENTIAL ZONES		58
601	Residential Single Family Zone (R.1)	58
602	Residential Single Family Zone (R.1-A).....	61
603	Residential Two Family Zone (R.2)	64
604	Residential Apartment And Multi-Family Zone (R.3).....	68
605	Residential Mobile Home Park Zone (R.5)	74
DIVISION SEVEN – RURAL ZONES		75
701	Country Residential Zone (C.R.).....	75
DIVISION EIGHT – SPECIAL USE ZONE		81
801	Assembly, Civic, And Public Service Zone (S.1)	81
802	Comprehensive Development – Senior’s Housing (CD.1).....	84
803	Transportation Corridor Zone (S.2).....	86
OFF-STREET PARKING – SCHEDULE “B”.....		88
901	Off-Street Parking.....	88
DIVISION TEN – OFF-STREET LOADING – SCHEDULE “C”.....		95
1001	Off-Street Loading	95
DIVISION ELEVEN – LOT FRONTAGE, AREA, AND DESIGN REQUIREMENTS – SCHEDULE “D”		98
1101	Lot Frontage, Area, And Design Requirement.....	98
DIVISION TWELVE – TOTAL NUMBER OF ANIMALS MAKING UP ONE ANIMAL UNIT – SCHEDULE “E”.....		100
1201	Animal Units	100
DIVISION THIRTEEN – CAMPGROUND REGULATIONS – SCHEDULE “F” .		101
1301	Campground Regulations.....	101
DIVISION FOURTEEN – WATER BODY PROVISIONS – SCHEDULE “G”		112
1401	Floodplain Management Provisions.....	112
1402	Riparian Areas Regulation Provisions	116
1403	Farming Area Provisions	118

DIVISION ONE – ADMINISTRATION AND ENFORCEMENT

101 Enforcement

1. **Inspection:** The Building Inspectors or any other employee of the City appointed by the Council to administer or enforce this Bylaw, are hereby authorized to enter at all reasonable times upon any property to ascertain whether the regulations and provisions of this Bylaw are being or have been complied with.
2. **Violation:**
 - a. It is an offence for any person to cause, suffer, or permit any building or structure to be constructed, reconstructed, altered, moved, extended, occupied, or used, or any land to be occupied or used, in contravention of this Bylaw or otherwise to contravene or fail to comply with this Bylaw.
 - b. It is an offence for any person to prevent or obstruct, or attempt to prevent or obstruct the authorized entry of the Building Inspectors or other employees appointed to administer and enforce this Bylaw.
3. **Offences:** Any person violating any provision of this Bylaw is liable on summary conviction to a maximum fine of \$10,000. A separate offence shall be deemed to be committed on each day during, or on which, a violation occurs or continues.
4. **Remedial Powers:** The Council may, in accordance with the provisions of the Local Government Act or Community Charter, authorize the demolition, the removal, or the bringing up to standard of any building, structure, or thing, in whole or in part, that is in contravention of this Bylaw.
5. **Severability:** 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, such decision shall not affect the validity of the remaining portions of this Bylaw.

DIVISION TWO – INTERPRETATION

In this Bylaw, unless the context otherwise requires:

ACCESSORY means customarily associated with or incidental to.

ACCESSORY BUILDING OR STRUCTURE means,

- a. a building or structure, the use or intended use of which is ancillary to or customarily associated with that of a principal building situated on the same lot; or
- b. a building or structure which is ancillary to or customarily associated with a principal use being made of the lot upon which such building is located.

ACCESSORY PRODUCE AND FRUIT SALES USE means a use accessory to an agricultural use providing for the retail sale of fruit and vegetable products which are produced on the same parcel.

ADVERTISING USE means a use of land, of a building exterior, or of a structure or thing located other than within a building, providing for the advertising, advancing, or promoting by visible means, of a product, service, place, or event.

AGRICULTURAL USE, INTENSIVE means a use providing for the growing, rearing, producing, and harvesting of agricultural products; including the preliminary grading of such products for shipment, and specifically includes feed lots, piggeries, mushroom growing, and the keeping of bees, horses, sheep, goats, dairy cows, fur bearing animals, rabbits, poultry, or other animals or birds of like kind in concentrations of more than six (6) animal units per hectare (2.428 animal units per acre).

AGRICULTURAL USE, LIMITED means a use providing for the growing, rearing, producing, and harvesting of agricultural products; including the preliminary grading of such products for shipment, and specifically includes riding stables, nurseries, greenhouses, and the keeping of pigeons, doves, or other animals or birds of like kind and the keeping of bees, horses, sheep, goats, cattle, dairy cows, fur bearing animals (except mink and fox), rabbits, poultry, or other animals or birds of like kind in concentrations of six (6) animal units or less per hectare (2.428 animal units per acre). Swine are also permitted to be kept provided that they are for the personal use of the owner only.

AGRICULTURAL USE, RESTRICTED means a use providing for the growing, rearing, producing, and harvesting of agricultural products provided that this does not create a nuisance by reason of sound, sight, or smell, and specifically includes nurseries, greenhouses, and the keeping of pigeons, rabbits, poultry, doves, bees, and other animals or birds of like kind for the personal use of the owner only. The keeping of horses, sheep, goats, cattle, or other animals of like kind is also permitted in concentrations of three (3) animal units or less per hectare (1.214 animal units per acre).

For the purpose of this Section, an animal unit shall be as defined in Schedule "E" of this Bylaw.

APARTMENT means any building divided into not less than three (3) dwelling units each of which is occupied, or intended to be occupied as a permanent home or residence of one (1) family as distinct from a hotel or motel.

ASSEMBLY USE means a use providing for the assembly of persons or religious, charitable, philanthropic, cultural, recreational, or private educational purposes; includes churches, auditoriums, youth centres, social halls, group camps, private schools, kindergartens, play schools, day nurseries, day care schools, and specifically excludes residential use.

AUCTION MART means a place where goods are sold by auction on a regular basis.

BACHELOR DWELLING UNIT means a dwelling unit within a building where the dwelling unit has one (1) habitable room in addition to kitchen facilities and a bathroom.

BASEMENT means a space 2.2 m (7.218 feet) or more in height between two (2) floors, the lower floor of which is buried between 0.3 m (0.984 feet) and 1.5 m (4.921 feet) below the average finished ground level at the perimeter of the building.

BED AND BREAKFAST means a use that is carried out within a dwelling in which one (1) or more bedrooms, to a maximum of three (3) bedrooms, are rented out to persons other than persons occupying the dwelling unit as their residence, provided that the provision of such accommodation does not constitute a tenancy pursuant to the Residential Tenancy Act and excludes the preparation of meals within the rented units. For the purposes of this Bylaw, a bed and breakfast use does not include a boarding, lodging, or rooming house use.

BOARDING, LODGING, OR ROOMING HOUSE means a dwelling in which two (2) or more sleeping units are rented, with or without meals being provided, to two (2) or more persons, other than members of the family of the leasee, tenant, or owner; includes bed and breakfast facilities, rest homes, fraternity houses, and group home facilities; excludes the preparation of meals within the rented units.

BUFFER AREA means an area free of all buildings and structures, the purpose of which is to separate different land uses.

BUILDING means a structure wholly or partly enclosed by a roof or roofs supported by walls or columns and used for the shelter or accommodation of persons, animals, chattels, or things. When a building is separated by party walls located upon lot lines, then each portion of such building shall be deemed a separate building.

CELLAR means a space between two (2) floors, the lower floor of which is 1.5 m (4.921 feet) or more below the average finished ground level at the perimeter of

the building; or a space between two (2) floors less than 2.2 m (7.218 feet) high, the lower floor of which is below the average finished ground level at the perimeter of the building.

CITY means The Corporation of the City of Enderby.

CIVIC USE means a use providing for public functions; includes Federal, Provincial, and Municipal offices and yards, schools, colleges, public hospitals, community centres, libraries, museums, parking facilities, parks, playgrounds, cemeteries, streets, and waterways.

CLUB OR LODGE means a building or establishment used by an association or organization for fraternal, social, or recreation purposes which may include limited private sleeping unit accommodation with cooking facilities.

COMMUNITY SEWER SYSTEM means a system of sewage disposal is owned, operated, and maintained by an Improvement District, Municipality, or Regional District.

COMMUNITY WATER SYSTEM means a system of waterworks which is owned, operated, and maintained by an Improvement District, Municipality, Regional District, or water utility as defined in the Water Utility Act, (RSBC 1996).

CONTROLLED ACCESS HIGHWAY means a highway designated as a controlled access highway, under the Transportation Act, (SBC 2004).

CORPORATE OFFICER means the Corporate Officer of The Corporation of the City of Enderby.

COUNCIL means the Municipal Council of The Corporation of the City of Enderby.

DOG KENNEL means any building, structure, compound, group of pens or cages within a building or property in which, or where four (4) or more dogs are intended to be trained, cared for, boarded or kept for any purpose for which a fee is charged.

DWELLING means any building used for human habitation and which is supported on a permanent foundation extending below ground level and includes multiple dwellings, apartments, lodging, and boarding houses, and manufactured homes that meet the CSA A277 standards and which have a completed width of not less than 7.315 m (24 feet), but does not include mobile homes.

DWELLING, MULTIPLE FAMILY means any building consisting of three (3) or more dwelling units, each of which is occupied or intended to be occupied as the permanent home or residence of one (1) family.

DWELLING, ROW HOUSING means a block of at least four (4) and not more than eight (8) side-by-side family dwelling units, with each dwelling unit on a separate lot attached to its neighbour at its side, in which each family unit shall be separated from each other by a party wall.

DWELLING, SINGLE FAMILY means any building consisting of one (1) dwelling unit which is occupied or intended to be occupied as a permanent home or residence of one (1) family.

DWELLING, TWO FAMILY means any building divided into two (2) dwelling units, each of which is occupied or intended to be occupied as a permanent home or residence of one (1) family.

DWELLING UNIT means one (1) or more rooms used for the residential accommodation of only one (1) family when such room or rooms contain or provide for the installation of sleeping, sanitary, and only one (1) set of cooking facilities.

FAMILY means two (2) or more persons related by blood, marriage, adoption, or foster parenthood sharing one (1) dwelling unit, or three (3) or fewer unrelated persons sharing one (1) dwelling unit.

FEED LOT means an area of land enclosed or covered by a fence, pen, corral, or other enclosure, building, or structure used for the feeding and keeping of bovine animals primarily for raising and fattening as beef and for the storage or processing of their feed or manure.

For the purpose of this Bylaw, a feed lot shall not include the pasturing of bovine animals, cow-calf operations, nor the keeping of bovine animals, within the enclosure or building, or on the subject property in concentrations of six (6) animal units per hectare (2.428 animal units per acre) or less.

For the purpose of this Section, an animal unit shall be as defined in Schedule "E" of this Bylaw.

FLOOR AREA means the total of the floor areas of every room and passageway contained in a building but not including the floor area of basements, attached garages, sheds, open porches, or breezeways.

GROSS FLOOR AREA means the sum of all areas of each storey in each building on a lot measured between the exterior walls of such building.

HEIGHT OF BUILDINGS AND STRUCTURES means the greatest vertical distance from the average finished ground elevation at the base of a structure to the highest point on such structure directly above.

HIGHWAY includes all public streets, roads, ways, trails, lanes, bridges, trestles, ferry landings and approaches, and any other public way.

HOME OCCUPATION means an occupation which is undertaken inside a residential building or accessory residential building or is accessory to an agricultural use but does not have connected with it the display of goods, sale of goods that are not produced on the premises, and does not contravene any health regulations, create noise, offensive odour, or generate excessive traffic,

and does not employ other than occupants of the dwelling in which a home occupation is carried on.

LAND includes the surface of water.

LANDSCAPING means the planting of lawns, shrubs, and trees, and the addition of fencing, walks, drives, or other structures and materials as used in landscape architecture.

LANE means a road allowance more than 3 m (9.842 feet) but less than 10 m (32.81 feet) in width.

LOT means a unit of land designated as a separate and distinct parcel and legally described on the records of the Land Title Office in which the title to such land is registered.

LOT AREA means the area of a lot taken in a horizontal plane; excluding land covered by a natural body of water.

LOT COVERAGE means the area of a lot covered by buildings and structures on a horizontal plane excluding land covered by a natural body of water.

LOT LINE means a legal boundary of a lot.

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

LOT LINE, FRONT means the lot line or lines common to the lot and a fronting street, or where there is more than one (1) fronting street, the lot line or lines common to the lot and the fronting street towards which the majority of the buildings on adjacent lots are faced.

LOT LINE, INTERIOR SIDE means the lot line or lines, not being the front or rear lot line, common to more than one (1) lot or to the lot and a lane.

LOT LINE, REAR means the lot line or lines opposite to and most distant from the front lot line, and where the rear portion of the lot is bounded by intersecting side lot lines, shall be deemed to be the point of such intersection.

LOT LINE, SIDE means any lot line which is not a front or rear lot line.

MANUFACTURING means assembling, repairing, processing, wrecking, and also includes the generating and transforming of electrical energy, but does not include mining.

MARIHUANA means all parts of the genus cannabis whether growing or not and the seed or clone of such plants.

MEDICAL MARIHUANA PRODUCTION FACILITY means a facility used for the production, manufacturing, processing, testing, packaging, and distribution of marihuana and marihuana products for medical purposes as lawfully permitted

and authorized through a licence under the Federal Marihuana for Medical Purposes Regulations and which would be considered a business for the purposes of the City of Enderby Business License Regulation Bylaw.

MOBILE HOME means a manufactured home constructed to the CAN/CSA Z240 MH (Mobile Home) standard, capable of being moved from place to place and installed with skirting concealing the chassis and wheels of the home.

MOBILE HOME PARK means any lot on which are located two (2) or more mobile homes.

NON-CONFORMING USE means a lawful use being made of land or a building and includes use of a building which is under construction at the time of the adoption of this Bylaw upon completion of the construction of such building provided that such use would have been permitted under the provisions of the Zoning Bylaw of the City in force immediately prior to the adoption of this Bylaw.

OFF-STREET PARKING means a use providing for parking spaces for the temporary storage of vehicles.

PARCEL means any lot, block or block of lots, or other area in which land is held or into which land is subdivided.

PARKS means the land which is owned by a Government which is dedicated to public use for recreation purposes.

PETROLEUM DISTRIBUTION INSTALLATIONS means any building or land used or intended to be used for the wholesale of petroleum fuel or lubricants to commercial vehicles and industrial equipment, which may include key-lock methods of distribution, and excludes bulk storage facilities.

PICKERS' CABIN (FRUIT AND PRODUCE) USE means a use accessory to an agricultural use or a resource use where a building is used for one (1) dwelling or sleeping unit for the accommodation of an employee or employees working on the same parcel.

PIGGERY means an area of land enclosed or covered by a fence, pen, corral, or other enclosure, building, or structure used for the feeding and keeping of swine primarily for raising and fattening as pork and for the storage or processing of their feed or manure.

For the purpose of this Bylaw, a piggery shall not include the keeping of swine within the enclosure or building or on the subject property in concentrations of six (6) animal units per hectare (2.428 animal units per acre) or less.

For the purpose of this Section, an animal unit shall be as defined in Schedule "E" of this Bylaw.

PRINCIPAL BUILDING means an existing or proposed building which is the chief or main one among the buildings on a site.

PRINCIPAL USE means the primary and chief purpose for which land, buildings, and structures are used.

PRIVATE HOSPITAL USE means a use providing for the care of the sick, injured, or aged other than in a public hospital and includes private hospitals, convalescent homes, nursing homes, and personal care homes.

PUBLIC SERVICE USE means a use providing for the essential servicing with water, sewer, electrical, telephone, and similar services where such use is established by the City of Enderby, another government body, or by a company operating under all applicable laws including the Utilities Commission Act (RSBC 1996); includes broadcast transmission facilities and excludes exterior storage, vehicle and equipment repair facilities and administrative offices.

RESIDENTIAL USE means a use providing for the accommodation and home life of a person or persons.

RETAINING WALL means a structure constructed for the purpose of retaining, stabilizing or supporting an earthen bank as a result of differences in lot grades.

ROAD FRONTAGE means that length of a parcel boundary which immediately adjoins a highway other than a lane or walkway.

SECONDARY SUITE means a self-contained, accessory dwelling unit located within a single family dwelling. A secondary suite has its own separate cooking, sleeping and bathing facilities. It has direct access to outside without passing through any part of the principal unit.

SENIOR CITIZEN DWELLING UNIT means a dwelling unit within a building for an apartment use provided for elderly persons by a corporation wholly owned by the Province or Municipality, or by a corporation constituted exclusively for charitable purposes.

SERVICE STATION USE means a use providing for the retail sale of motor fuels or lubricating oils including the servicing or repair of motor vehicles, the sale of automobile accessories, and the rental of trailers and motor vehicles; excludes all other sales and services, auto body shops, fender work, and painting.

SHIPPING CONTAINER means a portable structure referred to as a sea cargo container, storage container, or office container, and which is primarily designated, designed or used for transporting freight by commercial transportation. Excludes storage sheds that are assembled on-site.

SLEEPING UNIT means one (1) or more rooms used for the lodging of one (1) family when such unit contains no cooking facilities.

STOREY means a habitable space between two (2) floors or between any floor and the upper surface of the floor next above, except that the top most storey shall be that portion of a building included between the upper surfaces of the top

most floor and the ceiling above. A basement which contains a self-containing dwelling unit shall be considered as a storey.

STREET means a road allowance 10 m (32.81 feet) or more in width. For the purpose of this Bylaw, a street shall also be deemed to include an "access route" intended to serve lots created pursuant to the Strata Property Act (SBC 1998) and Bare Land Strata Regulations (BC Regulation 75/78).

STRUCTURES means any construction fixed to, supported by, or sunk into land or water, and specifically includes shipping containers.

TRAILER means any vehicle, coach, house-car, conveyance, or conveyance with an addition, designed to travel often on the highways, constructed or equipped to be used as temporary living or sleeping quarters by holiday makers.

USE means the purpose for which any lot, parcel, tract of land, building, or structure is used, occupied, or employed.

USEABLE OPEN SPACE means a compact, unobstructed area or areas available for safe and convenient use by all the building's occupants, having no dimensions of less than 6 m (19.68 feet) and no slope greater than ten percent (10%), provided for greenery, recreational space, and other leisure activities normally carried on outdoors. Useable open space shall exclude areas used for off-street parking, off-street loading, and service driveways.

USED FOR means constructed, reconstructed, altered, moved, extended, or occupied as or for the purpose of.

WAREHOUSING means storage, distribution, and wholesaling.

YARD, FRONT means the area of a lot bounded by the front lot line, each side lot line, and a line drawn parallel to and perpendicularly distant from the front lot line, such perpendicular distance (depth) to be as specified by the provisions of this Bylaw for the Zone in which the lot is located.

YARD, REAR means the area of a lot bounded by the rear lot line, each side lot line, and a line drawn parallel to and perpendicularly distant from the rear lot line, such perpendicular distance (depth) to be as specified by the provisions of this Bylaw for the Zone in which the lot is located.

YARD, EXTERIOR SIDE means the area of a lot bounded by the exterior side lot line and a line drawn perpendicularly distant from and parallel to the exterior side lot line extending from the front lot line to the rear lot line for such lot, and such perpendicular distance (depth) shall be as specified under the provisions of this Bylaw for the Zone in which the lot is located.

YARD, SIDE means the area of a lot bounded by the side lot line and a line drawn perpendicularly distant from and parallel to the side lot line extending from the front lot line to the rear lot line for such lot, and such perpendicular distance (width) shall be as specified under the provisions of this Bylaw for the Zone in which the lot is located.

ZONE means a zone established under the Local Government Act of British Columbia and this Bylaw.

DIVISION THREE – GENERAL REGULATIONS

301 Application

The provisions of this Bylaw shall apply to the land within the City and to the uses, building, and structures thereon.

302 Zones

1. The boundary lines of said zones shall be the centre lines of road allowances, creeks, rivers, unless referenced to lot lines, Municipal boundaries, or shown otherwise on the attached Schedule "H" being the "Zoning Map of the City of Enderby".
2. Where a zoning district boundary does not follow a legally defined line and where the distances are not specifically indicated, the location of the boundary shall be determined by scaling from the official zoning maps.
3. Metric units are used for all measurements in this Bylaw. The equivalent of those units, in imperial measure, shown in brackets following each metric measurement, are included for convenience only.

303 Permitted Uses of Land, Buildings, and Structures

1. The use of land, including the surface of water, of buildings, and of structures shall be in accordance with the permitted uses specified in this Bylaw.

304 Siting, Size, Shape, and Dimensions of Land, Buildings, and Structures

1. The construction, reconstruction, alteration, moving, or extension of buildings and structures within any zone shall be in conformity with the regulations for the siting, size, and dimensions of buildings and structures specified in this Bylaw.
2. Buildings existing at the time of the effective date of Zoning Bylaw No. 966, 1987 or for which a valid building permit has been obtained which do not conform with the siting requirements of these regulations are not considered non-conforming by virtue of their siting. All external additions shall conform to the regulations of this Bylaw.
3. Lots existing at the time of the effective date of this Bylaw which do not conform with the parcel size or frontage requirements of these regulations may be used for any of the permitted uses outlined in the respective zone provided that all other requirements applicable within that zone can be met and provided that no other regulations are contravened.

4. Notwithstanding the provisions of this Bylaw, buildings, or structures of less than 10 m² (107.6 square feet) are exempt from the provisions of Sections 308.4.a.ii and iii. of this Bylaw.
5. Retaining walls may be sited anywhere on a lot provided they comply with the height regulations outlined in Section 309 if this Bylaw.

305 Off-Street Parking and Loading Spaces

1. Off-street parking spaces and off-street loading spaces shall be provided in conformity with Schedule "B" (Off-Street Parking) and Schedule "C" (Off-Street Loading) of this Bylaw.

306 Agricultural Land Reserve

1. Notwithstanding anything in this Bylaw contained, land within the City designated as "Agricultural Land Reserve" shall be subject to:
 - a. the Agricultural Land Commission Act; and
 - b. regulations made under the Agricultural Land Commission Act; and
 - c. relevant orders of the Provincial Agricultural Land Commission made under the Agricultural Land Commission Act, that is to say, without limiting the generality of the foregoing where land within an "Agricultural Land Reserve" is also within a land zone established under this Bylaw, the Bylaw shall be binding only insofar as it is not contrary to, in conflict with, inconsistent with, or repugnant to the Agricultural Land Commission Act, regulations made thereunder, and orders of the Provincial Agricultural Land Commission, except that the uses listed under Section 3(1) of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (B.C. Reg 171/2002) shall not be permitted to be carried out on lands located within the Agricultural Land Reserve unless otherwise specifically regulated by provisions of this Bylaw.

307 Uses of Land, Buildings, and Structures

1. Non-Conforming Uses:
 - a. The regulations governing non-conforming use are set forth in the Local Government Act.
 - b. No use shall be established so as to render any existing use on the same lot non-conforming.
 - c. A use that was non-conforming or unlawful under the "Corporation of the City of Enderby Zoning Bylaw No. 966, 1987" shall continue

to be non-conforming or unlawful unless it complies in every respect with the provisions of this Bylaw.

2. Permitted Uses of Land, Buildings, and Structures:

- a. A home occupation use shall be permitted in all zones and:
 - i. except where it involves horticulture, shall be completely enclosed within the building used for residential use or accessory residential use; and
 - ii. shall only involve the retail sale of commodities produced on the premises or commodities produced off site which are incidental to a service being provided; and
 - iii. the display and storage area for retail commodities produced off site which are incidental to a service being provided is limited to 5% of the home occupation use and shall not exceed 2.25 m² (24.2 square feet); and
 - iv. shall occupy less than twenty percent (20%) of the floor area, not to exceed 45 m² (484.4 square feet), except that in the Country Residential zone a home occupation shall be allowed to be carried out within an accessory building not larger than 60 m² (645.8 square feet) in size; and
 - v. shall in no way indicate from the exterior that the premises are being so used except for one (1) home occupation sign permitted pursuant to Section 310 of this Bylaw; and
 - vi. shall not discharge or emit: (a) odorous, toxic, or noxious matter or vapour; (b) heat, glare, or radiation; (c) recurrently generated ground vibration; (d) noise; and
 - vii. shall employ at least one (1) person who resides in the residential building; and
 - viii. may employ a maximum of one (1) person who does not reside in the residential building; and
 - viiii. shall not generate excessive traffic.
- b. A temporary building or structure shall not be used as a dwelling and shall not be placed or erected on any lot, except in the case of a mobile home where permitted under the provisions of the Bylaw, and except where a permit for the replacement or erection and use and occupation of such temporary building or structure has been validly issued under the provisions of the Building Bylaw of the authority having jurisdiction and amendments thereto from time to time in force; provided that when such permit lapses or is revoked under the provisions of the said Bylaw such temporary

building or structure shall be removed from the lot forthwith and the site of temporary building or structure shall be restored as neatly as possible to the condition existing prior to the placement or erection of such temporary building or structure. In the event that the site is not so restored within a period of thirty (30) days from the date that such temporary building or structure is removed from the lot, Council may cause such work to be done as may be necessary to restore the site as aforesaid and the costs of such work shall be paid by the owner of the lot concerned, to the City forthwith after the bill for such costs has been rendered to such owner. In the event of default of payment of such costs by the owner, such costs may be collected by the City in the same manner and with the like remedies as ordinary taxes upon land and improvements collected under the provisions of the Local Government Act and Community Charter.

- c. A boarding use shall be completely enclosed within a building used for residential purposes and shall accommodate not more than four (4) boarders provided one (1) additional boarder may be added for each 45 m² (484.4 square feet) of lot area in excess of 900 m² (9,688 square feet).
- d. Notwithstanding any other provisions of this Bylaw, parks and playgrounds shall be permitted in all zones and the minimum lot area requirement of the applicable zone shall not apply to the park or playground use.

3. Prohibited Uses of Land, Buildings, and Structures:

The following uses shall be prohibited in all zones:

- a. Living accommodation in cellars, basements, and shipping containers:
 - i. No person shall inhabit or otherwise occupy any suite, dwelling, or sleeping unit in any cellar anywhere within the City, except in the case of the family occupying the main floor of the building using such cellar for accommodation of his own family providing it meets City bylaws and Provincial safety regulations.
 - ii. No person shall inhabit or otherwise occupy any suite, dwelling unit, or sleeping unit in any basement, except in those areas of the City where the leasing, renting, or otherwise letting of a basement suite, dwelling unit, or sleeping units are permitted by this Bylaw and such suite, dwelling unit, or sleeping unit shall meet all City bylaws and Provincial safety regulations.

- iii. No person shall inhabit or otherwise occupy any suite, dwelling, or sleeping unit in any shipping container anywhere within the City.
 - b. A use that is carried on wholly or partly in a tent, trailer, motorhome, or mobile home, except as may be specifically permitted under the provisions of this Bylaw or under the provisions of the Bylaws and regulations of the City generally.
 - c. The unenclosed storage of automobiles and trucks (including parts thereof) which are in a state of disrepair, wrecked, or being dismantled for salvage or which are not licensed for the current year, except where specifically permitted under the provisions of this Bylaw.
 - d. The incinerating or processing of fish, animal, or vegetable waste products, except where specifically permitted under the provisions of this Bylaw.
 - e. The manufacturing of pulp, paper, or petroleum.
 - f. Medical Marihuana Production Facilities, unless located within the Agricultural Land Reserve.
4. Parking and Storage in Residential Zones:
- a. No person at any time shall park or store any commercial vehicle, truck, bus, self-propelled camper, travel trailer, tow truck (or parts of any of the above) or any equipment or building material in a Residential zone, except:
 - i. one (1) truck or commercial vehicle not exceeding 1,000 kg G.V.W. (2,205 pounds G.V.W.) rated capacity; and/or
 - ii. one (1) self-propelled camper or travel trailer provided that the overall length does not exceed 10 m (32.81 feet); and/or
 - iii. one (1) utility trailer provided that the overall length does not exceed 4 m (13.12 feet); and/or
 - iv. trucks or equipment required for construction, repair, servicing, or maintenance of the premises when parking during normal working hours; and/or
 - v. one (1) boat or vessel not exceeding a length of 10 m (32.81 feet); and/or
 - vi. 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 situated on the same property as which the material is stored pursuant to the building permit.

5. Storage Yards in Commercial and Industrial Zones:

No storage yard or area shall be permitted in a required front yard, nor in any required yard which abuts a lot in a Residential zone, or is separated therefrom by a street or main thoroughfare.

6. Location of Driveways:

No driveway or other roadway used for the purpose of gaining vehicular ingress to or egress from a lot shall be constructed or used in any zone where such driveway or roadway or any part thereof is located closer than 8 m (26.25 feet) of the point of intersection of the exterior side lot line of such lot with the front lot line or rear lot line thereof.

308 Siting, Size, and Dimensions of Buildings and Structures

1. Buildings Per Lot:

- a. One (1) or more buildings may be sited on one (1) lot, except as otherwise limited in this Bylaw.

2. Siting Exceptions:

Where under the provisions of this Bylaw, a yard free of all buildings and structures is required to be provided, all items of construction or other things (hereinafter called "projections") attached to such building or structure and 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 depth or width of the required yard, provided that:

- a. where such projections are chimneys, cornices, leaders, gutters, pilasters, belt courses, bay windows or ornamental features, the depth or width of the required yard into which such projections extend may be reduced by not more than 0.6 m (1.968 feet); and
- b. where such projections are steps, eaves, sunlight control projections, canopies, balconies or open porches, the depth of the required yard into which such projections extend may be reduced by not more than 1 m (3.281 feet); and
- c. an underground structure may be sited in any portion of a lot provided that the top surface of such structure shall at no point extend above the average finished ground elevation; and
- d. free-standing light poles, warning devices, antennas, masts, utility poles, wires, flag poles, signs and sign structures, may be sited on

any portion of a lot provided that the location and design thereof is not prohibited under any other Bylaw or regulation of the City.

3. Height Exceptions:

The height of buildings and structures permitted elsewhere in this Bylaw may be exceeded for industrial cranes, upright silos, grain elevators, towers, tanks, bunkers, radio and television antennas, church spires, belfries, domes, monuments, chimneys and smoke stacks, flag poles, drive-in theatre screens, stadium bleachers, lighting poles, apartment elevator shafts, stair towers, scenery lofts, fire and hose towers.

4. Accessory Residential Buildings and Structures in Residential Zones:

Notwithstanding the setback, building size, or height restrictions cited elsewhere in this Bylaw, accessory residential buildings and structures in all Residential zones of this Bylaw shall:

- a. be sited not less than:
 - i. 8 m (26.25 feet) from any front or exterior side lot line; and
 - ii. 1.5m (4.9210 feet) from any rear or side lot line; and
 - iii. 3 m (9.842 feet) from any other building or structure.

Notwithstanding the provisions of Subsection 4.a. above, a carport or garage opening onto a lane shall be sited not less than 2 m (6.562 feet) from any such lane and a detached garage may be sited not less than 4.5 m (14.76 feet) from the front or exterior side lot lines on lots exceeding twenty percent (20%) average natural slope determined from the uppermost point on the lot to the lowest point on the lot; and

- b. be not larger than 80.3m² (864 square feet) having a horizontal dimension of not more than 11m (36.1 feet) for domestic garages or shops and be not larger than 15m² (161.5 square feet) for all other accessory residential buildings and structures; and
- c. in the case of carports or garages, constructed so that the roof or ridge line shall not be in excess of 5 m (16.40 feet) above the driveway at the entrance to the garage or carport. All other accessory buildings shall be constructed with a maximum height of 5 m (16.40 feet).

5. Special Building Line Setbacks:

- a. Notwithstanding the setback provisions cited elsewhere in this Bylaw, the following building lines are hereby set on lands abutting certain highways within the City:

- i. All buildings and structures shall be provided with a setback of not less than 10 m (32.81 feet) plus the required setback of the respective zone measured from the centre lines of George Street (Highway No. 97A) and Vernon Street.

All buildings and structures shall be provided with a setback of not less than 9 m (29.53 feet) plus the required setback of the respective zone measured from the centre line of First Avenue, Gunter-Ellison Road, West Enderby Road, King Avenue, Stanley Avenue, Cliffview Drive, Knight Avenue, Salmon Arm Drive, Howard Avenue, Kate Street, Bass Avenue, Evergreen Street, and Belvedere Street between Knight Avenue and Evergreen Street.

6. Restricted Agricultural Use (In Other Than a Rural Zone):

Where a restricted agricultural use is permitted in other than a Rural Zone pursuant to the provisions cited elsewhere in this Bylaw, all buildings and structures used for restricted agricultural purposes shall:

- a. not exceed two (2) per lot; and
- b. not exceed a height of 10 m (32.81 feet); and
- c. not exceed a site coverage of ten percent (10%); and
- d. not be sited less than:
 - i. 30 m (98.42 feet) from any front or exterior side lot line; and
 - ii. 8 m (26.25 feet) from any side or rear lot line; and
 - iii. 30 m (98.42 feet) from any lot line, for all buildings and structures used for housing and feeding animals, notwithstanding the requirements of Subsection d.ii. above; and
 - iv. 3 m (9.842 feet) from any other building.

7. Intensive Agricultural Use in Non-Rural Zones:

Where an intensive agricultural use is permitted in a non-rural zone of this Bylaw, pursuant to the provisions of Section 903 of the Local Government Act, the setback and site coverage provisions of Section 601 of this Bylaw shall apply to the intensive agricultural use.

309 Screening and Landscaping:

1. Screening:

- a. Screening consisting of a solid 2.5 m (8.202 feet) fence or wall, which shall be uniformly painted and well maintained and not used for advertising or display purposes or for the posting of notices, shall be provided as follows:
 - i. In Commercial and Industrial zones, any part of a lot used or intended to be used as an outside storage area shall be closed by screening on any side not facing directly upon the principal building on the lot, and no material shall be piled to extend above such screening.

Required front screening shall be so situated as to conform with the front yard setback provisions of the applicable zone.
 - ii. Where any Commercial, Industrial, or Multi-Family Residential parking or display area abuts a lot in a Residential zone, or is separated by a lane therefrom, screening of 2 m (6.562 feet) in height shall be provided and properly maintained along the common property boundary.
 - iii. Notwithstanding the requirements of Subsection a.ii. above, screening along a lane shall be not less than 0.7 m (2.297 feet) and not more than 1.1 m (3.609 feet) in height for a distance of not less than 6 m (19.68 feet) from all points of ingress and egress to and from such parking or display area.
- b. Screening of over 1 m (3.281 feet) in height or any lesser height which constitutes a traffic hazard shall not be permitted within the area described by three (3) lines interconnecting an exterior lot corner, a point on the front lot line 6 m (19.68 feet) from the exterior lot corner and a point on the exterior lot line 6 m (19.68 feet) from the exterior lot corner, the exterior lot corner being the point of intersection of the exterior side lot line and the front lot line.
- c. The height of screening shall be determined by measurement from the ground level at the average grade level.
- d. That portion of a retaining wall which projects above the surface of the ground which it supports shall be considered as a screen and subject to the regulations of this Subsection.
- e. Notwithstanding Subsection 1.d. above, in cases where a retaining wall has been constructed along a property line, the

height of screening shall be determined by the measurement from the surface of the ground which the retaining wall supports at the average grade level.

- f. Subject to the vision clearance provisions of Subsection 1.a.iii. and 1.b. above, the following height limitations shall apply to screening:
 - i. In all zones, fences not greater than 1.2 m (3.937 feet) in height may be located anywhere on a lot.
 - ii. In all zones, except Industrial zones, fences or walls not greater than 2 m (6.562 feet) in height may be located on any lot to the rear of a required front yard.
 - iii. In Industrial zones, fences or walls not greater than 2.5 m (8.202 feet) in height may be located on any lot to the rear of a required front yard.
 - iv. In Residential zones, where the rear line of a lot abuts the side line of an adjoining lot, the height of fences on such rear lot line shall be not greater than the height permitted on the side line of an adjoining lot at the point of abutment.
- g. Subsection 1.f. above shall not apply to open mesh or chain link type fences erected on cemetery, public playground, park, playfield, elementary, or high school areas, and in Commercial and Industrial zones. In these cases, no such fence shall exceed a height of 3.5 m (11.48 feet).
- h. Screening shall not consist of untreated plywood, corrugated metal or chain link fencing, except for chain link fencing that contains slat inserts to create a visual barrier.
- i. Retaining walls on all residential lots, except those required as a condition of subdivision approval, must not exceed a height of 1.2 m (3.94 feet) measured from grade on the lower side, and must be constructed so that multiple retaining walls are spaced to provide at least a 1.2 m (3.94 feet) horizontal separation between them.
- j. The combined height of a fence on top of a retaining wall at the property line or within 1 m of a property line shall not exceed 2.0 m (6.56 feet), measured from natural grade at the property line.
- k. A retaining wall may be higher than 1.2 m (3.94 feet), measured from grade, where the natural grade of the subject property is lower than the abutting property.

2. Landscaping:

- a. Landscaping shall be provided and well maintained at all times, as follows:
- i. Where any commercial or industrial development abuts a lot in a Residential Zone, a landscaped buffer area shall be provided with a minimum width of 2 m (6.562 feet).
 - ii. Where any commercial or industrial development abuts a Controlled Access Highway, a landscaped buffer area shall be provided with a minimum width of 2 m (6.562 feet).
 - iii. Where any commercial or industrial development abuts any other highway, a landscaped buffer area shall be provided equal to the required front or exterior side yard requirement of the applicable zone.

The remainder of the property that is not used for buildings, display, parking, or access driveways shall be suitably landscaped.

- b. Landscaping shall consist of the following:
- i. A grass to shrubbery ratio from 6:4 to 8:2.
 - ii. A minimum of five percent (5%) of the landscaped area shall be planted in trees using the canopy area of the trees as a measure of the number and size of trees required.
 - iii. A maximum of fifteen percent (15%) of the area shall be planted to annuals.
 - iv. Other accepted landscape materials may be utilized under the supervision of a competent landscape contractor or landscape architect.

310 Signs

1. Interpretation:

For the purposes of this Section and unless the context otherwise requires:

ANIMATED SIGN means a sign which includes sound, action, or motion.

BILLBOARD means a sign of a permanent or semi-permanent nature intended for the display thereon of advertising messages which can be readily changed or altered.

COPY means the wording on a sign surface.

COPY AREA means the area(s) of the smallest geometric figure(s) which would enclose the copy of a sign.

DIRECTIONAL SIGN means a sign intended solely to give direction (i.e. direction to an "Entrance", "Exit", "Handicapped Access", etc.)

FLASHING SIGN means a sign which is partially or wholly illuminated by an intermittent light source and specifically excludes public service signs displaying time, temperature, etc.

FREE STANDING SIGN means a sign which is supported independent of a building.

HEIGHT OF SIGN means the greatest vertical distance from the average finished ground elevation at the base of the sign to the highest point on the sign.

HOME OCCUPATION SIGN means a sign that advertises a home occupation as defined in this Bylaw.

ILLUMINATED SIGN means a sign which emanates or reflects artificial light.

OFF PREMISE SIGN means a sign which advertises or directs attention to a product, service, place, activity, person, institution, or business not sited on the same lot and specifically excludes signs advertising a product, service, place, activity, person, institution, or business located on a parcel that is owned by the owner of the parcel on which the sign is located.

POLITICAL SIGN means a sign promoting a political candidate, party, or issue.

PORTABLE/TEMPORARY SIGN means a sign not permanently attached to the ground, building, or structure and includes banners, pennants, flags, vehicles, search lights, balloons, and other similar devices.

REAL ESTATE SIGN means a temporary sign pertaining to the sale, lease, or rental of real estate.

ROOF SIGN means a sign erected upon or above the roof of a building or structure.

SEASONAL OR HOLIDAY SIGN means a sign or decoration installed temporarily for the celebration of a religious, civic, or other holiday and which does not contain any advertising.

SIGN means an identification, description, illustration, contrivance, or device visible from a public place which is intended to direct attention to a

product, service, place, activity, person, institution, business, or solicitation.

SIGN AREA means the area of the sign(s) within a perimeter which forms the outside shape including any frame which forms an integral part of the display.

WALL AREA means the area of all external, vertical wall surfaces, fascias, and trim bands making up any single face of a building facing a public road.

WALL SIGN means a sign that is painted on or incorporated into a building's awning, canopy, wall, fascia, or trim band surface.

2. Permit Application and Fees:

a. **Permit Application:**

With the exception of flag poles, signs that are painted on the side of a building, and those signs identified in Section 310.3.a.ii of this Bylaw, a Building Permit for a sign structure shall be obtained from the Building Inspector for the authority having jurisdiction.

3. General Regulations:

a. Permitted Signs:

i. Subject to the provisions of this Bylaw, signs shall be permitted to be located on a parcel of land only if they advertise a product, service, place, activity, person, institution, or business located on the same parcel or if they advertise a product, service, place, activity, person, institution, or business located on a parcel that is owned by the owner of the parcel on which the sign is located provided no more than 50% of the sign area is used for advertising the product, service, place, activity, person, institution, or business not located on the parcel on which the sign is located.

ii. Notwithstanding the provisions of Subsection 3.a.i. above and subject to the regulations contained elsewhere in this Bylaw, the following signs shall be permitted to be located on any parcel of land:

- construction signs
- directional signs
- government signs
- home occupation signs
- "neighbourhood watch" signs
- political signs

- real estate signs
- seasonal and holiday signs

b. Prohibited Signs:

Notwithstanding the provisions of Subsection 3.a. above, the location of the following signs on any parcel of land is prohibited:

- animated signs
- billboards
- flashing signs
- off premise signs
- portable/temporary signs
- roof signs

c. Sign Area:

The sign area shall be not greater than:

- i. 0.4 m² (4.306 square feet) for home occupation and directional signs; or
- ii. 1.0 m² (10.76 square feet) for real estate and political signs located in a residential zone; or
- iii. 3.0 m² (32.29 square feet) for real estate and political signs located in other than a residential zone.

d. Number of Signs:

There shall be no more than one (1) each of a home occupation, real estate, and/or political sign located on a parcel of land.

e. Illumination:

Home occupation, real estate and political signs shall not be illuminated.

f. Setbacks:

- i. The setback of free standing signs from all property lines shall be not less than 1 m (3.281 feet).
- ii. Notwithstanding the setback requirements of Subsection 3.f.i. above, no sign shall be permitted to be located within a distance of 6 m (19.68 feet) from:
 - a. a lot corner adjacent to the intersection of two public highways; and

- b. a lot corner adjacent to a public highway and common on two lots.

g. Construction Standards:

- i. Wall signs more than 8 cm (3.150 inches) thick shall be attached to the wall at a height of not less than 2.5 m (8.202 feet) above the finished grade of any sidewalk or ground surface immediately thereunder and not less than 4.5 m (14.76 feet) above the finished grade of any driveway, lane, or parking space immediately thereunder.
- ii. Projecting signs shall:
 - a. be located only within the centre one-third portion of the building facade; and
 - b. not project beyond any wall surface more than 5 cm (1.968 inches) for each 0.3 m (0.984 feet) of building frontage to a maximum projection of 2 m (6.562 feet); and
 - c. be located at a height of not less than 3 m (9.842 feet) above the finished grade of any sidewalk or ground surface immediately thereunder and not less than 4.5 m (14.76 feet) above the finished grade of any driveway, lane, or parking space immediately thereunder; and
 - d. not encroach on any space immediately above a public roadway.

h. Maintenance:

All signs shall be properly maintained and any sign located on a property which becomes vacant and unoccupied for a period of six (6) months, and any sign which pertains to a time, event, or purpose which no longer applies, shall be deemed to have been abandoned, and shall be removed by the owner of the land within thirty (30) days.

i. Controlled Sign Permits:

Notwithstanding any other requirements of this Bylaw, Council by special resolution, may issue a "controlled sign permit" for the following:

- i. Seasonal or holiday signs located on or above public land including highways (excluding Highway No. 97A).

- ii. One (1) portable/temporary sign including sidewalk and curb signs, banners, pennants, and streamers intended to advertise a special event such as the opening of a business, sale, fund raising drive, etc., provided that the sign is removed from the property within thirty (30) days of the issue of the permit.

4. Specific Regulations - Assembly and Private Hospital, Commercial and Industrial Zones:

a. Sign Area:

The maximum sign area shall be not greater than:

- i. the square root of (the total wall area x 10) - for wall signs; or
- ii. the square root of (the total wall area x 2) - for free standing signs; or
- iii. 1.5 m² (16.15 square feet) for free standing signs for assembly and private hospital use.

Double sided free standing signs need only consider one face in determining the maximum sign area.

b. Copy Area:

The maximum copy area shall be not greater than forty-five percent (45%) of the sign area.

c. Height of Signs:

The height of free standing signs shall not exceed 6 m (19.68 feet) except that the height of free standing signs for assembly and private hospital use shall not exceed 2 m (6.562 feet).

d. Illumination:

Internal and external illumination of signs shall be permitted provided that the light source does not cause undue glare to adjacent properties or persons travelling on adjacent public highways.

e. Landscaping:

Free standing signs shall be co-ordinated with the landscaped areas of the parcel.

f. Number of Signs:

- i. The maximum number of free standing signs permitted on a parcel of land zoned assembly and private hospital, commercial or industrial shall be one (1) except that one (1) additional free standing sign may be permitted for lot frontages exceeding 100 m (328.1 feet).
- ii. The number of wall signs shall not be restricted.

311 Temporary Residence for the Medical Care and Nursing of an Owner or an Immediate Relative

- 1. Where a temporary residence is required for the purpose of providing a separate residence for the medical care and nursing of an owner of land, or an immediate relative, the following conditions shall apply:
 - a. The medical care must be for an owner, or for the spouse of the owner, or for an immediate relative of the owner, or an immediate relative of the owners spouse, being a father, mother, father-in-law, mother-in law, son, daughter, son-in-law, daughter-in-law, grandchild, brother, or sister; and
 - b. Before a building permit is issued for the temporary residence the need for close medical care and nursing shall be certified by a sworn affidavit from the owner of the parcel on which the temporary residence is proposed to be located and from the medical doctor of the person requiring medical care and nursing. The affidavits shall be delivered to the City and shall remain in force and effect for a period of one year.
 - c. Further affidavits, as required by Subsection 2. above, shall be delivered annually to the City on the anniversary of the date upon which the affidavits were first delivered. The need for close medical care and nursing of the infirm person shall be deemed to have ceased if the affidavits required under this Subsection are not delivered by the date upon which they are required to be delivered; and
 - d. No more than one (1) temporary residence shall be permitted on a lot and the lot shall be not smaller than 1 ha (2.471 acres); and
 - e. The temporary residence may include a manufactured home, modular manufactured home or a single family dwelling; and
 - f. The temporary residence shall be sited in conformity with the regulations of this bylaw; and
 - g. The gross floor area of a single family dwelling or manufactured home or modular manufactured home proposed to be used as a temporary residence shall be not larger than 115 square metres (1238 square feet); and

- h. The temporary residence shall not be sited on a permanent foundation with a basement excavation and shall be removed from the owner's land when the need for medical care and nursing ceases except that the temporary residence may be converted to any non-residential use permitted within the applicable zone subject to:
 - i. compliance with all other regulations of the applicable zone with respect to density and the siting, size and dimensions of the building; and
 - ii. removal of all kitchen and bathroom cabinets, plumbing fixtures, hot water tanks, furnaces, and sewer connections except that some of said facilities may be retained for home occupation and workshop purposes as determined by the City; and
 - iii. refinishing of the exterior of the building to portray a building intended for the proposed use; and
 - iv. completion of the conversion within thirty (30) days of the end of the period of construction of the residence; and
- i. A covenant shall be registered, pursuant to the provisions of Section 219 of the Land Title Act, to permit the temporary residence during the period of medical care and nursing and to prohibit the temporary residential use from continuing after the period of medical care ceases. The covenant shall also include an agreement by the owner to indemnify and save harmless the City against all costs and expenses incurred by the City in converting, demolishing or removing the temporary residence in default by the owner in converting, demolishing or removing said residence, including any legal costs incurred in pursuing such legal remedies as the City sees fit. The covenant shall be registered as a condition precedent to the issuance of a building permit for the temporary residence.

312 Medical Marihuana Production Facilities within the Agricultural Land Reserve

- 1. For properties located within the Agricultural Land Reserve, a minimum lot area of 5 ha (12.355 acres) is required to establish a Medical Marihuana Production Facility;
- 2. All uses associated with a Medical Marihuana Production Facility must take place entirely within a single, fully enclosed, standalone building. All uses associated with a Medical Marihuana Production Facility shall be the only uses permitted in a building so used;

3. For the purpose of the City's Fire Protection Bylaw, any building used for a Medical Marihuana Production Facility shall be considered an industrial building and shall be subject to fire inspections in accordance with the prescribed frequency;
4. Buildings must be sited a minimum of 30 meters from all property lines;
5. No Medical Marihuana Production Facility shall be sited within 150 m of any residential zone, daycare facility, playground, community centre, school, public park, or any use catering to individuals under the age of 18;
6. Servicing of a property used for a Medical Marihuana Production Facility shall be in accordance with all applicable regulations and permitting; on site servicing may be permitted; and
7. A Medical Marihuana Production Facility must obtain a municipal Business License before any operation may begin.

313 Temporary Use Permits

1. Pursuant to Section 920.2 of the Local Government Act, all zones within the City are designated as areas for the issuance of Temporary Use Permits, subject to the following general conditions:
 - a. The use is temporary or seasonal in nature;
 - b. The use is not noxious or undesirable because of smoke, noise, vibration, dirt, glare, odour, radiation, electrical interference, or an offensive trade within the meaning of the Health Act;
 - c. There are no negative impacts on the lands in the vicinity;
 - d. There is no significant increases in the level or demand for services;
 - e. There are no permanent alterations to the subject site; and
 - f. The use complies with all of the conditions specified by Council as a condition of the issuance of the Permit.

314 Shipping Containers

1. Subject to the requirements set out in each zone, Shipping Containers are permitted in the following zones:
 - Industrial (I.1, I.2);
 - Service Commercial (C.4);
 - Country Residential (C.R); and
 - Assembly, Civic, and Public Service (S.1).

2. The use of Shipping Containers is deemed to be an accessory use limited to the following principal uses:
 - All uses permitted in Industrial zones (I.1, I.2);
 - All uses permitted in the Service Commercial zone (C.4);
 - Civic and public service, intensive agriculture, and limited agriculture uses in the Country Residential zone (C.R); and
 - Assembly, civic, and public service uses in the Assembly, Civic, and Public Service zone (S.1).
3. Shipping containers must meet the requirements of the BC Building Code, BC Fire Code, and all City of Enderby Bylaws.
4. Notwithstanding Sections 314.1 and 314.2:
 - a. When a Building Permit has been issued for construction on a parcel in any zone, shipping containers may be used for temporary storage provided that they are removed within 30 days of final inspection of the building or structure for which the Building Permit has been issued;
 - b. Shipping containers may be used temporarily on a parcel in any zone for moving or storage provided that they are not located on any parcel for longer than 30 days without approval of the City.
 - c. Shipping containers may be used temporarily for emergency purposes on a parcel in any zone provided they are not located on any parcel for longer than 90 days without approval of the City.
 - d. A shipping container must be sited such that:
 - i. It is located at least 8 m (26.25 feet) from any front or exterior side lot line; and
 - ii. It is located at least 1.5 m (4.92 feet) from any rear or side lot line; and
 - iii. It is located at least 3 m (9.84 feet) from any other building or structure; and
 - iv. There is a minimum separation of 6 m (19.69 feet) between the exits, windows or unprotected openings of any other building or structure and the shipping container; and
 - v. It is not located between the principal building or structure of the parcel and the front lot line; and
 - vi. The container doors face away from any other building or structure.

- e. The siting requirements for shipping containers pursuant to Section 314.4.d shall not apply to shipping containers used temporarily for moving or storage uses or emergency purposes, except that the side yard setbacks of the applicable zone shall apply.
- f. A shipping container used temporarily for moving or storage uses or emergency purposes shall be sited a minimum of 1.5 m (4.92 feet) from any structure on site and a minimum of 3 m (9.84 feet) from any building or structure on adjacent properties.
- g. No flammable and combustible liquids or gases shall be stored in shipping containers.
- h. The number of shipping containers permitted on a property is limited to the following:
 - i. Two (2) for Industrial zones (I.1, I.2);
 - ii. Two (2) for Assembly, Civic, and Public Service zones (S.1);
 - iii. One (1) for Service Commercial (C.4) zones;
 - iv. One (1) for Country Residential (C.R) zones;
 - v. One (1) for moving or temporary storage; and
 - vi. No limitations for emergency purposes.
- i. The stacking of shipping containers is prohibited.
- j. Screening shall be provided consistent with the screening requirements for each zone outlined in Section 309. Screening is not required for the shipping containers when used temporarily for moving, storage, or emergency purposes.
- k. Except when used temporarily for storage, moving or emergency purposes, shipping containers shall have an exterior finish to match or compliment the exterior finish of the buildings on the subject property unless screened in accordance with Section 309.

315 Subdivision Without Community Sewer

The minimum lot size for subdivision is 1 ha (2.471 acres) for parcels not connected to a community sewer system.

DIVISION FOUR – COMMERCIAL ZONES

401 General Commercial Zone (C.1)

1. Permitted Uses of Land, Buildings, and Structures:

The following uses and no others shall be permitted in the General Commercial Zone (C.1):

- a. Accessory buildings and structures
- b. Accommodation including apartments, dwelling units, hotels and Motels
- c. Assembly and civic use
- d. Educational facilities and professional studios including art studios, business colleges, dance studios, music studios, photography studios, radio studios, television studios, and trade schools
- e. Entertainment and recreation facilities including arcades, billiard halls, bowling alleys, cabarets, fraternal lodges, health spas, museums, neighbourhood pubs, night clubs, social clubs, sport clubs, sports facilities, and theatres
- f. Food service including bakeries, butcher shops, caterers, coffee shops, dairy bars, fish shops, and restaurants (excluding drive-through restaurants)
- g. Office and commerce facilities accommodating appraisers, architects, banks, bookkeepers, brokers, chartered accountants, credit unions, dentists, dental labs, doctors, engineers, finance companies, funeral homes, insurance agents, lawyers, management companies; massage therapy clinics, medical offices, labs, and clinics; mortuaries, newspapers, notaries, publishers, real estate agents, surveyors, travel agents, and veterinarians
- h. Public service use
- i. Retail sales (including parts and accessories) of appliances, automobile parts and accessories (new), beverages, bicycles, books, candy, clothing, computers, draperies, drugs, electronic equipment, fabric, flowers, food (including meat and fish), fruit, furniture, garden supplies, glass, gifts, groceries, hardware, hobby equipment, jewellery, liquor, medical supplies, musical supplies, novelties, office equipment and supplies, optical supplies, paint, pets, pet food, photographic supplies, plants, produce, sporting goods (including rental), stationery, tools and small equipment, toys, and watches

- j. Service and repair including animal beauty parlours, appliance repair, automobile rental, barber shops, beverage container recycling and collection depot, costume rental, dry cleaners, hairdressers, interior decorators, laundromats, locksmith shops, optical shops, shoe repair, tailor shops, video rental shops, and watch repair shops
- k. Transportation facilities including commercial parking lots and garages, passenger transportation depots, and taxi dispatch offices.

2. Buildings Per Lot:

There shall be not more than one (1) principal building allowed per lot.

3. Floor Area:

- a. The floor area for a dwelling unit shall be not less than:
 - i. 27m² (290.6 square feet) within each bachelor dwelling unit; or
 - ii. 40 m² (430.6 square feet) within each one-bedroom dwelling unit; or
 - iii. 45 m² (484.4 square feet) within each two-bedroom dwelling unit; or
 - iv. 55 m² (592.0 square feet) within each three-bedroom dwelling unit.

The sum of the gross floor area of dwelling units located on the first storey level and entirely behind the commercial use must not exceed the gross floor area of the commercial use on the first storey level.

- b. The floor area for hotel and motel use shall be not less than:
 - i. 20 m² (215.3 square feet) within each sleeping unit; or
 - ii. 30 m² (322.9 square feet) within each kitchenette unit; or,
 - iii. 35 m² (376.7 square feet) within each one-bedroom unit; or
 - iv. 55 m² (592.0 square feet) within each two-bedroom or larger units.

4. Height of Buildings and Structures:

The height of buildings and structures shall not exceed the lesser of 12 m (39.37 feet) or three (3) storeys.

5. Lot Area:

Subject to the provisions of Section 1101.2. of this Bylaw, each lot shall have an area of not less than:

- a. 2,000 m² (21,528 square feet) for hotel use; or
- b. 200 m² (2,153 square feet) for all other uses, except that each lot shall have an area of not less than 450 m² (4,844 square feet) where it abuts a Controlled Access Highway and is not served by a lane.

6. Lot Coverage:

Lot coverage shall be not greater than sixty percent (60%) of the lot area for all buildings and structures except that ninety percent (90%) lot coverage shall be allowed within the area designated as Downtown Designated Parking Area on Schedule "H" of this Bylaw.

7. Lot Frontage:

Subject to the provisions of Sections 1101.1.b. and c. of this Bylaw, each lot shall have a road frontage of not less than:

- a. 15 m (49.21 feet) for hotel use; or
- b. 7 m (22.97 feet) for all other uses, except that each lot shall have a road frontage of not less than 10 m (32.81 feet) where it abuts a Controlled Access Highway and is not served by a lane.

8. Off-Street Loading:

Off-street loading shall be provided and maintained in accordance with Schedule "C" of this Bylaw except that no off-street loading shall be required within the area designated as Downtown Designated Parking Area on Schedule "H" which is attached to and forms part of this Bylaw.

9. Off-Street Parking:

Off-street parking shall be provided and maintained in accordance with the provisions of Schedule "B" of this bylaw and the number of parking spaces required to be provided on all lots shall be determined by the use or uses being carried out on such lots from time to time except as provided in section 901.5 of this bylaw.

Where section 1001.5 does not apply, parking is required to be provided on lots lying within the Downtown Designated Parking Area designated on Schedule "H" this bylaw. The number of spaces required for such use

may be reduced by the number of off-street parking spaces for which a fee of \$3,500.00 per parking space is paid to the City.

10. Setbacks: [Subject to the special building line setback provisions of Section 308.5. of this Bylaw]

a. Exterior Side Yard:

No exterior side yard shall be required.

b. Front Yard:

No front yard shall be required.

c. Rear Yard:

No rear yard shall be required except that where a lot abuts a lot in a Residential Zone, a rear yard free of all buildings and structures shall be provided with a depth of not less than 6 m (19.68 feet) and where a lot is serviced with a lane, a rear yard free of all buildings and structures shall be provided with a depth of not less than 3 m (9.842 feet).

d. Side Yards:

No side yards shall be required, except that:

- i. where a lot abuts a Residential zone or is separated by a lane therefrom, a side yard free of all buildings and structures shall be provided with a width of not less than 3 m (9.842 feet); and
- ii. where the parcel is not served by a lane, there shall be a minimum of 5 m (16.40 feet) side yard free of all buildings and structures on at least one (1) side.

e. Water Bodies:

Flood Construction Levels and Floodplain Setbacks of building and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Schedule "G" of this bylaw.

11. Other Requirements:

- a. No business or undertaking shall be carried on any lot or lots situate within this Zone unless the following requirements are first met:

- i. The off-street parking requirements of Schedule "B" to this Bylaw applicable to the business or undertaking proposed to be carried on, are met.
- ii. No business or undertaking shall be carried on on any lot or lots situate within this Zone unless the proprietor or owner of such business or undertaking has obtained a licence for the carrying on of such business or undertaking where such licence is required to be obtained.
- b. Every business or undertaking shall be conducted within a completely enclosed building, except for parking and loading facilities and outdoor garden shops.
- c. Screening and landscaping shall be provided in accordance with the requirements of Section 309 of this Bylaw.
- d. Dwelling units:
 - i. shall be located entirely above and/or behind the commercial use, but being an integral part of these premises; and
 - ii. shall be permitted above a commercial use only where no advertising use is located above or extends above the first storey of the building; and
 - iii. shall be located entirely within the same building as the commercial use and shall not be permitted within standalone buildings; and
 - iv. shall have at-grade access that is separate from commercial uses; and
 - v. shall not exceed a gross density of sixty (60) units per hectare (24.28 units per acre).
- e. For the purpose of this Bylaw, a motel means a building or buildings used to provide accommodation to the travelling public on a daily or weekly rental basis. The rental units may include a room or combination of rooms but in no case shall more than fifty percent (50%) of the rental units contain kitchen facilities and equipment used for the storage, preparation and serving of food. The facilities and equipment mentioned above includes such things as kitchen cabinets, kitchen sinks, kitchen stoves, dishwashers, other appliances, and associated plumbing and wiring services.
- f. Where a Beverage Container Recycling and Collection Depot is permitted, it is subject to the use being wholly contained within a

principal building, and not occupying more than 300 square metres in gross floor area.

402 Highway And Tourist Commercial Zone (C.2)

1. Permitted Uses of Land, Buildings, and Structures:

The following uses and no others shall be permitted in the Highway and Tourist Commercial Zone (C.2):

- a. Accessory buildings and structures
- b. Accommodation including apartments, dwelling units, hotels and motels
- c. Assembly and civic use and public service
- d. Food service including coffee shops, dairy bars, restaurants, bakeries, butcher shops, caterers, and fish shops
- e. Retail sales and service for: automobiles, farm equipment, boats, mobile homes, trucks, recreation vehicles, motorcycles, and sporting goods; also included is the rental of the aforementioned items
- f. Retail sales including servicing where applicable: confectionery stores, flowers, fruit, plants, produce, nurseries, green houses, tire shops, wine and beer shops, appliances, beverages, bicycles, electronic equipment, furniture, garden supplies, glass, hardware, paint, pets, pet food, plants, animal beauty parlours, bakery shops, hairdressers, locksmith shops, optical shops, shoe repair, tailor shops, and watch repair
- g. Service - repair and rental: service stations, garages for automobile service and repairs, mini storage facilities, car washes, petroleum distribution, costume rentals, and video rentals
- h. Transportation facilities including commercial parking lots, passenger transportation depots, taxi dispatch offices, and weigh scales
- i. Retail sales of beer, wine and liquor
- j. Educational facilities and professional studios including art studios, business colleges, dance studios, music studios, photography studios, radio studios, television studios, and trade schools
- k. Entertainment and recreation facilities including arcades, billiard halls, bowling alleys, drive-in clubs, sports clubs, and sports facilities
- l. Office and commerce facilities and accommodations for engineers, funeral homes, land surveyors, management companies, mortuaries, newspapers, publishing, real estate, surveyors,

veterinarians, massage therapy clinics, dentists, doctors, and any other professional office

2. Buildings Per Lot:

Except for a motel use, there shall be not more than one (1) principal building allowed per lot.

3. Floor Area:

- a. The floor area for a dwelling unit shall be not less than:
 - i. 27 m² (290.6 square feet) within each bachelor dwelling unit; or
 - ii. 40 m² (430.6 square feet) within each one-bedroom dwelling unit; or
 - iii. 45 m² (484.4 square feet) within each two-bedroom dwelling unit; or
 - iv. 55 m² (592.0 square feet) within each three-bedroom dwelling unit.
- b. The gross floor area for dwelling units located entirely behind the commercial use on the first storey level must not exceed the gross floor area of the commercial use on the first storey level.
- c. The total floor area for retail sales of flowers, food (including meat and fish), fruit, groceries, plants, and produce shall be not greater than 150 m² (1,615 square feet).

4. Height of Buildings and Structures:

The height of buildings and structures shall not exceed:

- a. the lesser of 10 m (32.81 feet) or two (2) storeys for motel use; or
- b. the lesser of 12 m (39.37 feet) or three (3) storeys for all other uses.

5. Lot Area:

Subject to the provisions of Section 1101.2. of this Bylaw, each lot shall have an area of not less than:

- a. 1,100 m² (11,840 square feet) for service station use; or
- b. 2,000 m² (21,528 square feet) for hotel and motel use; or
- c. 560 m² (6,028 square feet) for all other uses.

6. Lot Coverage:

Lot coverage shall be not greater than fifty percent (50%) of the lot area for all buildings and structures.

7. Lot Frontage:

Subject to the provisions of Sections 1101.1.b. and c. of this Bylaw, each lot shall have a road frontage of not less than 15 m (49.21 feet).

8. Off-Street Loading:

Off-street loading shall be provided and maintained in accordance with Schedule "C" of this Bylaw.

9. Off-Street Parking:

Off-street parking shall be provided and maintained in accordance with the provisions of Schedule "B" of this Bylaw and the number of parking spaces required to be provided on all lots shall be determined by the use or uses being carried out on such lots from time to time except as provided in Section 901.5 of this Bylaw.

Where Section 901.5 does not apply, parking is required to be provided on lots lying within the Downtown Designated Parking Area designated on Schedule "H" of this bylaw. The number of spaces required for such use may be reduced by the number of off-street parking spaces for which a fee of \$3,500.00 per parking space is paid to the City.

10. Setbacks: [Subject to the special building line setback provisions of Section 308.5. of this Bylaw]

a. Exterior Side Yard:

An exterior side yard free of all buildings and structures shall be provided with a depth of not less than 4.5 m (14.76 feet) where applicable.

b. Front Yard:

A front yard free of all buildings and structures shall be provided with a depth of not less than 4.5 m (14.76 feet).

c. Rear Yard:

A rear yard free of all buildings and structures shall be provided with a depth of not less than 4.5 m (14.76 feet).

d. Side Yards:

Side yards free of all buildings and structures shall be provided with a width of not less than 3 m (9.842 feet).

e. Water Bodies:

Flood Construction Levels and Floodplain Setbacks of building and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Schedule "G" of this Bylaw.

11. Other Requirements:

- a. No business or undertaking shall be carried on any lot or lots situated within this Zone unless the following requirements are first met:
 - i. The off-street parking requirements of Schedule "B" to this Bylaw applicable to the business or undertaking proposed to be carried on, are met.
 - ii. No business or undertaking shall be carried on on any lot or lots situate within this Zone unless the proprietor or owner of such business or undertaking has obtained a licence for the carrying on of such business or undertaking where such licence is required to be obtained.
- b. Screening and landscaping shall be provided in accordance with the requirements of Section 309 of this Bylaw.
- c. Dwelling units:
 - i. shall be located entirely above and/or behind the commercial use, but being an integral part of these premises; and
 - ii. shall be permitted above a commercial use only where no advertising use is located above or extends above the first storey of the building; and
 - iii. shall be located entirely within the same building as the commercial use and shall not be permitted within standalone buildings; and
 - iv. shall have at-grade access that is separate from commercial uses; and
 - v. shall not exceed a gross density of sixty (60) units per hectare (24.28 units per acre).

- d. A service station use shall not include body or frame repairs or painting.
- e. All auto parts, dismantled vehicles, and similar articles shall be stored within a building.
- f. With respect to service station use, the fuel pumps and accessory structures shall not be located closer than 17 m (55.77 feet) from the centre line of a controlled access highway.
- g. For the purposes of this Bylaw, a motel means a building or buildings used to provide accommodation to the travelling public on a daily or weekly rental basis. The rental units may include a room or combination of rooms but in no case shall more than fifty percent (50%) of the rental units contain kitchen facilities mentioned above includes such things as kitchen cabinets, kitchen sinks, kitchen stoves, kitchen sinks, dishwashers, other appliances, and associated plumbing and wiring services.

403 Service Commercial Zone (C.4)

1. Permitted Uses of Land, Buildings, and Structures:

The following uses and no others shall be permitted in the Service Commercial Zone (C.4):

- a. **Accessory buildings and structures**
- b. **Accommodation including one (1) dwelling unit for the owner, operator, or employee of the principal and permitted use**
- c. **Assembly and civic use**
- d. **Educational facilities and professional studios including art studios, business colleges, dance studios, music studios, photography studios, radio studios, television studios, and trade schools**
- e. **Entertainment and recreation facilities including arcades, billiard halls, bowling alleys, drive-in theatres, fraternal lodges, health spas, social clubs, sports clubs, and sports facilities**
- f. **Food service including bakeries, butcher shops, caterers, coffee shops, dairy bars, fish shops, and restaurants**
- g. **Office and commerce facilities accommodating doctors, engineers, funeral homes, land surveyors, management companies, mortuaries, newspapers, publishing, real estate, surveyors, and veterinarians**
- h. **Public service use**
- i. **Retail sales (including parts and accessories) of appliances, automobiles (including service), beverages (excluding liquor), bicycles, boats (including service), building supplies, chemicals, electronic equipment, farm equipment (including service), feed and seed, fertilizers, flowers, furniture, garden supplies, gasoline and motor oil, glass, hardware, irrigation equipment (including service), lumber, mobile homes (including service), motorcycles (including service), paint, pets, pet food, plants, produce, recreation vehicles (including service), sporting goods (including rental), tools and small equipment, and trucks (including service)**
- j. **Service and repair including animal beauty parlours, appliance repair, auction marts (excluding the auction of livestock), automobile rental, automobile service and repair, barber shops, battery shops, boat service and repair, beverage container recycling and collection depot, car wash, crematoriums, costume rental, dry cleaners, glass shops, greenhouses, hairdressers, hatcheries, laboratories, laundromats, locksmith shops, machine**

shops contained wholly within a building with no outside storage, mini-storage facilities, nurseries, optical shops, petroleum distribution installations, printing shops, recreation vehicle servicing and rental, service stations, shoe repair, sign shops, tailor shops, taxidermists, tire shops, tools and small equipment servicing and rental, trade contractors' offices (including storage), truck service and repair, truck wash, upholstery shops, video rental shops, watch repair shops, warehousing (wholesale and distribution), and weigh scales

k. Transportation facilities including commercial parking lots and garages, passenger transportation depots, and taxi dispatch offices.

2. Buildings Per Lot:

There shall be not more than one (1) principal building allowed per lot.

3. Floor Area:

The floor area for a dwelling unit for the owner, operator, or employee of the principal and permitted use shall be not less than 60 m² (645.8 square feet).

4. Height of Buildings and Structures:

The height of buildings and structures shall not exceed the lesser of 12 m (39.37 feet) or three (3) storeys.

5. Lot Area:

Subject to the provisions of Section 1101.2. of this Bylaw, each lot shall have an area of not less than 560 m² (6,028 square feet).

6. Lot Coverage:

Lot coverage shall be not greater than sixty percent (60%) of the lot area for all buildings and structures.

7. Lot Frontage:

Subject to the provisions of Sections 1101.1.b. and c. of this Bylaw, each lot shall have a road frontage of not less than 15 m (49.21 feet).

8. Off-Street Loading:

Off-street loading shall be provided and maintained in accordance with Schedule "C" of this Bylaw.

9. Off-street parking shall be provided and maintained in accordance with the provisions of Schedule "B" of this bylaw and the number of parking

spaces required to be provided on all lots shall be determined by the use or uses being carried out on such lots from time to time except as provided in Section 901.5 of this Bylaw.

Where Section 901.5 does not apply, parking is required to be provided on lots lying within the Downtown Designated Parking Area designated on Schedule "H" attached hereto and forming part of this Bylaw. The number of spaces required for such use may be reduced by the number of off-street parking spaces for which a fee of \$3,500.00 per parking space is paid to the City.

10. Setbacks: [Subject to the special building line setback provisions of Section 308.5. of this Bylaw]

a. Exterior Side Yard:

An exterior side yard free of all buildings and structures shall be provided with a depth of not less than 3 m (9.842 feet) where applicable.

b. Front Yard:

A front yard free of all buildings and structures shall be provided with a depth of not less than 3 m (9.842 feet).

c. Rear Yard:

No rear yard shall be required except where a lot abuts a lot in a Residential zone, a rear yard free of all buildings and structures shall be provided with a depth of not less than 6 m (19.68 feet).

d. Side Yards:

No side yards shall be required, except that:

- i. where a lot abuts a Residential zone or is separated by a lane therefrom, a side yard free of all buildings and structures shall be provided with a width of not less than 3 m (9.842 feet); and
- ii. where the parcel is not served by a lane, there shall be a minimum of 5 m (16.40 feet) side yard free of all buildings and structures on at least one (1) side.

e. Water Bodies:

Flood Construction Levels and Floodplain Setbacks of buildings and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Schedule "G" of this Bylaw.

11. Other Requirements:

- a. No business or undertaking shall be carried on any lot or lots situated within this zone unless the following requirements are first met:
 - i. The off-street parking requirements of Schedule "B" to this Bylaw applicable to the business or undertaking proposed to be carried on, are met.
 - ii. No business or undertaking shall be carried on on any lot or lots situate within this Zone unless the proprietor or owner of such business or undertaking has obtained a licence for the carrying on of such business or undertaking where such licence is required to be obtained.
- b. Where practical, every business or undertaking shall be conducted within a completely enclosed building, except for parking and loading facilities, and except in the case of lumber product storage.
- c. Screening and landscaping shall be provided in accordance with the requirements of Section 309 of this Bylaw.
- d. A dwelling unit for the use of the owner, operator, or employee of the principal and permitted use shall be located either at the second storey level or behind the commercial premises, but being an integral part of these premises.
- e. All auto parts, dismantled vehicles, and similar articles shall be stored within a building.
- f. With respect to service station use, the fuel pumps and accessory structures shall not be located closer than 17 m (55.77 feet) from the centre line of a controlled access highway.
- g. Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, liquid effluence, dust, fumes, smoke, vibration, noise or glare; nor shall anything be done which creates or causes a health, fire, or explosion hazard, electrical interference, or undue traffic congestion.

DIVISON FIVE – INDUSTRIAL ZONES

501 Light Industrial Zone (I.1)

1. Permitted Uses of Land, Buildings, and Structures:

The following uses and no others shall be permitted in the Light Industrial Zone (I.1):

- a. Accessory buildings and structures
- b. Accommodation including one (1) dwelling unit for the owner, operator, or employee of the principal and permitted use
- c. Civic use
- d. Food service including bakeries and coffee shops
- e. Limited agricultural use subject to the regulations of Section 501.10.e. of this Bylaw
- f. Public service use
- g. Retail sales (including parts and accessories) of automobiles, building supplies, chemicals, farm equipment (including service), gasoline and motor oil, heavy equipment and machinery, irrigation equipment (including service), lumber, mobile homes (including service), tools and small equipment, trucks, and other products manufactured or processed on site
- h. Service and repair including automobile body and paint shops, automobile service and repair, battery shops, boat service and repair, bottling plants, car wash, crematoriums, cold storage plants, frozen food lockers, greenhouses, heavy equipment and machinery, laboratories, machine shops, mini storage facilities, nurseries, petroleum distribution installations, printing shops, recreation vehicle servicing and rental, service stations, sign shops, taxidermists, tire shops, tools and small equipment servicing and rental, trade contractors offices including storage, truck service and repair, truck wash, trucking yards and terminals including cartage and freighting, upholstery shops, warehousing (wholesale and distribution), weigh scales, and welding shops
- i. Transportation facilities including passenger transportation depots and taxi dispatch offices
- j. Manufacturing, processing, and storage subject to the provisions of Section 501.10.h, except for the following:
 - chemical and allied products including compressed gases, disinfectants, gum and wood chemicals, insecticides, primer and plastics, and rubber

- food products including feed, flour, fruit, and grain
- machinery and transportation equipment or other products of like character and kind such as agricultural implements, boats, compressors, electrical machinery, engines, pumps, and turbines
- metal products including boilers and plates, fabricated and structural metals, and pipe tubing
- non-metallic mineral products or other products of like character and kind such as abrasive products, asbestos products; cement, plaster, lime, gypsum, and associated products; clay and clay products; concrete products or ready mix concrete; fibreglas products; rock, sand, and gravel; and stone products
- petroleum and coal products including asphalt, coal and tar products, coke, creosote, paving and roofing materials, and petroleum products
- synthetic fibres

2. Floor Area:

The dwelling unit shall have a minimum floor area of 60 m² (645.8 square feet) and shall be an integral part of the principal building.

3. Height of Buildings and Structures:

The height of buildings and structures shall not exceed 12 m (39.37 feet).

4. Lot Area:

Subject to the provisions of Section 1101.2. of this Bylaw, each lot shall have an area of not less than 650 m² (6,997 square feet).

5. Lot Coverage:

Lot coverage shall be not greater than sixty percent (60%) of the lot area for all buildings and structures.

6. Lot Frontage:

Subject to the provisions of Sections 1101.1.b. and c. of this Bylaw, each lot shall have a road frontage of not less than 20 m (65.62 feet).

7. Off-Street Loading:

Off-street loading shall be provided and maintained in accordance with Schedule "C" of this Bylaw.

8. Off-Street Parking:

Off-street parking shall be provided and maintained in accordance with the provisions of Schedule "B" of this Bylaw and the number of parking

spaces required to be provided on a lot or lots, shall be determined by the use or uses being carried on such lot or lots from time to time.

9. Setbacks: [Subject to the special building line setback provisions of Section 308.5. of this Bylaw]

a. Exterior Side Yard:

An exterior side yard free of all buildings and structures shall, where applicable, be provided with a depth of not less than 6 m (19.68 feet), except that where a lot is separated from a lot in a Residential or Rural zone by a street, an exterior side yard free of all buildings and structures shall be provided with a depth of not less than 9 m (29.53 feet).

b. Front Yard:

A front yard free of all buildings and structures shall be provided with a depth of not less than 6 m (19.68 feet), except that where a lot is separated from a lot in a Residential or Rural zone by a street, a front yard free of all buildings and structures shall be provided with a depth of not less than 9 m (29.53 feet).

c. Rear Yard:

No rear yard shall be required, except where a lot abuts a lot in a Residential or Rural zone or is separated by a lane therefrom, a rear yard free of all buildings and structures shall be provided with a depth of not less than 9 m (29.53 feet).

d. Side Yards:

No side yard shall be required, except that where a lot abuts a lot in a Residential or Rural zone or is separated by a lane therefrom, a side yard free of all buildings and structures shall be provided with a width of not less than 6 m (19.68 feet).

e. Water Bodies:

Flood Construction Levels and Floodplain Setbacks of building and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Schedule "G" of this bylaw.

10. Other Requirements:

- a. No business or undertaking shall be carried on any lot or lots situate within this zone unless the following requirements are first met:

- i. The off-street parking requirements of Schedule "B" to this Bylaw applicable to the business or undertaking proposed to be carried on, are met.
 - ii. No business or undertaking shall be carried on on any lot or lots situate within this Zone unless the proprietor or owner of such business or undertaking has obtained a licence for the carrying on of such business or undertaking where such licence is required to be obtained.
- b. All permitted uses shall be housed completely within an enclosed building, except for outdoor display, rental, sale or storage yards, parking and loading facilities, and limited agricultural use.
- c. Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, liquid effluence, dust, fumes, smoke, vibration, noise or glare; nor shall anything be done which creates or causes a health, fire, or explosion hazard, electrical interference, or undue traffic congestion.
- d. A dwelling unit for the use of the owner, operator, or employee of the principal and permitted use shall be located either at the second storey level or behind the industrial premises, but being an integral part of these premises.
- e. A limited agricultural use shall not be permitted on lots smaller than 1 ha (2.471 acres).
- f. Screening and landscaping shall be provided in accordance with the requirements of Section 309 of this Bylaw.
- g. With respect to service station use, the fuel pumps and accessory structures shall not be located closer than 17 m (55.77 feet) from the centre line of a controlled access highway.
- h. Manufacturing, processing, and storage shall not create fire, explosion, or safety hazards; noise in excess of average intensity of street and traffic noise in the area in question; emit smoke, dust, dirt, toxic, or offensive odours or gas; and shall not produce heat or glare perceptible from any lot line of the site on which the use is located.

502 General Industrial Zone (I.2)

1. Permitted Uses of Land, Buildings, and Structures:

The following uses and no others shall be permitted in the General Industrial Zone (I.2):

- a. Retail sales (including parts and accessories) of heavy equipment and machinery
- b. Service and repair including automobile wrecking and junk yards, bulk storage plants, contractors for general and heavy construction, machinery and heavy equipment repair
- c. Manufacturing, processing, and storage
- d. Uses permitted in the Light Industrial Zone (I.1)

2. Floor Area:

The dwelling unit shall have a minimum floor area of 60 m² (645.8 square feet) and shall be an integral part of the principal building.

3. Height of Buildings and Structures:

The height of buildings and structures shall not exceed 18 m (59.05 feet).

4. Lot Area:

Subject to the provisions of Section 1101.2. of this by-law, each lot shall have an area of not less than 650 m² (6,997 square feet).

5. Lot Coverage:

Lot coverage shall be not greater than sixty percent (60%) of the lot area for all buildings and structures.

6. Lot Frontage:

Subject to the provisions of Sections 1101.1.b. and c. of this By-law, each lot shall have a road frontage of not less than 20 m (65.62 feet).

7. Off-Street Loading:

Off-street loading shall be provided and maintained in accordance with Schedule "C" of this By-law.

8. Off-Street Parking:

Off-street parking shall be provided and maintained in accordance with the provisions of Schedule "B" of this By-law and the number of parking spaces

required to be provided on a lot or lots, shall be determined by the use or uses being carried on on such lot or lots from time to time.

9. Setbacks: [Subject to the special building line setback provisions of Section 308.5. of this By-law]

a. Exterior Side Yard:

An exterior side yard free of all buildings and structures shall, where applicable, be provided with a depth of not less than 6 m (19.68 feet), except that where a lot is separated from a lot in a Residential or Rural zone by a street, an exterior side yard free of all buildings and structures shall be provided with a depth of not less than 9 m (29.53 feet).

b. Front Yard:

A front yard free of all buildings and structures shall be provided with a depth of not less than 6 m (19.68 feet), except that where a lot is separated from a lot in a Residential or Rural zone by a street, a front yard free of all buildings and structures shall be provided with a depth of not less than 9 m (29.53 feet).

c. Rear Yard:

A rear yard free of all buildings and structures shall be provided with a depth of not less than 3 m (9.842 feet), except where a lot abuts a lot in a Residential or Rural zone or is separated by a lane therefrom, a rear yard free of all buildings and structures shall be provided with a depth of not less than 9 m (29.53 feet).

d. Side Yards:

Side yards free of all buildings and structures shall be provided with a width of not less than 3 m (9.842 feet), except that:

- i. a side yard not flanked by a street, lane, or Residential or Rural zone may be reduced to nil, provided that the other side yard has a width of not less than 6 m (19.68 feet); and
- ii. where a lot abuts a lot in a Residential or Rural zone or is separated by a lane therefrom, a side yard free of all buildings and structures shall be provided with a width of not less than 6 m (19.68 feet).

e. Water Bodies:

Flood Construction Levels and Floodplain Setbacks of building and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Schedule "G" of this bylaw.

10. Other Requirements:

- a. No business or undertaking shall be carried on on any lot or lots situate within this zone unless the following requirements are first met:
 - i. The off-street parking requirements of Schedule "B" to this By-law applicable to the business or undertaking proposed to be carried on, are met.
 - ii. No business or undertaking shall be carried on on any lot or lots situate within this Zone unless the proprietor or owner of such business or undertaking has obtained a licence for the carrying on of such business or undertaking where such licence is required to be obtained.
- b. Where practical, all permitted uses shall be housed completely within an enclosed building.
- c. Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, liquid effluence, dust, smoke, vibration, noise or glare; nor shall any activity be carried out which creates or causes health, fire, or explosion hazard, electrical interference, or undue traffic congestion.
- d. Screening and landscaping shall be provided in accordance with the requirements of Section 309 of this By-law.
- e. A dwelling unit for the use of the owner, operator, or employee of the principal and permitted use shall be located either at the second storey level or behind the industrial premises, but being an integral part of these premises.
- f. A limited agricultural use shall not be permitted on lots smaller than 1 ha (2.471 acres).
- g. With respect to service station use, the fuel pumps and accessory structures shall not be located closer than 17 m (55.77 feet) from the centre line of a controlled access highway.

DIVISION SIX – RESIDENTIAL ZONES

601 Residential Single Family Zone (R.1)

1. Permitted Uses of Land, Buildings, and Structures:

The following uses and no others shall be permitted in the Residential Single Family Zone (R.1):

- a. Accessory residential
- b. Restricted agricultural use subject to the provisions of Sections 308.6. and 601.11.a. of this Bylaw
- c. Single family dwellings
- d. Secondary suites subject to the provisions of Section 601.11.b.
- e. Bed and breakfasts
- f. Civic and public service use

2. Accessory Residential Buildings:

The siting, size, and dimensions of accessory residential buildings and structures shall be in accordance with Section 308.4. of this Bylaw.

3. Buildings Per Lot:

The number of buildings allowed per lot shall be not more than:

- a. one (1) single family dwelling; and
- b. two (2) accessory residential buildings.

4. Floor Area:

The floor area for a single family dwelling shall be not less than 85 m² (914.9 square feet) on one (1) floor, except that the floor area on one (1) floor may be reduced to 60 m² (645.8 square feet) where there are two (2) floor levels exclusive of the basement floor.

5. Height of Buildings and Structures:

The height of residential dwellings shall not exceed the lesser of 9 m (29.53 feet) or two (2) storeys except where the average natural slope of the lot exceeds five percent (5%), in which case the height of residential dwellings on the downhill side of a road shall not exceed a height of 7 m (22.97 feet) above the centre line of the road immediately adjacent to the center of the front of the residence and residential dwellings located on the uphill side of the road shall not exceed a height of 7 m (22.97 feet)

above the midpoint of the rear property line on which the residence is located. The average natural slope of the lot shall be measured from the lowest point on the lot to the uppermost point on the lot.

6. Lot Area:

Subject to the provisions of Section 1101.2. of this Bylaw, each lot shall have an area of not less than 560 m² (6,028 square feet).

7. Lot Coverage:

Maximum lot coverage shall be not greater than fifty percent (50%) of the lot area for all buildings and structures and together with driveways and parking areas shall not exceed sixty percent (60%).

8. Lot Frontage:

Subject to the provisions of Section 1101.1.a., b., and c. of this Bylaw, each lot shall have a road frontage of not less than 18 m (59.05 feet).

9. Off-Street Parking:

Off-street parking shall be provided and maintained in accordance with the provisions of Schedule "B" of this Bylaw and the number of parking spaces required to be provided on a lot or lots, shall be determined by the use or uses being carried on such lot or lots from time to time.

10. Setbacks: [Subject to the special building line setback provisions of Section 308.5. of this Bylaw]

a. Exterior Side Yard:

An exterior side yard free of all buildings and structures shall be provided with a depth of not less than 5 m (16.40 feet) where applicable.

b. Front Yard:

A front yard free of buildings and structures shall be provided with a depth of not less than 6 m (19.68 feet) for single family dwellings except that the front yard may be reduced to 4.5 m (14.76 feet) on lots exceeding twenty percent (20%) average natural slope determined from the uppermost point on the lot to the lowest point on the lot.

c. Other Buildings:

Buildings shall not be sited within 3 m (9.842 feet) of any other building.

d. Rear Yard:

A rear yard free of buildings and structures shall be provided with a depth of not less than 6 m (19.68 feet) for single family dwellings except that the rear yard may be reduced to 4.5 m (14.76 feet) on lots exceeding twenty percent (20%) average natural slope determined from the uppermost point on the lot to the lowest point on the lot.

e. Side Yards:

Side yards free of buildings and structures shall be provided with a width of not less than 1.2 m (3.94 feet) for single family dwellings.

f. Water Bodies:

Flood Construction Levels and Floodplain Setbacks of building and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Schedule "G" of this bylaw.

11. Other Requirements:

a. A restricted agricultural use shall not be permitted on lots smaller than 1 ha (2.471 acres).

b. All Secondary suites must comply with the following:

i. Secondary suites are to be located only in a single family dwelling; and

ii. No more than one secondary suite shall be permitted within a single family dwelling; and

iii. The maximum floor area of a secondary suite shall not exceed the lesser of 90 m² or 40% of the habitable floor area of the single family dwelling. The minimum floor area of a secondary suite shall not be less than 36m²; and

iv. No portion of a building may be used as a secondary suite unless at least one (1) of the registered owners of the building resides within the building; and

v. One (1) off-street parking space must be provided for each secondary suite; and

vi. Secondary suites must comply with all relevant City Bylaws, and the BC Building Code; and

vii. Secondary suites must be located in a building and on property which is a single family real estate entity. No strata titling will be permitted.

602 Residential Single Family Zone (R.1-A)

1. Permitted Uses of Land, Buildings, and Structures:

The following uses and no others shall be permitted in the Residential Single Family Zone (R.1-A):

- a. Accessory residential
- b. Restricted agricultural use subject to the provisions of Sections 308.6. and 602.11.a. of this Bylaw
- c. Single family dwellings
- d. Secondary suites subject to the provisions of Section 602.11.b.
- e. Bed and breakfasts
- f. Civic and public service use

2. Accessory Residential Buildings:

The siting, size, and dimensions of accessory residential buildings and structures shall be in accordance with Section 308.4. of this Bylaw.

3. Buildings Per Lot:

The number of buildings allowed per lot shall be not more than:

- a. one (1) single family dwelling; and
- b. two (2) accessory residential buildings.

4. Floor Area:

The floor area for a single family dwelling shall be not less than 60 m² (645.8 square feet).

5. Height of Buildings and Structures:

The height of residential dwellings shall not exceed the lesser of 9 m (29.53 feet) or two (2) storeys except where the average natural slope of the lot exceeds five percent (5%), in which case the height of residential dwellings on the downhill side of a road shall not exceed a height of 7 m (22.97 feet) above the centre line of the road immediately adjacent to the center of the front of the residence and residential dwellings located on the uphill side of the road shall not exceed a height of 7 m (22.97 feet) above the midpoint of the rear property line on which the residence is located. The average natural slope of the lot shall be measured from the lowest point on the lot to the uppermost point on the lot.

6. Lot Area:

Subject to the provisions of Section 1101.2. of this Bylaw, each lot shall have an area of not less than 450 m² (4,844 square feet).

7. Lot Coverage:

Maximum lot coverage shall be not greater than fifty percent (50%) of the lot area for all buildings and structures and together with driveways and parking areas shall not exceed sixty percent (60%).

8. Lot Frontage:

Subject to the provisions of Section 1101.1.a., b., and c. of this Bylaw, each lot shall have a road frontage of not less than 15 m (49.21 feet).

9. Off-Street Parking:

Off-street parking shall be provided and maintained in accordance with the provisions of Schedule "B" of this Bylaw and the number of parking spaces required to be provided on a lot or lots, shall be determined by the use or uses being carried on such lot or lots from time to time.

10. Setbacks: [Subject to the special building line setback provisions of Section 308.5. of this Bylaw]

a. Exterior Side Yard:

An exterior side yard free of all buildings and structures shall be provided with a depth of not less than 5 m (16.40 feet) where applicable.

b. Front Yard:

A front yard free of buildings and structures shall be provided with a depth of not less than 6 m (19.68 feet) for single family dwellings except that the front yard may be reduced to 4.5 m (14.76 feet) on lots exceeding twenty percent (20%) average natural slope determined from the uppermost point on the lot to the lowest point on the lot.

c. Other Buildings:

Buildings shall not be sited within 3 m (9.842 feet) of any other building.

d. Rear Yard:

A rear yard free of buildings and structures shall be provided with a depth of not less than 6 m (19.68 feet) for single family dwellings except that the rear yard may be reduced to 4.5 m (14.76 feet) on

lots exceeding twenty percent (20%) average natural slope determined from the uppermost point on the lot to the lowest point on the lot.

e. Side Yards:

Side yards free of buildings and structures shall be provided with a width of not less than 1.2 m (3.94 feet) for single family dwellings.

f. Water Bodies:

Flood Construction Levels and Floodplain Setbacks of building and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Schedule "G" of this bylaw.

11. Other Requirements:

- a. A restricted agricultural use shall not be permitted on lots smaller than 1 ha (2.471 acres).
- b. All Secondary suites must comply with the following:
 - i. Secondary suites are to be located only in a single family dwelling; and
 - ii. No more than one secondary suite shall be permitted within a single family dwelling; and
 - iii. The maximum floor area of a secondary suite shall not exceed the lesser of 90 m² or 40% of the habitable floor area of the single family dwelling. The minimum floor area of a secondary suite shall not be less than 36m²; and
 - iv. No portion of a building may be used as a secondary suite unless at least one (1) of the registered owners of the building resides within the building; and
 - v. One (1) off-street parking space must be provided for each secondary suite; and
 - vi. Secondary suites must comply with all relevant City Bylaws, and the BC Building Code; and
 - vii. Secondary suites must be located in a building and on property which is a single family real estate entity. No strata titling will be permitted.

603 Residential Two Family Zone (R.2)

1. Permitted Uses of Land, Buildings, and Structures:

The following uses and no others shall be permitted in the Residential Two Family Zone (R.2):

- a. Accessory residential
- b. Boarding, lodging, or rooming houses
- c. Convalescent, nursing, and personal care homes subject to the provisions of Section 603.11.b. of this Bylaw
- d. Restricted agricultural use subject to the provisions of Sections 308.6. and 603.11.a. of this Bylaw
- e. Single family dwellings
- f. Two family dwellings
- g. Secondary suites subject to the provisions of Section 603.11.c.
- h. Bed and breakfasts
- i. Civic and public service use

2. Accessory Residential Buildings:

The siting, size, and dimensions of accessory residential buildings and structures shall be in accordance with Section 308.4. of this Bylaw.

3. Buildings Per Lot:

The number of buildings allowed per lot for each of the following uses shall be not more than:

- a. one (1) single family dwelling or one (1) two family dwelling; and
- b. two (2) accessory residential buildings per dwelling unit.

4. Floor Area:

- a. The floor area for a single family dwelling shall be not less than 60 m² (645.8 square feet).
- b. The floor area for a two family dwelling shall be not less than 60 m² (645.8 square feet) per dwelling unit.

5. Height of Buildings and Structures:

The height of residential dwellings shall not exceed the lesser of 9 m (29.53 feet) or two (2) storeys except where the average natural slope of the lot exceeds five percent (5%), in which case the height of residential dwellings on the downhill side of a road shall not exceed a height of 7 m (22.97 feet) above the centre line of the road immediately adjacent to the center of the front of the residence and residential dwellings located on the uphill side of the road shall not exceed a height of 7 m (22.97 feet) above the midpoint of the rear property line on which the residence is located. The average natural slope of the lot shall be measured from the lowest point on the lot to the uppermost point on the lot.

6. Lot Area:

Subject to the provisions of Section 1101.2. of this Bylaw, each lot shall have an area of not less than:

- a. 450 m² (4,844 square feet) for single family dwellings; or
- b. 700 m² (7,535 square feet) for two family dwellings; or
- c. 560 m² (6,028 square feet) for convalescent, nursing, and personal care home use.
- d. 350m² (4,036 square feet) for each half of a two family dwelling subdivided as per Section 603.10.e of this Bylaw.

7. Lot Coverage:

Maximum lot coverage shall be not greater than fifty percent (50%) of the lot area for all buildings and structures and together with driveways and parking areas shall not exceed sixty percent (60%).

8. Lot Frontage:

Subject to the provisions of Section 1101.1.a., b., and c. of this Bylaw, each lot shall have a road frontage of not less than:

- a. 15 m (49.21 feet) for single family dwellings; or
- b. 23 m (75.46 feet) for two family dwellings; or
- c. 18 m (59.05 feet) for convalescent, nursing, and personal care home use.
- d. 11 m (36.09 feet) for each half of a two family dwelling subdivided as per Section 603.10.e of this Bylaw.

9. Off-Street Parking:

Off-street parking shall be provided and maintained in accordance with the provisions of Schedule "B" of this Bylaw and the number of parking

spaces required to be provided on a lot or lots, shall be determined by the use or uses being carried on such lot or lots from time to time.

10. **Setbacks:** [Subject to the special building line setback provisions of Section 308.5. of this Bylaw]

a. **Exterior Side Yard:**

An exterior side yard free of all buildings and structures shall be provided with a depth of not less than 5 m (16.40 feet) where applicable.

b. **Front Yard:**

A front yard free of buildings and structures shall be provided with a depth of not less than:

- i. 8 m (26.25 feet) for single family dwellings, two family dwellings, and for convalescent, nursing, and personal care home use; and
- ii. 4.5 m (14.76 feet) for single family dwellings and two family dwellings on lots exceeding twenty percent (20%) average natural slope determined from the uppermost point on the lot to the lowest point on the lot.

c. **Other Buildings:**

Buildings shall not be sited within 3 m (9.842 feet) of any other building.

d. **Rear Yard:**

A rear yard free of buildings and structures shall be provided with a depth of not less than:

- i. 8 m (26.25 feet) for single family dwellings, two family dwellings, service use, and convalescent, nursing, and personal care home use; and
- ii. 4.5 m (14.76 feet) for single family dwellings and two family dwellings on lots exceeding twenty percent (20%) average natural slope determined from the uppermost point on the lot to the lowest point on the lot.

e. **Side Yards:**

Side yards free of buildings and structures shall be provided with a width of not less than:

- i. 3 m (9.842 feet) for two family dwellings, except that a two family dwelling shall be allowed to straddle a property line provided that the property line coincides with the party wall and provided that all other requirements of this Bylaw are met; and
 - ii. 1.2 m (3.94 feet) for all other uses.
- f. Water Bodies:

Flood Construction Levels and Floodplain Setbacks of building and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Schedule "G" of this bylaw.

11. Other Requirements:

- a. A restricted agricultural use shall not be permitted on lots smaller than 1 ha (2.471 acres).
- b. A convalescent, nursing, and personal care home use shall be in conformity with the regulations of the Community Care and Assisted Living Act, (SBC 2004).
- c. All Secondary suites must comply with the following:
 - i. Secondary suites are to be located only in a single family dwelling; and
 - ii. No more than one secondary suite shall be permitted within a single family dwelling; and
 - iii. The maximum floor area of a secondary suite shall not exceed the lesser of 90 m² or 40% of the habitable floor area of the single family dwelling. The minimum floor area of a secondary suite shall not be less than 36m²; and
 - iv. No portion of a building may be used as a secondary suite unless at least one (1) of the registered owners of the building resides within the building; and
 - v. One (1) off-street parking space must be provided for each secondary suite; and
 - vi. Secondary suites must comply with all relevant City Bylaws, and the BC Building Code; and
 - vii. Secondary suites must be located in a building and on property which is a single family real estate entity. No strata titling will be permitted.

604 Residential Apartment And Multi-Family Zone (R.3)

1. Permitted Uses of Land, Buildings, and Structures:

The following uses and no others shall be permitted in the Residential Apartment and Multi-Family Zone (R.3):

- a. Apartment and multi-family residential subject to the provisions of Section 604.11.b. of this Bylaw
- b. Four family dwellings
- c. Row housing
- d. Three family dwellings
- e. Uses permitted in the R.2 zone
- f. Adult retirement housing

2. Accessory Residential Buildings:

The siting, size, and dimensions of accessory residential buildings and structures shall be in accordance with Section 308.4. of this Bylaw.

3. Buildings Per Lot:

The number of buildings allowed per lot for each of the following uses shall be not more than:

- a. one (1) single family dwelling or one (1) two family dwelling or one (1) three family dwelling or one (1) four family dwelling or one (1) row housing unit; and
- b. Two (2) accessory residential buildings per dwelling unit (one and two family only); and
- c. one (1) accessory residential building per dwelling unit (three and four family only).

The number of buildings for apartment and multi-family use including buildings accessory thereto and for adult retirement housing shall not be restricted.

4. Floor Area:

- a. The floor area for a single family dwelling or row housing unit shall be not less than 60 m² (645.8 square feet).
- b. The floor area for a two, three, and four family dwelling units shall be not less than 60 m² (645.8 square feet) per dwelling unit.

- c. The floor area for apartment and multi-family use shall be not less than:
- d.
 - i. 27 m² (290.6 square feet) within each senior citizen dwelling unit; or
 - ii. 27 m² (290.6 square feet) within each bachelor dwelling unit; or
 - iii. 40 m² (430.6 square feet) within each one-bedroom dwelling unit; or
 - iv. 45 m² (484.4 square feet) within each two-bedroom dwelling unit; or
 - v. 55 m² (592.0 square feet) within each three-bedroom or larger dwelling unit.

5. Height of Buildings and Structures:

The height of buildings and structures shall not exceed:

- a. the lesser of 9 m (29.53 feet) or two (2) storeys for residential dwellings except where the average natural slope of the lot exceeds five percent (5%), in which case the height of residential dwellings on the downhill side of a road shall not exceed a height of 7 m (22.97 feet) above the centre line of the road immediately adjacent to the centre of the front of the residence and residential dwellings located on the uphill side of the road shall not exceed a height of 7 m (22.97 feet) above the midpoint of the rear property line on which the residence is located. The average natural slope of the lot shall be measured from the lowest point on the lot to the uppermost point on the lot; or
- b. the lesser of 12 m (39.37 feet) or three (3) storeys for apartment and multi-family use; or
- c. 10 m (32.81 feet) for all other uses.

6. Lot Area:

Subject to the provisions of Section 1101.2. of this Bylaw, each lot shall have an area of not less than:

- a. 350 m² (3,767 square feet) for single family dwellings; or
- b. 700 m² (7,535 square feet) for two family dwellings; or
- c. 1,000 m² (10,764 square feet) for three family dwellings; or
- d. 1,300 m² (13,993 square feet) for four family dwellings; or

- e. 1,900 m² (20,452 square feet) for apartment, multi-family and adult retirement housing use; or
- f. 220 m² (2,368 square feet) for each unit of a row housing development, except that the end unit shall have an area of not less than 330 m² (3,552 square feet); or
- g. 560 m² (6,028 square feet) for convalescent, nursing, and personal care home use.

7. Lot Coverage:

Maximum lot coverage shall be:

- a. Not greater than fifty percent (50%) of the lot area for all buildings and structures for adult retirement housing;
- b. Not greater than fifty percent (50%) of the lot area for all buildings and structures for single family and two family dwellings, and together with driveways and parking areas shall not exceed sixty percent (60%).
- c. Not greater than 40% of the lot area for buildings and structures of all other uses.

8. Lot Frontage:

Subject to the provisions of Section 1101.1.a., b., and c. of this Bylaw, each lot shall have a road frontage of not less than:

- a. 12 m (39.37 feet) for single family dwellings; or
- b. 23 m (75.46 feet) for two family dwellings; or
- c. 30 m (98.42 feet) for three and four family dwellings; or
- d. 35 m (114.8 feet) for apartment and multi-family dwellings; or
- e. 7.5 m (24.61 feet) for each unit of a row housing development, except that the end unit shall have a road frontage of not less than 11 m (36.09 feet); or
- f. 18 m (59.05 feet) for convalescent, nursing, and personal care homes.

9. Off-Street Parking:

Off-street parking shall be provided and maintained in accordance with the provisions of Schedule "B" of this Bylaw and the number of parking spaces required to be provided on a lot or lots, shall be determined by the use or uses being carried on such lot or lots from time to time.

10. **Setbacks:** [Subject to the special building line setback provisions of Section 308.5. of this Bylaw]

a. **Exterior Side Yard:**

An exterior side yard free of all buildings and structures shall, where applicable, be provided with a depth of not less than 5 m (16.40 feet), except that an exterior side yard free of all buildings and structures shall be provided with a depth of not less than 8 m (26.25 feet) for apartment and multi-family use.

b. **Front Yard:**

A front yard free of buildings and structures shall be provided with a depth of not less than:

- i. 10 m (32.81 feet) for apartment and multi-family use; or
- ii. 6 m (19.68 feet) for row housing and adult retirement housing; or
- iii. 6 m (19.68 feet) for all other uses.

c. **Other Buildings:**

Buildings shall not be sited within 3 m (9.842 feet) of any other building.

d. **Rear Yard:**

A rear yard free of buildings and structures shall be provided with a depth of not less than:

- i. 10 m (32.81 feet) for apartment and multi-family use; or
- ii. 6 m (19.68 feet) for row housing and adult retirement housing; or
- iii. 6 m (19.68 feet) for all other uses.

e. **Side Yards:**

Side yards free of buildings and structures shall be provided with a width of not less than:

- i. 3 m (9.842 feet) for four family dwellings and apartment and multi-family use for a wall without a window or with a window to a non-habitable room, except that a two family dwelling shall be allowed to straddle a property line provided that the property line coincides with the party wall

and provided that all other requirements of this Bylaw are met; or

- ii. 8 m (26.25 feet) for apartment and multi-family use with a wall with a balcony or with a window to a habitable room; or
- iii. 4 m (13.12 feet) for the outside wall of the end unit of a row housing project; or
- iv. 8 m (26.25 feet) for convalescent, nursing, and personal care home use; or
- v. 1.2 m (3.94 feet) for adult retirement housing and all other uses.

f. Water Bodies:

Flood Construction Levels and Floodplain Setbacks of building and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Schedule "G" of this bylaw.

11. Other Requirements:

- a. A restricted agricultural use shall not be permitted on lots smaller than 1 ha (2.471 acres).
- b. The maximum permitted gross density for adult retirement housing, apartments or multi-family use shall not exceed sixty (60) units per hectare (24.28 units per acre).
- c. Useable open space shall be provided on the lot for each dwelling unit contained in an apartment or multi-family building based on the following ratio:
 - i. 45 m² (484.4 square feet) for each three-bedroom unit; and
 - ii. 35 m² (376.7 square feet) for each two-bedroom unit; and
 - iii. 25 m² (269.1 square feet) for each one-bedroom unit or bachelor unit.
- d. A convalescent, nursing, and personal care home use shall be in conformity with the regulations of the Community Care and Assisted Living Act, (SBC 2004).
- e. A row housing development shall be designed in such a manner so as to stagger each pair of dwelling units, with a minimum of 1 m (3.281 feet) offset.

- f. Each dwelling unit contained in a row housing project shall be provided with a rear yard having access to a lane.
- g. Each row housing structure shall contain a minimum of four (4) and a maximum of eight (8) side-by-side family dwelling units.
- h. Screening shall be provided in accordance with the requirements of Section 309 of this Bylaw.
- i. The maximum permitted gross density for Adult Retirement Housing can be increased to 80 units/hectare (32 units/acre) provided that:
 - i. the entire development is owned and operated by a not-for-profit housing for seniors and;
 - ii. all dwelling units are rented to persons 55 years of age or older who have limited financial resources and;
 - iii. the society operating the Adult Retirement Housing has first prepared an admission/screening policy, including information for the residents and families of the services that are to be provided. Current copies of the admissions/screening policy are to be provided to the City, the tenant and families of the tenant prior to the occupation of the rental units.

605 Residential Mobile Home Park Zone (R.5)

1. Permitted Uses of Land, Buildings, and Structures:

Subject to the provisions of the City of Enderby Mobile Home Park Bylaw, the following uses and no others shall be permitted in the Residential Mobile Home Park Zone (R.5):

- a. Accessory buildings and structures
- b. Identification signs
- c. Mobile homes
- d. One (1) dwelling unit for the accommodation of the owner/operator
- e. Recreation areas
- f. Utility service buildings

DIVISION SEVEN – RURAL ZONES

701 Country Residential Zone (C.R.)

1. Permitted Uses of Land, Buildings, and Structures:

The following uses and no others shall be permitted in the Country Residential Zone (C.R.):

- a. Accessory buildings and structures
- b. Accessory employee residential use subject to the provisions of Section 701.10.b. of this Bylaw
- c. Accessory produce and fruit sales
- d. Civic and public service use
- e. Boarding, lodging, or rooming houses
- f. Convalescent, nursing, and personal care homes
- g. Intensive agricultural use subject to the provisions of Section 701.10.a. of this Bylaw
- h. Limited agricultural use
- h. Mobile homes
- j. Single family dwellings
- k. Two family dwellings
- l. Secondary suites subject to the provisions of Section 701.10.g
- m. Bed and breakfasts
- n. Dog kennels

2. Buildings Per Lot:

The number of buildings allowed per lot for each of the following uses shall be not more than:

- a. one (1) single family dwelling or one (1) two family dwelling or one (1) mobile home; and
- b. one (1) accessory employee residential dwelling; and
- c. one (1) accessory produce and fruit sales.

3. Floor Area:

- a. The floor area for a single family dwelling or accessory employee residential dwelling shall be not less than 60 m² (645.8 square feet).
- b. The floor area for a two family dwelling shall be not less than 60 m² (645.8 square feet) per dwelling unit.
- c. The floor area for a fruit and produce pickers' cabin shall be not greater than 25 m² (269.1 square feet).
- d. The floor area for a mobile home shall be not less than 45 m² (484.4 square feet).

4. Height of Buildings and Structures:

The height of buildings and structures shall not exceed:

- a. 8 m (26.25 feet) for accessory residential use; or
- b. 10 m (32.81 feet) for residential use; or
- c. 20 m (65.62 feet) for agricultural use.

5. Lot Area:

Subject to the provisions of Section 1101.2. of this Bylaw, each lot shall have an area of not less than 2 ha (4.942 acres).

6. Lot Coverage:

Lot coverage shall be not greater than thirty percent (30%) of the lot area for all buildings and structures and not greater than ten percent (10%) for feed lot and piggery use.

7. Lot Frontage:

Each lot shall have a road frontage in accordance with the provisions of Sections 1101.1.b. and c. of this Bylaw.

8. Off-Street Parking:

Off-street parking shall be provided and maintained in accordance with the provisions of Schedule "B" of this Bylaw and the number of parking spaces required to be provided on a lot or lots shall be determined by the use or uses being carried on such lot or lots from time to time.

9. Setbacks: [Subject to the special building line setback provisions of Section 308.5. of this Bylaw]

a. Exterior Side Yard:

An exterior side yard free of buildings and structures shall, where applicable, be provided with a depth of not less than:

- i. 30 m (98.42 feet) for limited agricultural use and dog kennels; or
- ii. 60 m (196.8 feet) for intensive agricultural use, feed lots, and piggeries; or
- iii. 200 m (656.2 feet) for intensive agricultural use (excluding feed lots and piggeries) where the use is to be established adjacent to an existing Residential zone; or
- iv. 400 m (1,312 feet) for feed lots and piggeries where the use is to be established adjacent to an existing Residential zone; or
- v. 12 m (39.37 feet) for all other uses.

b. Front Yard:

A front yard free of buildings and structures shall be provided with a depth of not less than:

- i. 30 m (98.42 feet) for limited agricultural use and dog kennels; or
- ii. 60 m (196.8 feet) for intensive agricultural use, feed lots, and piggeries; or
- iii. 200 m (656.2 feet) for intensive agricultural use (excluding feed lots and piggeries) where the use is to be established adjacent to an existing Residential zone; or
- iv. 400 m (1,312 feet) for feed lots and piggeries where the use is to be established adjacent to an existing Residential zone; or
- v. 12 m (39.37 feet) for all other uses.

c. Other Buildings:

Buildings shall not be sited within 3 m (9.842 feet) of any other building, except that:

- i. buildings for dog kennels and limited agricultural use involving the keeping of animals shall not be sited within 30 m (98.42 feet) of any existing residential dwelling not sited on the farm unit; and

- ii. buildings for intensive agricultural use shall not be sited within 60 m (196.8 feet) of any existing residential dwelling not sited on the farm unit; and
- iii. feed lots and piggeries shall not be established within 100 m (328.1 feet) of any existing residential dwelling not sited on the farm unit.

d. Rear Yard:

A rear yard free of buildings and structures shall be provided with a depth of not less than:

- i. 30 m (98.42 feet) for dog kennels and limited agricultural use involving the keeping of animals where the use is to be established adjacent to an existing Residential zone; or
- ii. 60 m (196.8 feet) for intensive agricultural use, feed lots, and piggeries; or
- iii. 200 m (656.2 feet) for intensive agricultural use (excluding feed lots and piggeries) where the use is to be established adjacent to an existing Residential zone; or
- iv. 400 m (1,312 feet) for feed lots and piggeries where the use is to be established adjacent to an existing Residential zone; or
- v. 8 m (26.25 feet) for all other uses.

e. Side Yards:

Side yards free of buildings and structures shall be provided with a width of not less than:

- i. 30 m (98.42 feet) for dog kennels and limited agricultural use involving the keeping of animals where the use is to be established adjacent to an existing Residential zone; or
- ii. 60 m (196.8 feet) for intensive agricultural use, feed lots, and piggeries; or
- iii. 200 m (656.2 feet) for intensive agricultural use (excluding feed lots and piggeries) where the use is to be established adjacent to an existing Residential zone; or
- iv. 400 m (1,312 feet) for feed lots and piggeries where the use is to be established adjacent to an existing Residential zone; or

v. 3 m (9.842 feet) for all other uses.

f. Water Bodies:

Flood Construction Levels and Floodplain Setbacks of building and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Schedule "G" of this bylaw.

10. Other Requirements:

- a. An intensive agricultural use shall not be permitted on lots smaller than 0.8094 ha (2.000 acres) and shall only be permitted on lands that are located within the Agricultural Land Reserve.
- b. An accessory employee residential use shall not be permitted on a lot of less than 4 ha (9.884 acres).
- c. A convalescent, nursing, and personal care home use shall be in conformity with the regulations of the Community Care and Assisted Living Act, (SBC 2004).
- d. The use of a mobile home as a dwelling shall be permitted provided that the mobile home is certified by the Canadian Standards Association to conform with the CSA Standard Z240.
- e. An accessory produce and fruit sales use shall not allow the sales of any product, produce, or fruit other than those vegetables or fruits grown on the same parcel.
- f. Fruit and produce pickers' cabin use:
 - i. A fruit and produce pickers' cabin use shall not be permitted on a lot of less than 4 ha (9.884 acres), unless such use existed prior to the adoption of this Bylaw.
 - ii. The use of a fruit and produce pickers' cabin as a rental unit is prohibited.
- g. All Secondary suites must comply with the following:
 - i. Secondary suites are to be located only in a single family dwelling; and
 - ii. No more than one secondary suite shall be permitted within a single family dwelling; and
 - iii. The maximum floor area of a secondary suite shall not exceed the lesser of 90 m² or 40% of the habitable floor area of the single family dwelling. The minimum floor area of a secondary suite shall not be less than 36m²; and

- iv. No portion of a building may be used as a secondary suite unless at least one (1) of the registered owners of the building resides within the building; and
 - v. One (1) off-street parking space must be provided for each secondary suite; and
 - vi. Secondary suites must comply with all relevant City Bylaws, and the BC Building Code; and
 - vii. Secondary suites must be located in a building and on property which is a single family real estate entity. No strata titling will be permitted.
- h. Insofar as residential buildings are concerned, where a lot of less than 0.5 ha (1.235 acres) was existing at the effective date of this Bylaw, the provisions of Section 601.10. of this Bylaw shall apply.

DIVISION EIGHT – SPECIAL USE ZONE

801 Assembly, Civic, And Public Service Zone (S.1)

1. Permitted Uses of Land, Buildings, and Structures:

The following uses and no others shall be permitted in the Assembly, Civic, and Public Service Zone (S.1):

- a. Accessory buildings and structures
- b. Accommodation including campgrounds and one (1) dwelling unit for the owner, operator, or employee of the principal and permitted use
- c. Assembly use
- d. Civic use
- e. Entertainment and recreation facilities including arcades, billiard halls, bowling alleys, drive-in theatres, golf courses and driving ranges, health spas, marinas, museums, outdoor entertainment, amusement and recreation facilities, ski hills, sports clubs, sports facilities, theatres, tourist amusement facilities, theme parks, and zoos
- f. Hospitals and medical professional use including dentist and doctor's offices
- g. Public service use
- h. Retail sales of sporting goods (including rental) accessory to the principal and permitted use
- i. Food concessions
- j. Arts and crafts sales

2. Floor Area:

- a. The floor area for a dwelling unit the owner, operator, or employee of the principal and permitted use shall be not less than 60 m² (645.8 square feet).
- b. The total floor area for retail sales of sporting goods (including rental) shall be not greater than 150 m² (1,615 square feet).

3. Lot Area:

Subject to the provisions of Section 1101.2. of this Bylaw, each lot shall have an area of not less than 560 m² (6,028 square feet), except that lots for campgrounds shall have an area of not less than 0.5 ha (1.235 acres). The lot area for public service use shall not be restricted.

4. Lot Coverage:

Lot coverage shall be not greater than thirty percent (30%) of the lot area for all buildings and structures.

5. Lot Frontage:

Subject to the provisions of Sections 1101.1.b. and c. of this Bylaw, each lot shall have a road frontage of not less than 15 m (49.21 feet).

6. Off-Street Loading:

Off-street loading shall be provided and maintained in accordance with Schedule "C" of this Bylaw.

7. Off-Street Parking:

Off-street parking shall be provided and maintained in accordance with the provisions of Schedule "B" of this Bylaw and the number of parking spaces required to be provided on a lot or lots shall be determined by the use or uses being carried on such lot or lots from time to time.

8. Setbacks: [Subject to the special building line setback provisions of Section 308.5. of this Bylaw]

a. Exterior Side Yard:

An exterior side yard free of all buildings and structures shall be provided with a depth of not less than 8 m (26.25 feet) where applicable.

b. Front Yard:

A front yard free of all buildings and structures shall be provided with a depth of not less than 8 m (26.25 feet).

c. Other Buildings:

Buildings shall not be sited within 3 m (9.842 feet) of any other building.

d. Rear Yard:

A rear yard free of all buildings and structures shall be provided with a depth of not less than 8 m (26.25 feet).

e. Side Yards:

Side yards free of all buildings and structures shall be provided with a width of not less than 2 m (6.562 feet).

f. Water Bodies:

Flood Construction Levels and Floodplain Setbacks of building and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Schedule "G" of this bylaw.

9. Other Requirements:

- a. Campgrounds shall conform with the requirements of Schedule "F" of this Bylaw.
- b. No business or undertaking shall be carried on any lot or lots situated within this zone unless the following requirements are first met:
 - i. The off-street parking requirements of Schedule "B" to this Bylaw applicable to the business or undertaking proposed to be carried on, are met.
 - ii. No business or undertaking shall be carried on on any lot or lots situate within this Zone unless the proprietor or owner of such business or undertaking has obtained a licence for the carrying on of such business or undertaking where such licence is required to be obtained.

802 Comprehensive Development – Senior’s Housing (CD.1)

1. Permitted Uses of Land, Buildings and Structures:

The following uses and no others shall be permitted in the Comprehensive Development - Seniors Supportive Housing Zone (CD.1):

- a. Seniors housing subject to the provisions of Section 802.9.d of this Bylaw

2. Floor Area:

The floor area for seniors housing units shall be not less than:

- a. 27 m² (290.6 square feet) within each bachelor dwelling unit; or
- b. 40 m² (430.6 square feet) within each one-bedroom dwelling unit; or
- c. 45 m² (484.4 square feet) within each two-bedroom dwelling unit.

3. Height of Buildings and Structures:

The height of buildings and structures shall not exceed the lesser of 12 m (39.37 feet) or three (3) storeys.

4. Lot Area:

The minimum lot area is 4930 m² (53,068 square feet).

5. Lot Coverage:

Lot coverage shall not be greater than fifty percent (40%) of the lot area for all buildings and structures.

6. Lot Frontage:

The minimum lot frontage is 35 m (114.8 feet).

7. Off-Street Parking:

Off-street parking shall be provided and maintained in accordance with the provisions of Schedule ‘B’ of this bylaw and the number of parking spaces required to be provided shall be 1 stall per 3 dwelling units.

8. Setbacks: [Subject to the special building line setback provisions of Section 308.5 of this bylaw]

a. Exterior Side Yard:

An exterior side yard free of buildings and structures shall be provided with a depth of not less than 8 m (26.25 feet).

b. Front Yard:

A front yard free of buildings and structures shall be provided with a depth of not less than 7 m (22.96 feet).

c. Rear Yard:

A rear yard free of buildings and structures shall be provided with a depth of not less than 10 m (32.81 feet).

d. Side Yard:

A side yard free of buildings and structures shall be provided with a depth of not less than 8 m (26.25 feet).

9. Other Requirements:

- a. The maximum permitted gross density for a seniors housing use shall not exceed eighty-one (81) units per hectare (32 units per acre).
- b. Useable open space, including indoor common recreation areas, shall be provided on the lot for each dwelling unit contained in a seniors housing building based on the following ratio:
 - i. 35 m² (376.7 square feet) for each two bedroom unit; and
 - ii. 25 m² (269.1 square feet) for each one bedroom or bachelor unit.
- c. Screening shall be provided in accordance with the requirements of Section 309 of this Bylaw.
- d. Seniors housing means housing in the form of apartment housing which provides a combination of independent living units, supportive housing units and assisted living units that may incorporate personal care (meal provision and visual and electronic monitoring), hospitality services (laundry, housekeeping and social and recreational activities) and onsite medical personnel. This housing may or may not be licensed as required under the Community Care and Assisted Living Act.

803 Transportation Corridor Zone (S.2)

1. Permitted Uses of Land, Buildings and Structures:

The following uses and no others shall be permitted in the Transportation Corridor Zone (S.2):

- a. Railway
- b. Highway
- c. Off-street parking
- d. Cycling and pedestrian paths
- e. Public Service Use
- f. Accessory buildings and structures

2. Height of Buildings and Structures:

The height of accessory buildings and structures shall not exceed the lesser of 10 m (32.81 feet) or two (2) storeys.

3. Lot Area:

Each lot shall have an area of not less than 6 ha (14.83 acres).

4. Off-Street Parking:

Off-street parking shall be provided and maintained in accordance with the provisions of Schedule 'B' of this bylaw.

5. Setbacks: [Subject to the special building line setback provisions of Section 308.5 of this bylaw].

a. Exterior Side Yard:

An exterior side yard free of buildings and structures shall be provided with a depth of not less than 4.5 m (14.76 feet).

b. Front Yard:

A front yard free of buildings and structures shall be provided with a depth of not less than 4.5 m (14.76 feet).

c. Rear Yard:

A rear yard free of buildings and structures shall be provided with a depth of not less than 4.5 m (14.76 feet).

d. Side Yard:

A side yard free of buildings and structures shall be provided with a depth of not less than 4.5 m (14.76 feet).

6. Other Requirements:

- a. Screening shall be provided in accordance with the requirements of Section 309 of this Bylaw.

Schedule "A" to accompany "The Corporation of the City of Enderby Zoning Bylaw No. 1550, 2014".

I hereby certify this to be a true and correct copy of Schedule "A" attached to and forming part of "The Corporation of the City of Enderby Zoning Bylaw No. 1550, 2014".

"Tate Bengtson"

CHIEF ADMINISTRATIVE OFFICER

OFF-STREET PARKING – SCHEDULE “B”

901 Off-Street Parking

1. Except as provided for in Section 401.9 of this Bylaw, where any building or structure is being erected, enlarged, or increased in capacity, provisions shall be made for off-street parking on the same lot as the principal building or on a lot within 60 m (196.8 feet) thereof in accordance with the table hereinafter set out.
2. Notwithstanding any other provisions of this Bylaw, all spaces provided for off-street parking, whether public or private, shall conform to the following requirements:

- a. Size:

All parking spaces shall have a clear length of not less than 6 m (19.68 feet) and a clear width of not less than 2.8 m (9.186 feet) and a clear height of not less than 2.2 m (7.218 feet) except that forty percent (40%) of the total number of required parking spaces may be made up of small car parking spaces having a clear length or not less than 5.2 m (17.06 feet), a clear width of not less than 2.3 m (7.546 feet), and a clear height of not less than 2.2 m (7.218 feet). All small car parking areas shall be identified by a sign indicating “Small Car Parking Only”.

- b. Access:

Ingress and egress to and from all parking spaces and parking areas shall be by means of unobstructed manoeuvring aisles of not less than 6 m (19.68 feet) for all angle parking up to sixty degrees (60^o) from the manoeuvring aisles and not less than 8 m (26.25 feet) for right angle parking.

- c. Layout:

Where more than four (4) parking spaces are provided, they must be so designed that vehicles are not required to back out onto a highway.

- d. Location:

If parking is provided “on site”, the parking portion must be consolidated with the portion of the lot upon which the building is located so that the whole forms one (1) lot. If the parking is located on a lot not immediately adjacent to the site containing the building for which the parking is provided, the owner must enter into a registrable covenant with the City restricting the use of the lot to parking in conjunction with the building lot.

- e. Surface:

Every off-street parking area and maneuvering aisle shall:

- i. be graded to provide an even surface; and
- ii. be drained so that no surface water:
 - a. accumulates thereon; or
 - b. runs off onto any sidewalk; or
 - c. runs off onto any highway if the area is not paved; and
- iii. be surfaced with asphaltic concrete or cement pavement of the minimum thickness. In the case of asphalt, 6 cm (2.362 inches); in the case of portland cement, 10 cm (3.937 inches) reinforced, except in the following:
 - a. all Rural and Special Use zones; and
 - b. all Residential zones providing the use is single family residential; and
 - c. in Commercial zones where the property is vacant, pending sale or development, and no other use is being made of the lot; and the other provisions of this Section are being complied with; and curbs are erected to prevent gravel going onto sidewalks or highways, provided that:

in the case of Subsections iii. a., b., and c. above, the surface shall be:

 - i. kept free of weeds; and
 - ii. gravelled; and
 - iii. treated to suppress dust; and
 - iv. have access to and from highways as approved by the City and Provincial Ministries, where applicable.
 - d. in all zones, permeable surfaces approved by the City.

f. Curbs:

All parking lots shall be provided with curbs located to the requirements of the City and Provincial Ministries, where applicable.

g. Setbacks:

- i. In Residential zones, where parking facilities are located on the same lot as the principal building, no part of the parking lot shall be located closer than 1.5 m (4.921 feet) to any dwelling and not more than 30 m (98.42 feet) from the farthest parking stall provided, to an entrance to the principal building.
- ii. In commercial zones, for parking located on the same lot as the principal building, no part of the parking lot shall be located closer than 1.5 m (4.921 feet) to any dwelling and not more than 90 m (295.3 feet) from the farthest parking stall to the principal building.

h. Signs:

All parking lots for more than ten (10) vehicles, other than for gasoline service stations, shall have directional signs to as to provide traffic control.

i. Recreation Vehicle Parking:

Notwithstanding any other provisions of this Bylaw:

- i. all recreation vehicle parking spaces shall have a clear length of not less than 12 m (39.37 feet) and a clear width of not less than 4 m (13.12 feet) and a clear height of not less than 4 m (13.12 feet); and
- ii. all recreation vehicle parking areas shall be provided with unobstructed manoeuvring aisles having a width of not less than 12 m (39.37 feet); and
- iii. all recreation vehicle parking areas shall be identified by a sign indicating "Recreation Vehicle Parking", except when located within residential zones; and
- iv. all recreation vehicle parking spaces provided shall be included in the calculations for the total required parking.

j. Handicapped Persons Vehicular Parking:

Notwithstanding any other provisions of this Bylaw, all parking spaces for handicapped persons shall be in accordance with the standards outlined in the B. C. Building Code.

All handicapped person vehicular parking shall be included in the calculations for the total required parking.

k. Tandem Parking:

Parking spaces may be configured in tandem for single family dwellings and for two family dwellings.

3. Schedule of Parking Requirements:

<u>Uses:</u>	<u>Minimum No. of Parking Spaces Req'd:</u>
Animal hospitals/kennels	1 per 2 employees and 3 per veterinarian
Auction (indoor)	1 per 10 m ² (107.6 square feet) auction floor
Auto sales and repair	1 per 70 m ² (753.5 square feet) sales floor and 1 per service bay and 1 per 2 employees
Bachelor dwelling unit	1 per dwelling unit
Bank	1 per 20 m ² (215.3 square feet) gross floor area
Beach, swimming	1 per 8 m ² (86.11 square feet) developed beach above high water mark
Bed and breakfast	2 plus 1 per rentable unit
Beverage Container Recycling and Collection Depot	2 spaces for each 50 m ² of gross floor area
Billiard Hall	2 per table
Boarding, lodging, and rooming house	2 plus 1 per rentable living unit
Boat and recreation vehicle	1 per 2 employees and 1 per 90 m ² (968.8 square feet) sales and repairs display area (covered and outside)
Bowling Alley	3 per alley
Building material supply	1 per 2 employees and 1 per 180 m ² (1,937 square feet) covered sales and storage
Food services	1 per 4 seats
Food services - drive-through	2.5 per 100 m ² (1,076 square feet)
Campground / overnight trailers	1 per space plus 2
Car wash	1 per 2 employees plus 4 off-street storage spaces
Church	1 per 10 seats
Clubs, lodges	1 per 4 seats
College	1 per employee and 1 per 5 students
Contractors yard, including public utility structures	1 per 2 employees
Convalescent, nursing, and personal care home	1 per 3 beds
Cultural facility (art gallery, etc)	1 per 40 m ² (430.6 square feet) gross floor area
Dance, music, and photo studio	1 per 30 m ² (322.9 square feet) gross floor area plus 1 per 2 employees
Funeral parlour	1 per 4 seats in chapel
Gas station	1 per 2 employees on duty and 2 per service bay
Golf course	150 stalls
Golf driving range	1 per tee plus 1 per 2 employees
Grocery, corner (confectionary)	1 per 15 m ² (161.5 square feet) gross

	floor area of retail portion of building or 4, whichever is greater
Home Occupation	1 in addition to that required for the principal dwelling(s) plus 1 for any employee who does not reside in the residential building.
Health salon	1 per 10 m ² (107.6 square feet) gross floor area
Hospital	1 per 2 employees plus 1 per 5 beds
Hotel	1 per 2 rooms and 1 per 6 seats (bar, cafe, etc) in the C.1 zone and 1.1 per room and 1 per 3 seats (bar, cafe, etc) in the C.2 zone
Ice cream stand	7 per sales clerk
Laboratory	1 per 2 employees
Laundromat	1 per 3 washing machines
Laundry/dry cleaning	1 per 2 employees counted as total of 2 shifts
Machinery sales	1 per 2 employees and 1 per 90 m ² (968.7 square feet) sales floor
Manufacture/industrial	1.5 per 100 m ² of industrial gross floor area
Marina	1 per 2 boat spaces and 1 per 2 employees
Mobile home sales and service	1 per 2 employees plus 1 per 450 m ² (4,844 square feet) of display yard
Motel	1.1 per unit plus 1 per 3 seats in cafe, etc
Neighbourhood pub	1 per 3 seats
Nurseries/greenhouses	1 per 15 m ² (161.5 square feet) gross floor area retail sales building
Offices, multi tenant	4 stalls per doctor or dentist; 1 per 40 m ² (430.6 square feet) gross floor area all other uses
Offices, single tenant	1 stall per 40 m ² (430.6 square feet) gross floor area
Police office	1 per 2 employees counted as total of 2 shifts
Pool, swimming	1 per 4 m ² (43.06 square feet) pool water surface
Post office	1 per 2 employees counted as total of 2 shifts
Printing establishment	1 per 2 employees plus 1.5 per printing press
Prison	1 per 2 employees counted as total of 2 shifts
Public bus depot	1 per 20 m ² (215.3 square feet) waiting room and 1 per 2 employees counted as total of 2 shifts
Recreation centre	1 per 10 m ² (107.6 square feet) ice area and 1 per 4 m ² (43.06 square feet) pool

	surface and 1 per 4 player capacity other sports
Residential, multi-family over 45 units per acre	1.5 per dwelling unit
Residential, multi-family senior citizen housing	1 per dwelling
Residential, multi-family up to 45 units per acre	2 per dwelling unit
Residential, single family and duplex	2 per dwelling unit
School, elementary	1 per employee
School, secondary	1 per employee plus 1 per 10 students
Shopping centres	4.4 per 100 m ² (1,076 square feet) gross leasable area
Stadium	1 per 3 seats
Store, supermarket/liquor/other retail/personal service, including barber shop and beauty parlour, except corner grocery	1 per 23 m ² (247.6 square feet) gross floor area
Taxi stand	1 per taxi plus 1 per office employee
Television and radio stations	1 per 2 employees counted as total of 2 shifts
Theatre, drive-in	1 per 2 employees
Theatre, not drive-in	1 per 6 seats
Tire repair	1 per 2 employees plus 1 per bay
Tourist attraction	1 per 4 persons capacity
Vegetable/produce stand	4 per sales clerk
Warehouse	1 per 2 employees counted as total of 2 shifts

Note: The figures include allowance for employees, customers, and visitors, but do not include any allowance for other company vehicles or for loading facilities.

4. Parking Requirements for Unspecified Uses:

Where in any zone, uses similar to the specified permitted uses are allowed, the minimum number of parking spaces required under 901.3. above for any such unspecified use shall be the minimum number or parking spaces required for the specified permitted use to which the unspecified permitted use is most similar.

5. Existing Buildings and Structures and Changes in Land Use in the "Downtown Designated Parking Area":

Notwithstanding any other provisions of this bylaw, the regulations contained in this section shall not apply to buildings and structures existing on the effective date of this bylaw that are located in the "Downtown Designated Parking Area" designated on Schedule "A" attached to and forming part of the

"Corporation of the City of Enderby Zoning Bylaw No. 966, 1987", or to any change in the use of those buildings or structures except that:

- a. Off-street parking shall be provided and maintained in accordance with this section where the total floor area is increased in excess of ten percent (10%) over the existing floor area, in which case the amount of additional parking spaces required shall be calculated on the basis of:
 - i. the increase in the size of the existing structure exceeding ten percent
 - ii. the use of the addition

- b. Off-street parking existing on the effective date of this Bylaw shall not be reduced below the applicable off-street parking requirements of this section.

Schedule "B" to accompany "The Corporation of the City of Enderby Zoning Bylaw No. 1550, 2014".

I hereby certify this to be a true and correct copy of Schedule "B" attached to and forming part of "The Corporation of the City of Enderby Zoning Bylaw No. 1550, 2014".

"Tate Bengtson"

CHIEF ADMINISTRATIVE OFFICER

DIVISION TEN – OFF-STREET LOADING – SCHEDULE “C”

1001 Off-Street Loading

Subject to the provisions of Section 1001.1. of this Bylaw, when any development takes place on any lot, off-street loading shall be provided and maintained in accordance with the regulations in this Schedule.

1. Existing Buildings, Structures, and Uses:

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

- a. off-street loading shall be provided and maintained in accordance with this Schedule where there is a change in the principal use or where the total floor area is increased in excess of ten percent (10%) over the existing floor area; and
- b. off-street loading existing on the effective date of this Bylaw shall not be reduced below the applicable off-street loading requirement of this Schedule.

2. Unit of Measurement:

When calculating off-street loading requirements, the gross floor area shall include the floor area of accessory buildings or basements, except where they are used for parking or heating.

3. Mixed Occupancies:

In the case of mixed uses the total requirements for off-street loading facilities shall be the sum of the requirements for the various uses computed separately.

4. Required Off-Street Loading Spaces:

- a. On every site used as a retail store, business, industry, warehouse, or other similar use, the minimum number of spaces shall be as follows:

	<u>Total Gross Floor Area of Building(s)</u>	<u>Spaces Required</u>
i.	less than 450 m ² (4,844 square feet)	1
ii.	450 m ² (4,844 square feet) to 2,300 m ² (24,756 square feet)	2
iii.	2,300 m ² (24,756 square feet) to 4,600 m ² (49,514 square feet)	3
iv.	each additional 4,600 m ² (49,514 square feet) or each fraction thereof in excess of 2,300 m ²	

(24,756 square feet)

1 additional

- b. On every site used as an office building, place of public assembly, hospital, institution, hotel, club or lodge, auditorium, public utility, school, or similar use, the minimum number of spaces shall be as follows:

<u>Total Gross Floor Area of Building(s)</u>	<u>Spaces Required</u>
i. less than 2,700 m2 (29,062 square feet)	1
ii. 2,700 m2 (29,062 square feet) to 5,500 m2 (59,201 square feet)	2
iii. each additional 5,500 m2 (59,201 square feet) or fraction thereof in excess of 2,700 m2 (29,062 square feet)	1 additional

5. Location and Siting of Loading Facilities:

Off-street loading spaces and facilities shall be located on the same lot as the use served, but not within the required front yard, nor closer than 15.5 m (50.85 feet) to the nearest point of intersection of any two (2) road allowances.

6. Development and Maintenance Standards:

- a. The location of all points of ingress and egress to a loading area shall be subject to the approval of the City and Provincial Ministries, where applicable.
- b. All off-street loading and unloading spaces shall be of adequate size and with adequate access thereto to accommodate the types of vehicles which will be loading and unloading, but in no case shall be insufficient to accommodate a vehicle 9 m (29.53 feet) in length, 2.4 m (7.874 feet) in width, and 3.7 m (12.14 feet) in height. Ingress and egress to and from all loading and unloading zones shall be by means of unobstructed manoeuvring aisles of not less than 6 m (19.68 feet) in width.
- c. All loading areas shall be provided with adequate curbs in order to retain all vehicles within such permitted loading areas and to ensure that required fences, walls, hedges, or landscaped areas, as well as any buildings, will be protected from parked vehicles.
- d. Each loading space shall be surfaced with an asphalt, concrete, or similar pavement so as to provide a durable, dust-free surface and shall be so graded and drained so as to properly dispose of all surface water.

- e. Any lighting used to illuminate any loading area shall be so arranged that all direct rays of light are reflected upon the loading area and not on any adjoining premises.

Schedule "C" to accompany "The Corporation of the City of Enderby Zoning Bylaw No. 1550, 2014".

I hereby certify this to be a true and correct copy of Schedule "C" attached to and forming part of "The Corporation of the City of Enderby Zoning Bylaw No. 1550, 2014".

"Tate Bengtson"

CHIEF ADMINISTRATIVE OFFICER

**DIVISION ELEVEN – LOT FRONTAGE, AREA, AND DESIGN REQUIREMENTS –
SCHEDULE “D”**

1101 Lot Frontage, Area, And Design Requirement

1. Lot Frontage:

- a. In addition to the frontage requirements cited elsewhere in this Bylaw, all corner lots for single family and two family use in Residential zones shall be increased in frontage by not less than 3 m (9.842 feet).
- b. Notwithstanding the frontage requirements cited elsewhere in this Bylaw:
 - i. the frontage of a parcel fronting a highway shall be not less than one-tenth of the perimeter of the parcel; and
 - ii. lot frontages of “pie-shaped” lots or other irregularly shaped or asymmetrical lots located in residential zones may be reduced to not less than 12 m (39.37 feet) in width, provided that the average lot width throughout a depth of 30 m (98.42 feet) measured along a perpendicular line on the centre of the property on the frontage street complies with the required minimum lot width.
- c. The Council may, upon application by the owner, exempt the owner from any frontage requirement of this Bylaw except that the frontage required for a panhandle lot shall, in no case be less than:
 - i. 10 m (32.81 feet) where the panhandle lot cannot be further subdivided; or
 - ii. 20 m (65.62 feet) where the panhandle lot can be further subdivided into two (2) or more lots.

2. Lot Area:

Where a parcel is a panhandle lot, that access strip or panhandle shall not be calculated as part of the minimum lot area.

3. Design:

a. Panhandle Lots:

- i. Where a parcel is a panhandle lot capable of further subdivision into two (2) or more lots, the panhandle shall be adequate with respect to grade, alignment, etc. to provide a future highway.

- ii. Where a parcel is a panhandle lot that cannot be further subdivided, the panhandle shall have a continuous width of not less than 10 m (32.81 feet) and be suitable for entrance roadway standards of 4 m (13.12 feet) width and fifteen percent (15%) maximum grade.

b. **Building Site:**

All lots created within the Country Residential (C.R.) zone of this Bylaw shall contain a contiguous area of land 2,000 m² (21,528 square feet) or larger in size to serve as a suitable building site. Such building site shall be less than thirty percent (30%) natural slope and shall be accessible from a public highway in accordance with the following private access driveway design standards.

Commencing at the edge of the finished road surface, private access driveways shall:

- i. be as close to right angles as practicable to the finished road surface for a minimum distance of 6 m (19.68 feet); and
- ii. have a minimum width of 5.5 m (18.04 feet) for the distance specified in Subsection 3.b.i. above and 4 m (13.12 feet) minimum width thereafter; and
- iii. have a maximum slope of five percent (5%) over the distance specified in Subsection 3.b.i. above and a maximum slope of fifteen percent (15%) thereafter.

Schedule "D" to accompany "The Corporation of the City of Enderby Zoning Bylaw No. 1550, 2014".

I hereby certify this to be a true and correct copy of Schedule "D" attached to and forming part of "The Corporation of the City of Enderby Zoning Bylaw No. 1550, 2014".

"Tate Bengtson"

CHIEF ADMINISTRATIVE OFFICER

DIVISION TWELVE – TOTAL NUMBER OF ANIMALS MAKING UP ONE ANIMAL UNIT – SCHEDULE “E”

1201 Animal Units

For the purpose of this Bylaw, the total number of animals making up one (1) animal unit shall be:

4	swine (plus weaner pigs), or
1	dairy cow (plus calf), or
1	beef cow (plus calf), or
1	bull, or
2.5	beef feeders to be fed to a maximum weight of 340 kg (749.6 lbs.), or
1.67	beef feeders to be fed to a maximum weight of 500 kg (1,102 lbs.), or
10	veal calves to be fed to a maximum weight of 140 kg (308.6 lbs.), or
1	horse, (mare and foal, or stallion or gelding or donkey or mule or hinny), or
4	sheep (plus lambs) or goats (plus kids), or
12	feeder lambs, or
250	laying chicken hens, or
500	broiler chickens, roasters, or pullets, or
100	turkeys to be fed to a weight exceeding 5 kg (11.02 lbs.), or
200	turkeys to be fed to a weight of 5 kg (11.02 lbs) or less, or
125	geese or ducks, or
40	rabbits (bucks, or does plus progeny to weaning, or growers), or
80	mink (males, or females plus progeny to weaning, or growers), or
250,000	bees.

Schedule “E” to accompany “The Corporation of the City of Enderby Zoning Bylaw No. 1550, 2014”.

I hereby certify this to be a true and correct copy of Schedule “E” attached to and forming part of “The Corporation of the City of Enderby Zoning Bylaw No. 1550, 2014”.

“Tate Bengtson”
Chief Administrative Officer

DIVISION THIRTEEN – CAMPGROUND REGULATIONS – SCHEDULE “F”

1301 Campground Regulations

1. Application:

- a. The provisions of Schedule “F” apply to any campground constructed or established after the adoption of this Bylaw and to any additional construction on an existing campground and to any alteration to the layout of an existing campground.

2. Interpretation:

For the purposes of this section and unless the context otherwise requires:

APPROVAL means approval in writing.

CAMPGROUND means a site operated and occupied as temporary accommodation for camping units. A campground includes accessory buildings for the common use of campground patrons such as washrooms and bathing facilities, or other facilities as are required in accordance with the Health Act, (RSBC 1996). A campground is not a manufactured home park, motel or hotel and specifically excludes rental cabins.

CAMPING SPACE means an area in a campground used for one (1) trailer or tent.

DEPENDENT TRAILER means a trailer other than an independent trailer.

INDEPENDENT TRAILER means a trailer equipped with a water-closet and a place for washing, wastes from both of which may be disposed of directly into a sewage-disposal system through a drain connection.

OWNER means an owner, agent, lessor, or manager of, or any person who operates a campground.

SAFE WATER means water which is approved for drinking purposes by the Medical Health Officer.

ROADWAY means road within a campground part or all of which is made suitable for normal vehicular use for access to abutting camping spaces and other facilities.

SERVICE BUILDING means a building, other than a privy, housing toilet or bathing facilities or such other sanitation facilities as are required by this Bylaw.

SEWAGE DISPOSAL STATION means a place where trailer sewage-storage tanks may be emptied and flushed.

TRAILER means any vehicle, coach, house-car, or conveyance, designed to

travel on the highways, constructed or equipped to be used as temporary living or sleeping quarters by travellers.

3. Prohibitions:

- a. No person may construct or lay out a campground or any part of a campground without being in possession of a valid and subsisting permit for that purpose issued pursuant to the provisions of this Bylaw.
- b. No person may construct or lay out a campground or part of a campground in a manner not authorized or in a manner prohibited by the provisions of this Bylaw.

4. Administration:

- a. The Corporate Officer or such other officer appointed by the Council shall administer the provisions of this Section.
- b. The Corporate Officer or such other officer appointed under Subsection a. above may enter any campground at all reasonable times for the purpose of administering or enforcing the provisions of this Section.

5. Permit Required:

- a. No person shall construct, alter, extend, or expand a campground until written approval is received and permit is issued by the Corporate Officer.

6. Application, Approval, and Permit:

- a. All applications for campground approval and permit shall be made in writing to the Corporate Officer and shall contain:
 - i. the name and address of the applicant; and
 - ii. a general description of the location of the land and a full legal description of the land on which the proposed campground is to be established, constructed, altered, or extended; and
 - iii. two (2) full sets of working drawings to scale showing:
 - a. the area, dimensions, and legal description of the parcel(s) of land; and
 - b. the dimensions and location of the buffer area required under Section 1401.13. of this Bylaw; and
 - c. the number, location, dimensions, and designation of all camping spaces, and location and dimensions or all

roadways, the owner's residential plot (if any), common recreation areas, and storage area (if any); and

- d. the location of service buildings, any sewage-disposal station, or any other proposed structures; and
- e. the internal layouts of all service ancillary buildings and other structures, apart from the owner's residence; and
- f. the location and details of the source of water, treatment plants, water distribution lines, and outlets; and
- g. the location and details of all connections to the sewer, sewer-lines, septic tank(s) and sub-surface disposal field, or other private sewage treatment plants and disposal methods; and
- h. the location of storm drains and catch basins; and
- i. the location and details of all on-site garbage and refuse-disposal areas; and
- j. a north arrow and notation of the scales used; and
- k. a general landscaping plan for the site; and
- l. all water courses or water frontage within or adjacent to the proposed campground; and
- m. all steep banks or slopes within or adjacent to the land concerned; and
- n. the relationship of the proposed campground to adjacent roads/highways.

- b. The City may require the applicant to provide additional relevant information, including but not limited to, topographic and soil condition data.

7. Approval and Permit:

- a. The City shall examine each application for a campground permit and shall notify the applicant in writing within sixty (60) days either that the permit is issued or that it is refused.
- b. If a campground permit is refused, the City shall notify the applicant in writing of the reasons for refusal.

- c. A campground permit shall permit the establishment of a campground on the land concerned only in compliance with the campground plan approved and permit issued.
 - d. If the holder of the permit does not commence the construction permitted by the permit within one (1) year of the date of the permit issued, the permit lapses.
8. Other Regulations:
- a. Every campground shall comply with:
 - i. the plumbing, electrical, and building Bylaws and regulations in force; and
 - ii. all regulations, made pursuant to the Fire Services Act.
 - b. Nothing in this Bylaw shall relieve owners of a campground from the responsibility to seek out and comply with all other applicable enactments.
9. Building Permit:
- Prior to any work or construction in a campground, the applicant shall obtain a building permit for a building or structure from the Building Inspector of the City.
10. Drainage:
- No person shall locate or extend a campground except on a site that is well drained and is at all times free of stagnant pools.
11. Camping Spaces:
- Each camping space within a campground shall:
- a. have a minimum area of 84 m² (904.2 square feet) and be clearly identified by a number or similar designation; and
 - b. accommodate only one (1) trailer or tent; and
 - c. be no closer than 3 m (9.842 feet) to a roadway; and
 - d. be no closer than 7.6 m (24.93 feet) to the boundary of the campground; and
 - e. have one (1) conveniently located parking space adjacent to the roadway, all or part of which may be within the setback required under Subsection c. above.
12. Buffer Area:

- a. Campgrounds shall be provided with a landscaped buffer area not less than 8 m (26.25 feet) wide adjacent to a front lot line and not less than 4.5 m (14.76 feet) wide adjacent to all other lot lines and within which no camping space, residential accommodation, parking, garbage disposal areas, privies, service buildings or recreational areas, except for waterfront recreation, shall be permitted.
- b. The only roadways permitted in the buffer area are those which cross it as close to right angles as practicable and connect directly with the roadway system contained within the remainder of the campground.

13. Recreation Area:

- a. A campground shall have open space for playground, park, sports, games and similar recreation areas to serve the campground in the amount of not less than five percent (5%) of the area of the campground.
- b. The recreation areas shall not include buffer areas, parking areas, ancillary buildings, camping spaces, driveways, and storage areas.

14. Signs:

Notwithstanding any other requirements of this Bylaw, an identification sign to a maximum height of 2 m (6.562 feet) above ground and to a maximum area of 3 m² (32.29 square feet) may be located at the principal entrance to the campground.

15. Owner's Residence and Office Space:

Within a campground, a dwelling unit including office space may be provided for the accommodation of the owner or operator of the campground. The minimum site area for such facility shall be 550 m² (5,920 square feet).

16. Retail Facilities:

A retail facility for the purpose of selling groceries, camping supplies, and souvenirs is permitted to serve the campground provided the maximum floor area does not exceed as prescribed below:

Number of Camping Spaces	Maximum Retail Floor Area
50 spaces or less	25 m ² (269.1 square feet)
51 spaces or more	0.3 m ² /space (3.229 square feet/space) in excess of 50 up to a maximum or 50 m ² (538.2 square feet)

17. Access:

- a. At least one (1) highway access shall be provided to a campground containing eighty (80) or less camping spaces.
- b. A second access from a public highway, separated by at least 50 m (164.0) feet from the first access shall be provided to each campground containing eighty-one (81) or more camping spaces.

18. Customer's Parking/Holding Area:

Within 30 m (98.42 feet) of the campground entrance or office, there shall be provided customer's parking/holding area in an amount of 18 m² (193.7 square feet) for each ten (10) camping spaces up to a maximum of 140 m² (1,507 square feet) for the convenience and safety of the customers.

19. Roadways:

- a. Access to and from a campground shall have a minimum roadway width of 13 m (42.65 feet) and a minimum hard surfaced or gravelled width of 6.7 m (21.98 feet). No parking shall be allowed on the access roadway.
- b. All camping spaces, owner's or operator's residence, service buildings, as well as other facilities where access is required shall have access by an internal roadway system.
- c. Roadways giving access to and from camping spaces shall have a minimum roadway width of 6.7 m (21.98 feet) and a minimum hard surfaced or gravelled width of 4.3 m (14.11 feet).
- d. Roadways in a campground shall be well drained, and maintained in such a manner as to render them free from dust at all times.
- e. Dead end roadways and cul-de-sacs shall have a turning circle at the end with a radius of at least 12 m (39.37 feet).

20. Water Supply:

The owner of a campground shall provide a potable water system in compliance with the authorities having jurisdiction.

21. Sewage Disposal:

The owner of a campground shall provide for the disposal of all wastewater and human excretion generated within the campground by causing all sewage and wastewater to be discharged into a community sewer system or into a private sewage disposal system in compliance with the authorities having jurisdiction.

22. Service Buildings:

- a. Where sewer and water systems are installed, the campground shall be provided with at least one (1) service building equipped with flush type fixtures and other sanitary facilities as prescribed below:

Number of Camping Spaces*	Toilets		Urinals	Washbasins		Showers		Other Fixtures
	Men	Women	Men	Men	Women	Men	Women	
1 – 15	1	1	1	1	1	1	1	1 slop Sink**
16 – 30	1	2	1	2	2	1	1	
31 – 45	2	2	1	3	3	1	1	
46 – 60	2	3	2	3	3	2	2	
61 – 80	3	4	2	4	4	2	2	
81 – 100	3	4	2	4	4	3	3	

For each campground having more than one hundred (100) camping spaces*, there shall be provided one (1) additional toilet and washbasin, for each sex, for each additional thirty (30) camping spaces*; one (1) additional shower for each sex for each additional forty (40) camping spaces*; and one (1) additional men's urinal for each additional one hundred (100) camping spaces*.

* Camping spaces for tents and dependent trailers only.

** A conveniently located slop sink(s) for disposal of liquid wastes.

b. Service Buildings shall:

- i. be located at least 4.5 m (14.76 feet) and not more than 150 m (492.1 feet) from any camping space; the 150 m (492.1 feet) distance shall not apply to an independent trailer camping space; and
- ii. be of permanent construction and adequately lighted; and
- iii. have walls, floors, and partitions that can be easily cleaned and will not be damaged by frequent hosing, wetting, or disinfecting; and
- iv. have all rooms well ventilated, with all openings effectively screened; and
- v. provide separate compartments for each bathtub or shower and toilet and a tight partition to separate those facilities designated for males and females.

c. Laundry Facilities:

- i. Laundry facilities shall be provided in the ratio of one (1) laundry unit for each thirty (30) camping spaces and shall be in a separate room of a service building or in a separate building.
- ii. A laundry unit shall consist of not less than one (1) laundry tub and one (1) clothes washing machine in working order.
- iii. If there are laundry facilities available to the public within 8 km (4.971 miles) of a campground, the requirements under Subsections i. and ii. above are waived.

23. Sewage Disposal Station:

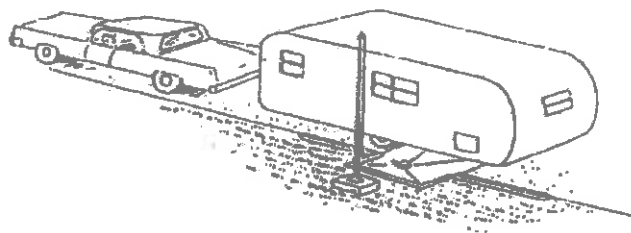
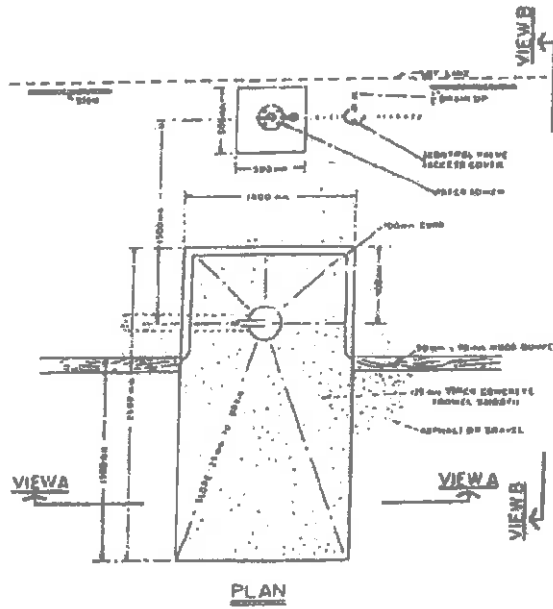
- a. Where a campground contains camping spaces for use by trailers, the owner shall, except where direct sewer connections are available in, provide a trailer sewage disposal station for the purpose of receiving the contents of trailer sewage storage tank.
- b. Trailer sewage disposal station shall be located in an area apart from any roadway and out of which a trailer may be easily and conveniently moved.
- c. Trailer sewage disposal stations shall be constructed in accordance with the design shown in Appendix A to this Section.

24. Garbage Disposal:

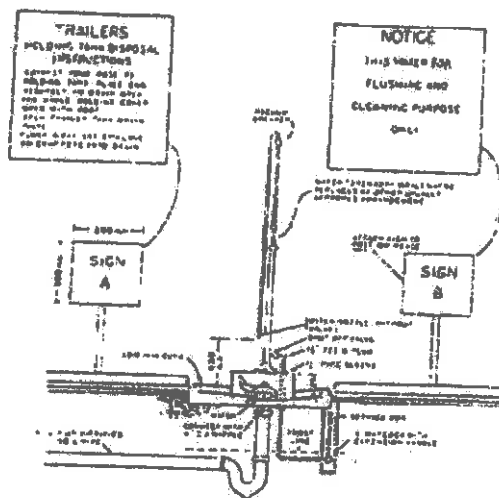
- a. The owner of a campground shall dispose or arrange for disposal of garbage or refuse.
- b. The owner of a campground shall:
 - i. provide at each camping space a container that is durable, fly tight, water tight, rodent proof for the disposal of all garbage; and
 - ii. maintain the containers so that they shall not become foul smelling, unsightly, or a breeding place for flies; and
 - iii. be responsible for ensuring that no person shall dispose of garbage, waste, or refuse except in accordance with the arrangements made for the campground.

APPENDIX A

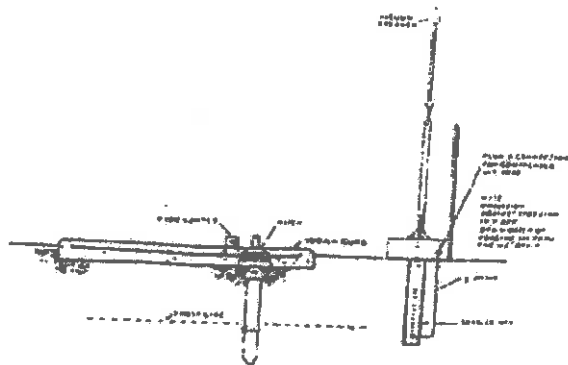
i. TRAILER SEWAGE DISPOSAL SYSTEM



II. VIEW A



VIEW B



Schedule "F" to accompany "The Corporation of the City of Enderby Zoning Bylaw No. 1550, 2014".

I hereby certify this to be a true and correct copy of Schedule "F" attached to and forming part of "The Corporation of the City of Enderby Zoning Bylaw No. 1550, 2014".

"Tate Bengtson"

CHIEF ADMINISTRATIVE OFFICER

DIVISION FOURTEEN – WATER BODY PROVISIONS – SCHEDULE “G”

1401 Floodplain Management Provisions

The purpose of the floodplain management provisions is to reduce the risk of injury, loss of life, and damage to buildings and structures due to flooding. However, neither the City nor the Province of British Columbia represent to any person that any building or structure, including a manufactured home, used, constructed or located in accordance with the following provisions will not be damaged by flooding.

1. Interpretation

For the purposes of this Section, the following definitions shall apply:

ALLUVIAL FAN means an alluvial deposit of a stream where it issues from a steep mountain valley, or at the junction of a tributary stream with the main stream.

DESIGNATED FLOOD means a flood, which may occur in any given year, of such magnitude as to equal a flood having a 200-year recurrence interval, based on a frequency analysis of unregulated historic flood records or by regional analysis where there is inadequate stream flow data available. Where a large watercourse or body of water is controlled by a major dam, the designated flood shall be set on a site specific basis.

DESIGNATED FLOOD LEVEL means the observed or calculated elevation for the Designated Flood, which is used in the calculation of the Flood Construction Level.

FLOOD CONSTRUCTION LEVEL means a Designated Flood Level plus Freeboard, or where a Designated Flood Level cannot be determined, a specified height above a Natural Boundary, Natural Ground Elevation, or any obstruction that could cause ponding.

FLOODPLAIN means an area which is susceptible to flooding from an adjoining watercourse, lake, or other body of water and is designated in Section 1401.2 of this bylaw.

FLOODPLAIN SETBACK means the required minimum distance from the Natural Boundary or other reference line of a watercourse, lake, or other body of water to any landfill or structural support required to elevate a floor system or pad above the Flood Construction Level, so as to maintain a floodway and allow for potential land erosion.

FLOODPLAIN WATERCOURSE means any natural or man-made depression with well defined banks and a bed of 0.6 m, (1.968 feet) or more below the surrounding land serving to give direction to a current of water including rivers, creeks, springs, ravines, swamps and gulches, whether usually containing water or not.

FREEBOARD means a vertical distance added to a Designated Flood Level, used to establish a Flood Construction Level.

G.S.C. means Geodetic Survey of Canada datum.

HABITABLE AREA means any space or room, including a manufactured home, that is or can be used for dwelling purposes, business, or the storage of goods which are susceptible to damage by floodwater.

MANUFACTURED HOME means a single family dwelling built in an enclosed factory environment, in one or more sections, intended to be occupied in a place other than of its manufacture. Manufactured homes include **MOBILE HOMES** and **MODULAR HOMES** which are either completely self-contained dwelling units, or are incomplete dwelling units which are fastened together and completed on site. All new manufactured homes must be constructed to either the CAN/CSA Z240 (mobile home) standard, the National Building Code of Canada, or the Provincial Building Code where manufactured.

NATURAL BOUNDARY means the visible high water mark of any lake, river, stream, or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, stream, or other body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself, as defined in Section 1 of the Land Act, and also includes the edge of dormant side channels of any lake, river, stream, or other body of water, and marshes.

NATURAL GROUND ELEVATION means the undisturbed ground elevation prior to site preparation.

PAD means a paved surface on which blocks, posts, runners or strip footings are placed for the purpose of supporting a manufactured home, or a concrete pad for supporting a Habitable Area.

STANDARD DYKE means a dyke built to a minimum crest elevation equal to the Flood Level or Flood Construction Level and meeting standards of design and construction approved by the appropriate Provincial Ministry and maintained by an ongoing authority such as a local government body.

2. Floodplain Designation:

The following land is designated as Floodplain:

- a. Land shown as Floodplain on Schedules "G.1" and "G.2", being the Floodplain maps attached to and forming part of this Bylaw.
- b. Land lower than the Flood Construction Levels specified in Section 1401.3.a of this bylaw.

- c. Land within the Floodplain Setbacks specified in Section 1401.3.b of this bylaw.

3. Floodplain Specifications:

a. Flood Construction Levels:

The following elevations are specified as Flood Construction Levels, EXCEPT THAT WHERE MORE THAN ONE (1) FLOOD CONSTRUCTION LEVEL IS APPLICABLE, THE HIGHER ELEVATION SHALL BE THE FLOOD CONSTRUCTION LEVEL:

- i. the Flood Construction Level for a specific property, as determined by interpolation from those Flood Construction Levels shown on Land shown as Floodplain on Schedules "G.1" and "G.2", being the Floodplain maps attached to and forming part of this bylaw; or
- ii. 1.5 m (4.921 feet) above the Natural Boundary of any watercourse, lake, marsh or pond.
- iii. Notwithstanding the Flood Construction Level requirements cited herein the following types of development are hereby exempted from the requirements, in respect to the Flood Construction Level provisions of this section:
 - A renovation of an existing building or structure that does not involve an addition thereto;
 - An addition to a building or structure that would increase the size of the building or structure by less than 25 percent of the floor area existing at the date of adoption of this bylaw provided that the degree of conformity regarding setbacks is not increased;
 - That portion of a building or structure to be used as a carport, garage or entrance foyer;
 - Farm buildings other than dwelling units and closed-sided livestock housing;
 - Hot water tanks and furnaces behind Standard Dykes;
 - Closed-sided livestock housing behind Standard Dykes;
 - Heavy Industry behind Standard Dykes;
 - On-loading and off-loading facilities associated with water-oriented industry and portable sawmills;
 - Farm dwelling units provided that they are located on parcels 8 hectares or greater in size that are located within the Agricultural Land Reserve, provided that they are located with the underside of a wooden floor system or the top of the Pad of any Habitable Area (or in the case of a Manufactured Home or Unit the top of Pad or the ground surface on which it is located) no lower than 1 metre above the Natural Ground Elevation taken at any point on the

- perimeter of the building, or no lower than the Flood Construction Levels specified herein whichever is lesser;
- Closed-sided livestock housing not behind Standard Dykes provided that they are located with the underside of a wooden floor system or the top of the Pad (or in the case of a Manufactured Home or Unit, the top of Pad or the ground surface on which it is located) no lower than 1 metre above the Natural Ground Elevation taken at any point on the perimeter of the building, or no lower than the Flood Construction Levels specified herein whichever is the lesser;
- Industrial uses, other than main electrical switchgear, provided that they are located with the underside of a wooden floor system or the top of the Pad (or in the case of a Manufactured Home or Unit, the top of Pad or the ground surface on which it is located) no lower than 1 metre above the Natural Ground Elevation taken at any point on the perimeter of the building, or no lower than the Flood Construction Levels specified herein minus freeboard. Main electrical switchgear shall be no lower than the Flood Construction Level.

b. Floodplain Setbacks:

Unless a greater setback is determined through an assessment under the Riparian Areas Regulation, the following distances are specified as Floodplain Setbacks, EXCEPT THAT WHERE MORE THAN ONE (1) FLOODPLAIN SETBACK IS APPLICABLE, THE HIGHER ELEVATION SHALL BE THE FLOODPLAIN SETBACK:

- i. 30 m (98.42 feet) from the Natural Boundary of the Shuswap River;
- ii. 15 m (49.21 feet) from the Natural Boundary of any other watercourse, lake, marsh, or pond, or
- iii. 15 m (49.21 feet) from any Standard Dyke right-of-way, or structure for flood protection or seepage control.

4. General Provisions

- a. The underside of any floor system, or the top of any pad supporting any space or room, including a manufactured home, that is used for dwelling purposes, business, or the storage of goods which are susceptible to damage by floodwater shall be above the Flood Construction Level specified in Section 1401.3.a above.
- b. Any landfill required to support a floor system or pad shall not extend within any setback from a watercourse or body of water specified in this bylaw.

- c. Structural support or compacted landfill or a combination of both may be used to elevate the underside of the floor system or the top of the pad above the Flood Construction Level. Where landfill is used, the face of the landfill slope shall be protected against erosion from flows, wave action, ice, and other debris.
- d. The Flood Level or Flood Construction Level for any watercourse identified in Sections 1401.3.a and b above shall be taken perpendicular to the natural boundary of the watercourse at its highest perpendicular point.
- e. The Building Inspector, or such person appointed by Council may require that a British Columbia Land Surveyor's certificate be required to verify compliance with the Floodplain Elevations and Setbacks specified in Sections 1401.3.a and 1401.3.b of this bylaw. The cost of verification shall be assumed by the landowner.
- f. Pursuant to Section 910(5) of the Local Government Act, the City may grant exemptions from the application of floodplain setbacks and flood construction elevations provided that:
 - i. The property owner submits a written request for an exemption to the City; and
 - ii. The exemption is consistent with the Provincial Guidelines; or A professional engineer or geoscientist, or other prescribed person, certifies that the property can be safely used for the intended use.

1402 Riparian Areas Regulation Provisions

The Riparian Areas Regulation apply to all Development related to residential, commercial and/or industrial activities.

1. Interpretation

For the purposes of this Section, the following definitions shall apply:

- a. **DEVELOPMENT** means any of the following associated with or resulting from the local government regulation or approval of residential, commercial or industrial activities to the extent that they are subject to local government powers under the Local Government Act:
 - i. removal, alteration, disruption or destruction of vegetation;
 - ii. disturbance of soils;
 - iii. construction or erection of buildings and structures;
 - iv. creation of non-structural impervious or semi-impervious

- surfaces;
 - v. flood protection works;
 - vi. construction of roads, trails, docks, wharves, and bridges;
 - vii. provision and maintenance of sewer and water services;
 - viii. development of drainage systems;
 - ix. development of utility corridors;
 - x. subdivision as defined in Section 872 of the Local Government Act.
- b. **HIGH WATER MARK** means the high water mark or water level in a watercourse that is reached during annual flood events, as indicated by the presence of soil and/or vegetation that due to the frequent presence of water is distinctly different from the vegetation of adjacent upland areas.
 - c. **QUALIFIED ENVIRONMENTAL PROFESSIONAL (QEP)** means an applied scientist or technologist acting alone or together with another qualified environmental professional, if the individual is registered and in good standing in BC with an appropriate professional organization constituted under an act, acting under that associations code of ethics and subject to disciplinary action by that association, the individual's area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and the individual is acting within that individual's area of expertise.
 - d. **RIPARIAN ASSESSMENT AREA** means the area within 30 metres of the high water mark of a riparian watercourse; within 30 metres of the top of the ravine bank in the case of a ravine less than 60 metres wide; and within 10 metres of the top of the ravine bank in the case of a ravine 60 metres wide or greater.
 - e. **TOP OF RAVINE BANK** means the first significant break in a ravine slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 metres measured perpendicularly from the break, and the break does not include a bench within the ravine that could be developed.
 - f. **RIPARIAN WATERCOURSE** means any natural or man-made depression with well defined banks serving to give direction to a current of water, including rivers, creeks, springs, ravines, swamps, and gulches and any of the following that provides fish habitat: a pond, lake, river, creek or brook, and; a ditch, spring or wetland that is connected by surface flow to a riparian watercourse.

2. Riparian Area Setbacks

Development may not occur within the Riparian Assessment Area unless:

- a. a lesser setback is determined by an assessment completed by a QEP under the Riparian Areas Regulation, or
- b. an approval is granted under the Riparian Areas Regulation by the applicable provincial or federal agency, or
- c. in the case of a subdivision as defined in Section 872 of the Local Government Act, where no modifications are proposed within the Riparian Assessment Area and a Section 219 covenant has been registered on the title of the property restricting development within the Riparian Assessment Area and it has been deemed that a sufficient building envelope, suitable building site and sewage disposal area can be provided.

1403 Farming Area Provisions

1. Interpretation

For the purposes of this Section, the following definitions shall apply:

AGRICULTURAL UNIT means equal to the live weight of 455 kg (1000 lbs) of livestock, poultry or farmed game or any combination of them equalling 455 kg.

AGRICULTURAL WASTE STORAGE FACILITY means a facility used to contain agriculture liquid or solid waste, or biosolids prior to use or disposal, but does not include a vehicle or any mobile equipment used for transportation or disposal of agriculture solid or liquid waste. An agriculture waste storage facility includes a structure, reservoir, lagoon, cistern, gutter, tank or bermed area for containing agricultural waste prior to its use or disposal.

CHANNELIZED STREAM means permanent or relocated streams that have been dyked, diverted or straightened and carry drainage flows from headwaters or significant sources of groundwater. Reaches of channelized streams may be confined by roads and fences and in many cases also meander through fields. Channels that divert irrigation water from a stream but return overflow water back to a stream in a manner that allows fish access are classified as channelized streams.

CONFINED LIVESTOCK AREA means an outdoor, non grazing area where livestock, poultry or farmed game is confined by fences, other structures or topography including feedlots, paddocks, corrals, exercise yards and holding area, but not including seasonal feeding areas.

CONSTRUCTED CHANNELS AND DITCHES means man made drainage channels that carry drainage water from more than one property but do not

carry water from headwaters or significant sources of groundwater. Flows in agricultural constructed channels may be year round and are not regulated. Constructed channels may also deliver water for irrigation purposes.

IMPERVIOUS SURFACE means a building or constructed surface made of concrete, asphalt, plastic or other material that does not permit water to soak into the ground.

NATURAL STREAM means watercourses that have not been significantly altered by human activity and are predominantly in their natural state as defined by the watercourse definition in this Section.

SEASONAL FEEDING AREA means an area used for forage or other crop production and used seasonally for feeding livestock, poultry or farmed game that is primarily sustained by supplemental feed, but does not include a confined livestock area or grazing area.

SOLID AGRICULTURAL WASTE means agricultural waste that is 20% or more solid matter and will not flow when piled.

TOP OF BANK means the first break in a bank slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 m measured horizontally from the break. For multiple banks, the setback distance will be measured from the top of the bank that is farthest from the center of the stream.

WATERCOURSE means a natural watercourse or source of water supply, whether usually containing water or not, and a lake, river, creek, spring, ravine, swamp and gulch.

TABLE 1

Building and Facilities Setbacks from Watercourses for Riparian Protection in Farming Areas^{ad}

Watercourse Type	Category 1 ^{**}	Category 2 ^{**}	Category 3 ^{***}	Category 4 ^{***}
	-Confined livestock area > 10 agricultural units -Seasonal feeding area -Solid agricultural waste field (storage with > 2 weeks storage time)	-Agricultural Waste Storage Facility -Chemical, compost and woodwaste storage -Confined Livestock Area < 10 agricultural units - Incinerator - Mushroom barn - On-farm composting -On-farm soilless medium production and storage - Silo -Petroleum storage	- Brooder house - Hatchery - Fur farming shed - Livestock barn - Livestock shelter - Milking facility - Stable	- Boiler Room - Cidery - Cold frame - Crop storage - Detention pond -Direct farm marketing - Granary - Greenhouse - Machinery Storage - On farm processing - On farm product preparation - Retention pond - Impervious surfaces
Natural Stream	30m	15m	15m	15m
Channelized Streams	30m	15m	15m	2 X channel width ^b Minimum 10 m Maximum 15m
Constructed Channels and Ditches ^c	30m	15m	5m	5m

Floodplain Provisions may require larger setbacks in some instances and will then override the setback standards shown here.

^{**} Categories 1 and 2 are set by the Agricultural Waste Control Regulation under the Environmental Management Act.

^{***} Unless a lesser setback is determined by an assessment completed by a Qualified Environmental Professional and in accordance with Floodplain regulations.

^a Setback distances are measured horizontally from the watercourse top of bank to the outside of the foundation wall.

^b Channel width is determined from the top of bank to top of bank.

^c There is no differentiation between constructed channels and constructed ditches for the purposes of building setbacks, only for drainage maintenance purposes.

^d The setback from a domestic water intake for uses noted within this table is 30 m.

Schedule "G" to accompany "The Corporation of the City of Enderby Zoning Bylaw No. 1550, 2014".

I hereby certify this to be a true and correct copy of Schedule "G" attached to and forming part of "The Corporation of the City of Enderby Zoning Bylaw No. 1550, 2014".

"Tate Bengtson"
CHIEF ADMINISTRATIVE OFFICER

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1551

A bylaw of the Corporation of the City of Enderby to exempt certain properties from taxation for the year 2015.

WHEREAS Section 224 of the Community Charter provides that Council may by bylaw grant exemption from taxation of certain land or improvements or both;

NOW THEREFORE the Municipal Council of the Corporation of the City of Enderby, in open meeting assembled, enacts as follows:

- a. **Folio 208.0020.000** - Lot 1, Plan KAP67159, DL 150 [PID 024-819-310] [1104 Belvedere Street]. Registered Owner and Occupier - **Pioneer Place Society**
- b. **Folio 208.0023.022** - Lot A, Plan KAP54361, DL 150 [PID 023-025-930] [606 Stanley Avenue]. Registered Owner and Occupier - **Enderby & District Senior Citizens Complex**
- c. **Folio 208.0294.000** - Lot 3, Block 16, Plan KAP211A, DL 150 [PID 012-594-059] [PID 012-594-067] [1101 George Street]. Registered Owner and Occupier - **Enderby & District Senior Citizens Complex**
- d. **Folio 208.0607.007** - Lot 1, Plan KAP77756, DL 150, [PID 026-240-319] [708 Granville Avenue]. Registered Owner – **Provincial Rental Housing Corp.** Occupier – **Enderby Seniors Housing Society**
- e. **Folio 208.0590.500** - Lot 5, Plan KAP6406, DL 150 [PID 010-101-578] [507 Mill Avenue]. Registered Owner and Occupier - **Enderby Fraternal Hall Society**
- f. **Folio 208.0017.000** - Lot 30, Plan KAP211, DL 150 [PID 012-454-842] [909 Belvedere Street]. Registered Owner and Occupier - **Royal Canadian Legion Branch #98**
- g. **Folio 208.0298.000** - Lot 5, Block 16, Plan KAP211A, DL 150 [PID 005-363-195] [606 Regent Avenue]. Registered Owner and Occupier - **St Andrew's United Church – c/o Trustees**
- h. **Folio 208.0018.000** - Lot 31, Plan KAP211, DL 150 [PID 005-363-187] [1110 Belvedere Street]. Registered Owner and Occupier - **St Andrew's United Church – c/o Trustees**
- i. **Folio 208.0621.012** - Lot 1, Plan KAP28247, DL 150 [PID 004-603-320] [104 Meadow Crescent]. Registered Owner and Occupier - **Enderby Evangelical Chapel**
- j. **Folio 208.0113.100** - Lot Z, Plan KAP211A [PID 012-591-904] [706 Mill Avenue]. Registered Owner and Occupier - **Enderby Evangelical Chapel**
- k. **Folio 208.0358.004** - Lot 1, Plan KAP27530, DL 150 [PID 004-825-683] [602 Knight Avenue]. Registered Owner and Occupier – **Synod of the Diocese of Kootenay**
- l. **Folio 208.0356.000** - Lot 2, Plan KAP20377, Section 26, Township 18, Range 9, Meridian W6 [PID 003-932-150] [608 Knight Avenue]. Registered Owner and Occupier – **Synod of the Diocese of Kootenay**
- m. **Folio 208.0607.100** - Lot 1, Plan KAP10055, DL 150 [PID 009-593-764] [115 George Street]. Registered Owner and Occupier - **Enderby Jehovahs Witnesses**
- n. **Folio 208.0618.200** - Lot 1, Plan KAP12491, DL 150 [PID 009-422-323] [1406 George Street]. Registered Owner and Occupier - **Roman Catholic Bishop of Kamloops**

- o. Folio 208.0269.100 - Lot 4, Block 14, Plan KAP211A, DL 150 [PID 009-553-479 & PID 012-593-851] [907 George Street]. Registered Owner - 172965 Canada Limited c/o Imperial Oil Limited. Occupier - The Corporation of the City of Enderby (Parking lot behind City Hall)
- p. Folio 208.0492.000 - Lot 1, Block 3, Plan KAP920, DL 150 [PID 009-974-148] [208 George Street]. Registered Owner - The Corporation of the City of Enderby. Occupier – Enderby Drill Hall Committee (Drill Hall)
- q. Folio 208.0493.000 - Lot 2, Block 3, Plan KAP920, DL 150 [PID 009-974-164] [206 George Street]. Registered Owner - The Corporation of the City of Enderby. Occupier – Enderby Drill Hall Committee (Drill Hall Parking Lot)
- r. Folio 208.0494.000 - Lot 3, Block 3, Plan KAP920, DL 150 [PID 009-974-083] [204 George Street]. Registered Owner - The Corporation of the City of Enderby. Occupier - Enderby Drill Hall Committee (Drill Hall Parking Lot)
- s. Folio 208.0270.000 - Lot 2, Block 14, Plan KAP211A, DL 150 [PID 012-593-877 & PID 012-593-842] [903 George Street]. Registered Owner - The Corporation of the City of Enderby. Occupier – Enderby & District Community Museum Society
- t. Folio 208.0512.020 - Lot 3, Plan KAP58637, DL 150 [PID 023-881-209] [112 Kildonan Avenue]. Registered Owner - The Corporation of the City of Enderby. Occupier – Enderby & District Chamber of Commerce (Riverside Park, Bathhouse & Residence)
- u. Folio 208.0602.000 - Lot 2, Plan KAP211B, DL 149 [PID 012-826-901, PID 012-826-910 & PID 012-826-928] [700 Railway Street]. Registered Owner - The Corporation of the City of Enderby. Occupier – Enderby & District Chamber of Commerce (Information Centre)

- 2. The term of the exemptions shall be for one year and shall be reviewed on an annual basis.
- 3. This bylaw may be cited as the “City of Enderby 2015 Tax Exemption Bylaw No. 1551, 2014”.
- 4. “City of Enderby 2014 Tax Exemption Bylaw No. 1524, 2013” is hereby repealed.

READ A FIRST TIME this ____ day of _____, 2014;

READ A SECOND TIME this ____ day of _____, 2014;

READ A THIRD TIME this ____ day of _____, 2014;

RECONSIDERED & ADOPTED this ____ day of _____, 2014.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

**THE CORPORATION OF THE CITY OF ENDERBY
BYLAW No. 1553**

A bylaw to impose fees for providing recreation programs and facilities

WHEREAS The Council of the Corporation of the City of Enderby has the authority by bylaw pursuant to Section 194 of the Community Charter, RSBC, 2003 to impose fees payable in respect of all or part of a service in the municipality and may have the bylaw apply outside the municipality;

WHEREAS the City has resolved to provide Parks, Recreation and Culture services outside the City to Area 'F' of the North Okanagan Regional District;

AND WHEREAS the Board of the North Okanagan Regional District has provided consent on December 09, 2009 in accordance with Section 13 of the Community Charter, RSBC, 2003;

NOW THEREFORE the Council of the Corporation of the City of Enderby, in open meeting assembled, hereby ENACTS AS FOLLOWS:

CITATION

This Bylaw may be cited as "*The Corporation of the City of Enderby Parks, Recreation and Culture Fees Imposition Bylaw No. 1553, 2014*".

DEFINITIONS

Preschool means any person that is six years of age and under.

Youth means and person that is seven to eighteen years of age.

Adult means any person that is nineteen years to sixty-four years of age.

Senior means and person that is sixty-five years of age and older.

Family means members of an immediate family and includes parents, grandparents and guardians of dependent children who are under the age of 19 years.

ESTABLISHMENT

Schedule "A" attached hereto is hereby established, and forms part of this Bylaw.

The rates established by this bylaw shall continue and remain in effect beyond the years cited until amended or repealed.

Repeal

The Corporation of the City of Enderby Parks, Recreation and Culture Fees Imposition Bylaw No. 1535, 2014, and all amendments thereto are hereby repealed.

READ a FIRST time this ____ day of _____, 2014.

READ a SECOND time this ____ day of _____, 2014.

READ a THIRD time this ____ day of _____, 2014.

ADOPTED this ____ day of _____, 2014.

Mayor

Chief Administrative Officer

SCHEDULE "A"

Parks, Recreation and Culture Fees Imposition Bylaw No. 1553, 2014

GENERAL CONDITIONS FOR RENTAL OF FACILITIES

1. All rental rates include the standard facility, with normal maintenance staff.
2. Facility rentals, unless exempted by Commission policy, are subject to the renter obtaining a General Liability Insurance Policy through the City of Enderby's "User Group" General Liability Insurance Plan.
3. Ushers, ticket sellers, security forces, etc. are the responsibility of the renter (the City of Enderby reserves the right to provide such services at the Renter's expense).
4. Uses beyond the normal operating hours will require payment of additional labour costs.
5. The City of Enderby reserves the right to require a Performance Bond and/or Damage Deposit.
6. The Renter is responsible to ensure that the facility is vacated at the end of the event.
7. Entrance to or use of facilities will only be requested and approved on the Facility Rental Agreement. Prior entry for decorating, setup, etc. will be subject to the approval of the Facility Manager and noted on the application form.
8. The Renter must not exceed the maximum capacity allowed for the facility.
9. The Renter shall be responsible for loss or damage and assume all risk of injury (including death) to any person arising out of the use of the facility.
10. For all rentals involving the serving of liquor, the renter must carry a liability insurance policy naming the City of Enderby and the Regional District of North Okanagan as additional insured.
11. Should the renter cancel all or part of the rental period, within 30 days of the rental date, they shall not be entitled to any refund of the rental fee. All cancellations resulting in a refund of the rental fee will be subject to a ten (10) percent administration fee. Should the ice be re-rented the original renter will be entitled to a credit equal to the revenue generated by the re-rental to a maximum of the original renter's fees, less the administrative fee.

12. Facility Rental Agreement:

Prior to use of any facilities, the Renter must complete a Facility Rental Agreement. This document includes a waiver or release, which must be read by the participant before signing. If the participant requests an explanation of the meaning of the waiver, the staff shall respond as follows:

I have carefully read, clearly understand and voluntarily sign this participation, release and indemnification agreement. I intend, by signing this agreement, to adhere to all policies and procedures stated in this rental agreement.

Under no circumstances is the document to be signed without drawing the participant's attention to the waiver, and confirming that the proper liability insurance coverage is in place.

SCHEDULE "A" – Continued

Parks, Recreation and Culture Fees Imposition Bylaw No. 1553, 2014

SCHEDULE of FEES

Enderby Memorial Arena

	<u>Rate/Hour</u>
1. Adult Ice Rental	\$ 154.00
2. Youth/Preschool Ice Rental	\$ 85.00
3. Senior Ice Rental	\$ 111.00
4. School Ice Rental	*
5. School Ice Rental - not covered by joint use agreement	\$ 46.00
6. Drop In Parent and Children Skate (inc. GST)	\$ 2.00
7. Drop In Shinny Hockey Ice Rental (inc. GST)	\$ 20.00
8. Adult Dry Floor	\$ 60.00
9. Youth Dry Floor	\$ 28.00
10. Senior Dry Floor	\$ 31.00
11. School District Dry Floor	*
12. Dry Floor – Roller Derby	\$ 31.00
13. Arena Dry Floor – Day Rate	\$ 624.00**
14. Arena Dry Floor – Day Rate – Commercial	\$1248.00**
15. Arena Dry Floor – Day Rate – Youth	\$ 500.00**

* Fee based on incremental cost per Joint Use Agreement
 ** a 50% discount will apply for rentals of 7 days or more

Swimming Pool Rates

	<u>Rate</u>
1. Public Swim – Adult (inc. GST)	
a. Per swim	\$ 3.75
b. 10 visit pass	\$ 33.75
c. 1 month pass	\$ 41.25
2. Public Swim – Senior / Youth (inc. GST)	
a. Per swim	\$ 3.50
b. 10 visit pass	\$ 31.50
c. 1 month pass	\$ 38.50
3. Public Swim – Preschool (inc. GST)	
a. Per swim	\$ 3.00
b. 10 visit pass	\$ 27.00
c. 1 month pass	\$ 33.00
4. Public Swim – Family (inc. GST)	
a. Per swim	\$ 9.00
b. 10 visit pass	\$ 79.50
c. 1 month pass	\$ 99.00
5. Fitness Class – Adult	
a. Per class	\$ 5.75
b. 10 visit pass	\$ 51.50
c. 1 month pass	\$ 55.00
6. Fitness Class – Senior / Youth (inc. GST)	
a. Per class	\$ 5.50
b. 10 visit pass	\$ 49.50
c. 1 month pass	\$ 52.50
7. Public Swim - Parent & 1 Preschool Child	
a. Per swim (inc. GST)	\$ 5.00
8. Toonie Swim Program (inc. GST)	\$ 2.00
9. Swim Lessons – ½ hr (inc. GST)	\$ 37.00/session
10. Swim Lessons – ¾ hr (inc. GST)	\$ 48.00/session
11. Private Lessons – ½ hr 5 days (inc. GST)	\$ 37.00/session
12. Private Lessons – ¾ hr 10 day (inc. GST)	\$ 48.00/session
13. Pool Rentals – up to 50 swimmers	\$ 67.00/hour
14. Pool rentals – 50+ swimmers	\$ 91.50/hour
15. Swim Club	\$ 24.00/hour
16. School District - 1st Lifeguard	*
- 2nd Lifeguard	*
- 3rd Lifeguard	*

SCHEDULE "A" – Continued

Parks, Recreation and Culture Fees Imposition Bylaw No. 1553, 2014

Swimming Pool Rates - Continued

	<u>Rate</u>
17. Licensed Not for Profit Preschool or Youth Organizations	
- 1st Lifeguard	\$ 17.00/hour
- 2nd Lifeguard	\$ 17.00/hour
- 3rd Lifeguard	\$ 17.00/hour

* Fee based on incremental cost per Joint Use Agreement

Park Rates

	<u>Rate</u>
Grindrod Park Overnight Camping as Ancillary Use to Baseball Tournaments	\$ 17.75
Riverside Park (includes ball diamond area for non-ball use) – Youth per day	\$ 100.00 *
Riverside Park (includes ball diamond area for non-ball use) – Adult / Commercial per day	\$ 500.00 *

* A 50% discount will apply for rentals of 7 days or more

Gazebo Rates

	<u>Rate</u>
Fee (per day)	\$ 110.00
Damage Deposit (per rental)	\$ 500.00
Kitchen Clean Up (per rental when used)	\$ 52.00

Sports Fields / Ball Diamonds

	<u>Rate</u>
Adult Leagues (per team per season)	\$ 240.00
Minor Leagues (per team per season)	\$ 120.00
Funtastic	\$ 0.00
Day Rate – Per Diamond (if not paid as part of a league)	\$ 81.00

In addition to the above rates the user will be responsible for paying Commercial General Liability insurance premium in accordance with the User Group Rating Schedule provided by the City of Enderby insurance provider as amended from time to time.

The rates and availability for Drop in Parent and Children Skate and Drop in Shiny Hockey will apply when vacant ice is available and an attendant is working on a scheduled shift.

GST is not included in above prices, except where indicated.

Interest in the amount of 2% per month shall apply on all account balances unpaid after 30 days.

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1552

A BYLAW TO AMEND CEMETERY REGULATION BYLAW NO. 1515

WHEREAS Council of the City of Enderby has adopted "City of Enderby Cemetery Regulation Bylaw No. 1515, 2012";

AND WHEREAS Council wishes to amend the fees;

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

1. This bylaw may be cited as the "City of Enderby Cemetery Regulation Bylaw No. 1515, 2012 Amendment Bylaw No. 1552, 2014".
2. Schedule "C" of "City of Enderby Cemetery Regulation Bylaw No. 1515, 2012" is deleted and Schedule "C" attached to and forming part of this bylaw is substituted therefore.

READ a FIRST time this ____ day of _____, 2014.

READ a SECOND time this ____ day of _____, 2014.

READ a THIRD time this ____ day of _____, 2014.

RECONSIDERED and ADOPTED this ____ day of _____, 2014.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

Enderby & District Cemetery Regulation Bylaw No. 1515, 2012 Amendment Bylaw No. 1552, 2014

Schedule "C" attached to and forming part of
Enderby & District Cemetery Regulation
Bylaw No. 1515, 2012 Amendment Bylaw No. 1552, 2014

**CLIFFSIDE CEMETERY
SCHEDULE "C"
Fee Schedule**

Corporation of the City of Enderby
619 Cliff Avenue - Box 400
Enderby BC, V0E 1V0
Phone: (250) 838-7230 Fax: (250) 838-6007

	Effective Jan 1 2014		Effective Jan 1 2015		Effective Jan 1 2016		Effective Jan 1 2017		Effective Jan 1 2014		Effective Jan 1 2015		Effective Jan 1 2016		Effective Jan 1 2017		Total Fees			
	Jan 1 2014	Jan 1 2015	Jan 1 2015	Jan 1 2016	Jan 1 2016	Jan 1 2017	Jan 1 2017	Jan 1 2014	Jan 1 2015	Jan 1 2015	Jan 1 2016	Jan 1 2016	Jan 1 2017	Jan 1 2017	Jan 1 2014	Jan 1 2015	Jan 1 2015	Jan 1 2016	Jan 1 2017	
CEMETERY LOTS																				
Adult																				
(Resident)	278.10	292.00	306.60	321.95	92.70	97.35	102.20	107.30	370.80	389.36	408.80	429.25	370.80	389.36	408.80	429.25	370.80	389.36	408.80	429.25
(Non Resident)	401.40	409.40	417.60	425.95	156.05	159.20	162.40	165.65	557.45	568.60	580.00	591.60	557.45	568.60	580.00	591.60	557.45	568.60	580.00	591.60
Child/Infant (up to 12 years)																				
(Resident)	189.60	199.10	209.05	219.50	63.20	66.35	69.65	73.15	252.80	265.45	278.70	292.65	252.80	265.45	278.70	292.65	252.80	265.45	278.70	292.65
(Non Resident)	291.30	297.15	303.10	309.15	87.90	89.65	91.45	93.30	379.20	386.80	394.55	402.45	379.20	386.80	394.55	402.45	379.20	386.80	394.55	402.45
Cremated Remains																				
(Resident)	134.80	141.55	148.65	156.10	44.95	47.20	49.55	52.00	179.75	188.75	198.20	208.10	179.75	188.75	198.20	208.10	179.75	188.75	198.20	208.10
(Non Resident)	218.50	222.85	227.30	231.85	72.85	74.30	75.80	77.30	291.35	297.15	303.10	309.15	291.35	297.15	303.10	309.15	291.35	297.15	303.10	309.15

	Effective Jan 1 2014	Effective Jan 1 2015	Effective Jan 1 2016	Effective Jan 1 2017
CEMETERY SERVICES				
Interment Services (Opening & Closing)				
Adult	442.20	451.05	460.05	469.25
Child/Infant	260.10	265.30	270.60	276.00
Cremated Remains (Regular)	208.10	212.25	216.50	220.85
Cremated Remains (if covered with concrete)	312.10	318.35	324.70	331.20
Deeper Depth to Permit Second Burial in Same Grave (additional cost)	171.65	175.10	178.60	182.15
Premium/Overtime Charges	At cost	At cost	At cost	At cost

SCHEDULE "C" - Continued

	Effective Jan 1 2014	Effective Jan 1 2015	Effective Jan 1 2016	Effective Jan 1 2017
<u>Exhumation / Disinterment Services</u>				
Adult	850.00	850.00	850.00	850.00
Child/Infant	500.00	500.00	500.00	500.00
Cremated Remains (Regular)	400.00	400.00	400.00	400.00
Cremated Remains (if covered with concrete)	600.00	600.00	600.00	600.00
Premium/Overtime Charges	At cost	At cost	At cost	At cost
<u>Memorial Installation or Removal</u>				
Care Fund Contribution	26.00	26.50	27.05	27.60
<u>SUPPLIES</u>				
Grave Liner (Regular)	At cost	At cost	At cost	At cost
Grave Liner (Special - Small or Oversized)	At cost	At cost	At cost	At cost
Cremation Vault	At cost	At cost	At cost	At cost
<u>SUNDRY</u>				
Transfer of Right of Interment	26.00	26.50	27.05	27.60
Cancellation of Right of Interment	26.00	26.50	27.05	27.60

TAXES

Provincial and Federal Taxes as legislated

THE CORPORATION OF THE CITY OF ENDERBY

MEMO

To: Mayor and Council
From: Tate Bengtson, CAO
Date: September 30, 2014
Subject: Foster Wedding Reception Request

RECOMMENDATION OPTIONS

THAT Council approves Tia Foster's request to grant a Special Occasion Liquor License exemption and not enforce the Noise Regulations of the Good Neighbour Bylaw until after 1:00am on September 6, 2015.

OR

THAT Council not approve Tia Foster's request to grant a Special Occasion Liquor License exemption and not enforce the Noise Regulations of the Good Neighbour Bylaw on September 5-6, 2015.

OR

THAT Council provides additional direction to staff.

BACKGROUND

Tia Foster has submitted correspondence (attached) requesting that Council grant her wedding reception, scheduled for September 5, 2015, a Special Occasion Liquor License exemption to permit alcohol to be served to 1:00am. Pursuant to the Special Occasion License Exemptions Policy adopted by Council on December 17, 2012, this exemption must be approved by Council. A copy of the policy is attached for reference.

Ms. Foster further requested that Council exempt her from Part III – Noise Regulations of the Good Neighbour Bylaw until 1:00am. Should Council support such a request, the City would not exercise its enforcement capabilities with respect to the bylaw.

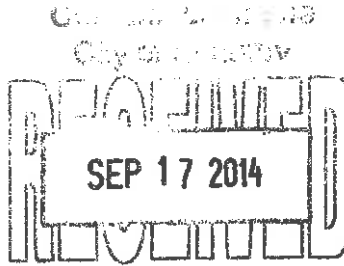
Staff note that noise associated with two of the Special Occasion Liquor License exemptions granted this summer generated complaints from two individuals within the community.

Respectfully submitted,



Tate Bengtson
Chief Administrative Officer

City of Enderby
619 Cliff Ave
P.O. Box 400
Enderby, B.C. V0E 1V0



Hello City of Enderby,

My fiancée and I grew up in Enderby and still have both our families residing in our hometown. We were lucky enough to be brought up there and attend both M.V. Beattie Elementary and A.L Fortune Secondary schools together. We are hoping to share our special day with our loved ones in the place our love first grew on September 5, 2015. The ceremony would be at 117 Riverdale Drive and the reception at the Lion's Gazebo. We have come to recognize and understand that there are noise bylaws and liquor license restrictions and I am writing you today to request a time extension and a bylaw exemption. We understand there are residents and campers nearby therefore being responsible adults we would have everything shut down at 1:00am September 6, 2015. We want to share the biggest day of our lives with the ones we love in the place our love started. Please consider this request with the warmest of hearts.

Cheers

Tia Foster
607 Lefevere Ave
Kelowna, B.C. V1W 5G7
778-363-6095

Policy Title	Special Occasion License Exemptions
Policy Number	

Effective Date	Adopted by	Replaces
December 17, 2012	Council	N/A

PURPOSE: To provide guidance to staff for Special Occasion License exemptions.

POLICY: Council authorizes the Chief Administrative Officer, Chief Financial Officer, or designate to grant Special Occasion License exemptions subject to the following conditions:

1. Delegation to staff shall only apply to Special Occasion License exemption requests for events ending by 12am;
2. For events ending after 12am, the exemption must be approved by Council;
3. All Special Occasion License exemption requests pertaining to the sale of hard liquor at a public special event must be approved by Council; and
4. An applicant may appeal an exemption request that was denied by staff or designate by making a written request to the Corporate Officer that Council reconsider it at its next regular meeting.

Agenda

THE CORPORATION OF THE CITY OF ENDERBY

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Assistant Corporate Officer and Planning Assistant
Date: September 29, 2014
Subject: Digital Billboard Sponsorship Application - Enderby Artists' Initiative

RECOMMENDATION

THAT Council considers a digital billboard sponsorship exemption for the Enderby Artists' Initiative;
AND THAT Council considers the Enderby Artists' Initiative's sponsorship application valued at \$2,100 in-kind.

BACKGROUND

The Enderby Artists' Initiative has submitted a Digital Billboard Sponsorship Application and are requesting an in-kind sponsorship valued at \$2,100 (3 weeks of advertising) for messaging related to the various exhibitions that they offer, such as the Little Treasures Christmas Exhibition.

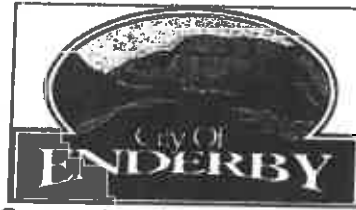
As per the Digital Billboard Policy, community groups or associations which are not registered not-for-profit organizations or charities may only receive a sponsorship when granted an exemption from Council; as the Enderby Artists' Initiative is not a registered not-for-profit organization or charity, it is requesting an exemption from Council.

Respectfully Submitted,



Kurt Inglis, Assistant Corporate Officer and Planning Assistant

619 Cliff Avenue
P. O. Box 400
Enderby, B. C. V0E 1V0



The Corporation of the City of Enderby
Top of the Okanagan

Tel: (250) 838-7230
Fax: (250) 838-6007
Website: www.cityofenderby.com

Digital Billboard Sponsorship Application

Please Note: This form must be submitted at least 60 days prior to the requested start date of initial messaging.

Name of Organization/Society: Enderby Artists' Initiative

Name of Applicant: Tatianna O'Donnell for Courtyard Gallery

Phone Number: 250-832-8898

Email: tatianna@tatiannaodonnell.com

Nature of Messaging: Little Treasures Christmas Exhibition Notice
(community events, programming, & various other exhibitions
announcements, etc.)

Annual Sponsorship Needs: Perhaps 4, maybe 5 times a year, usually for
anywhere from 2 - 7 days

Requested Value of Sponsorship: \$ 2100

(NOTE: Each message will be displayed for a minimum of one week, which may be non-consecutive days, to a maximum of three weeks. One week of messaging = \$700 in-kind value.)

Tatianna O'Donnell

Signature of Applicant

September 23, 2014

Date

Agenda

THE CORPORATION OF THE CITY OF ENDERBY

MEMO

To: Tate Bengtson, Chief Administrative Officer
From: Kurt Inglis, Assistant Corporate Officer and Planning Assistant
Date: September 29, 2014
Subject: Digital Billboard Sponsorship Application - Enderby Library Friends

RECOMMENDATION

THAT Council considers a digital billboard sponsorship exemption for Enderby Library Friends;
AND THAT Council considers Enderby Library Friend's sponsorship application valued at \$700 in-kind.

BACKGROUND

Enderby Library Friends, a group of local volunteers who help to raise money for the Enderby Branch of the Okanagan Regional Library, has submitted a Digital Billboard Sponsorship Application and are requesting an in-kind sponsorship valued at \$700 (1 week of advertising) for messaging related to their annual Elf Book Sale event. Funds raised from this event go towards sponsoring programming and purchasing 'wish list' items for the Enderby Branch of the Okanagan Regional Library which in the past has included a mural and a baby change table.

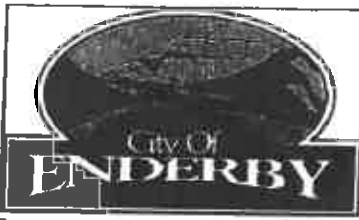
As per the Digital Billboard Policy, community groups or associations which are not registered not-for-profit organizations or charities may only receive a sponsorship when granted an exemption from Council; as Enderby Library Friends is not a registered not-for-profit organization or charity, it is requesting an exemption from Council.

Respectfully Submitted,



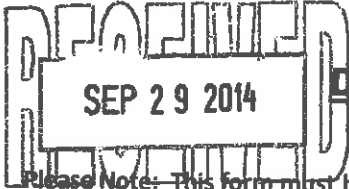
Kurt Inglis, Assistant Corporate Officer and Planning Assistant

619 Cliff Avenue
Corporation of the
Enderby, B.C. V0E 1V0
City of Enderby



The Corporation of the City of Enderby
Top of the Okanagan

Tel: (250) 838-7230
Fax: (250) 838-6007
Website: www.cityofenderby.com



Digital Billboard Sponsorship Application

Please Note: This form must be submitted at least 60 days prior to the requested start date of initial messaging.

Name of Organization/Society:

ENDERBY LIBRARY FRIENDS

Name of Applicant:

HEATHER FREIBOTH

Phone Number:

250-8387080

Email:

~~oldsherd~~ old-nurse@shaw.ca

Nature of Messaging:

(community events, programming,
announcements, etc.)

- community event
- annual book sale
to raise funds for
library programs and wish
list

Annual Sponsorship Needs:

Annual sale - dates
would change.

Requested Value of Sponsorship:

\$ 700

(NOTE: Each message will be displayed for a minimum of one week, which may be non-consecutive days, to a maximum of three weeks. One week of messaging = \$700 in-kind value.)

Heather Freiboth
Signature of Applicant

Oct. 29/14
Date

THE CORPORATION OF THE CITY OF ENDERBY

MEMO

To: Tate Bengtson, CAO
From: Jennifer Bellamy, CFO
Date: September 29, 2014
Re: Metered Water Rates - General Information & Mock Billing Statistics

Recommendation:

THAT Council receives this memorandum for information.

Background/Discussion:

Before the metered water rates are implemented in 2015, a year of mock billings are provided to show residents their water consumption so they can adjust their consumption habits and fix any leaks prior to the rates coming into effect. Customers will be receiving three mock bills for 2014. Two of the three mock bills have already been sent out. This memo is to provide Council with general information about the water rate structure and an update on actual consumption during the two mock billing periods compared to estimates.

Metered Water Rates - General Information

- The installation of water meters and implementation of metered water rates is a key component to reducing water usage by 25% as identified in the City's Water Conservation Plan. The water metering program will help defer major capital upgrades, reduce treatment costs, and provide equitable billing to customers.
- Metered water rates provide equitable billing. Under the City's current flat rate, those who use less water are subsidizing those who use more. The metered rates allow those who use less water to pay less than those who use more.
- The average single family residence in Enderby uses 195 m³ of water annually. This average was based on a sample of the annual usage of 115 residences. Consumption is normally reduced by 10-50% per customer once metered rates are implemented. Using a 20% reduction estimate, usage is expected to be at 160 m³ (rounded from 156 m³) once the metered rates take effect.
- The 160 m³ consumption base has been divided into three billing periods at a rate of \$1.51 per m³. A higher allocation has been provided during the summer months to allow residents to water lawns and gardens at a reasonable rate. Below is the allocation:

January - April	40 m ³ @ \$1.51 / m ³	\$ 60.40
May - August	80 m ³ @ \$1.51 / m ³	120.80
September - December	40 m ³ @ \$1.51 / m ³	<u>60.40</u>
Total average annual charge		\$ 241.60

- If the metered rates were already implemented, the average annual charge for 2014 would be \$241.60. This is comparable to the \$242.20 2014 flat rate for a single family home.
- A minimum charge of \$30.00 applies to each billing period. This amount was set to help cover the costs of making the water available and help ensure that the City collects enough revenue to cover the fixed costs of operating the water system.
- The metered water fees will be billed on a separate utility bill and the water user flat fee on the property tax notice will be eliminated.
- Under the current flat rates, properties with pools are charged an extra \$81.10 annually. The average sized pool takes 45 m³ to fill which would cost a resident \$83.40 under the proposed metered rates. This amount is calculated at the \$1.82 / m³ rate assuming the home would also be using the initial 80 m³ at \$1.51 / m³.

Mock Billing Statistics

By providing a mock billing period, the City can see where consumption actually is for evaluating the proposed rates. The City must be able to collect enough fees to cover its fixed costs and the challenge is to come up with a rate that anticipates consumption relative to revenue needs.

January - April

For single family residences (not including strata units or other multi-family homes) the average consumption was 54 m³ of which 62.8% of single family residences used this amount or lower. Of the 160 m³ base, 40 m³ was allocated to this period under the \$1.51 rate. Using the 20% reduction estimate, actual consumption is estimated to be at 43 m³ once the rates are fully implemented which is approximate to the 40 m³ estimate. There were also 86 properties with continuous leaks during this period which would bring this average down once the leaks are repaired.

May - August

For single family residences (not including strata units or other multi-family homes) the average consumption was 110 m³ of which 63.5% of single family residences used this amount or lower. Of the 160 m³ base, 80 m³ was allocated to this period under the \$1.51 rate. Using the 20% reduction estimate, actual consumption is estimated to be at 88 m³ once the rates are fully implemented which is approximate to the 80 m³ estimate. There were also 82 properties with continuous leaks during this period which would bring this average down once the leaks are repaired.

The average usage for both of these periods is where the City expected the usage to be. Usage will be higher during the mock billing periods as residents normally start reducing their usage during this period and fix any leaks that they might have.

Also attached is a chart showing the residential consumption for the May to August billing period.

Feedback

After the first mock bill was sent out, most of the comments/questions received were regarding general information about the metering program and rates.

After the second mock billing, most of the comments/questions received came from the top 4% of residential water users (300 m³ and higher).

Those who have contacted the City regarding their high water usage, have been encouraged to fix any leaks and to read their meter in order to monitor their water consumption. This way users can see how much water they used in a smaller time period and can note what they used the water for.


Below are the instructions on how users can read their own water meter.

1. Shine a flashlight over the flashlight icon (located on the register) to turn the LCD display on.
2. A reading is displayed on the LCD display in cubic meters. The last four digits are decimal points.
3. Take a reading at a set time of the day.
4. Take a second reading at the same time the next day.
5. The difference between the two readings is the daily water consumption.

Next Steps

Staff will be bringing forward a memo at the October 20, 2014 Council meeting which will look at the current rate structure and provide Council with options for how the rates may be adjusted for 2015.

Respectfully submitted,


Jennifer Bellamy
Chief Financial Officer

May - Aug Residential Consumption

