

**THE CORPORATION OF THE VILLAGE OF SLOCAN
ZONING BYLAW No. 633, 2013**

(Consolidated for convenience only - Updated December 12, 2018)

WHEREAS the Council of the Village of Slocan wishes to adopt a new Zoning Bylaw pursuant to the Local Government Act, and

WHEREAS the Council of the Village of Slocan has held a Public Hearing pursuant to Section 890 of the Local Government Act;

NOW THEREFORE the Council of the Village of Slocan in open meeting assembled hereby ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "**VILLAGE OF SLOCAN ZONING BYLAW No. 633, 2013.**"
2. The following schedules attached hereto are hereby made part of this bylaw and adopted as the Zoning Bylaw for the Village of Slocan:
 - (a) Schedule A – Zoning Text
 - (b) Schedule B – Zoning Map
3. The Bylaw cited as the "Village of Slocan Land Use Bylaw No. 393, 1988" is hereby repealed and for certainty, such repeal shall for all purposes include all schedules thereto and each and every amendment of such Bylaw.

READ A FIRST TIME this 8th day of July, 2013

READ A SECOND TIME this 8th day of July, 2013

PUBLIC HEARING this 9th day of September, 2013

APPROVED PURSUANT TO THE TRANSPORTATION ACT this 24th day of September, 2013

Rajeeta Bains, Approving Officer, Ministry of Transportation and Infrastructure

READ A THIRD TIME this 15th day of October, 2013

ADOPTED 15th day of October, 2013.

Madeleine Perriere

Mayor

Jack Richardson

Chief Administrative Officer

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SCHEDULE A: ZONING TEXT

PART 1 - TITLE

1.1 Title

This bylaw may be cited as "The Village of Slocan Zoning Bylaw No. 633, 2013".

PART 2 - DEFINITIONS

In this bylaw, unless the context otherwise requires:

Accessory Buildings and Structures means one or more buildings or structures on the same lot or site, with and of a nature customarily incidental and subordinate to, the principal use, building or structure but does not include an Accessory Residential Unit;

Accessory Residential Unit means a dwelling unit that is incidental and subordinate to the principal use or building on a lot or site, and that meets the requirements set out in section 4.18 and shall not be a tent, trailer, motor home or other recreational vehicle;

Accessory Retail and Wholesale means the sale of goods to customers or to the general public as incidental to the permitted principal industrial use located on the same site;

Amenity Area means a part of a multi-family residential building, development or lot intended for the recreational use of the occupants, including but not limited to a private balcony, patio, garden area, roof-top garden, common area recreation room, or open space with natural or introduced vegetation with a grade of not more than 25%, but does not include any area occupied by an entrance hallway, driveway or parking area;

Assembly Hall means any building which is used by the public for the purpose of assembly, instruction, culture or enlightenment, or for a communal activity and includes a place of worship, community hall, library, museum, or fraternal lodge, but does not include a school or arena;

Bed and Breakfast Accommodation means tourist accommodation provided within a residential dwelling unit that meets the requirements in section 4.16;

Building means any structure used or intended for supporting or sheltering any use or occupancy;

Building Supply Shop means a retail business that specializes in materials for the construction industry including plumbing and heating materials;

Business, Professional, Administration Office means a place of business where the principal function is intellectual activity and skill usage other than assembly, manufacturing, repairing or servicing of goods and does include a medical and dental office;

Campground means a site intended for the temporary accommodation of travellers for vacation or recreational purposes in recreational vehicles or tents which are not occupied as principal residences, but not mobile homes, and may include one or more accessory uses limited to servicing the occupants of the campground such as laundry facility, washroom and shower facilities, convenience store, restaurant, office and recreational facilities;

Commercial Storage, Warehouse means the use or intended use of land, buildings or structures for the purpose of receiving and storage of goods for compensation, and includes the storage of goods by a distributor or supplier who markets goods for retail sale at other locations, but excludes retail sales from the lot;

Contractor Office, Shop, Yard means an office, shop or yard use directly related to the creation, manufacturing, repairing, servicing or storage of a product created, repaired, serviced, manufactured or stored on the same site;

Community Care, Social Care Facility means a facility licensed by the Provincial government as a community care facility or social care facility or like establishments not licensed Provincially and may also refer to a personal care home or a senior home;

Community Gardens means a garden in which allotments or shared plots are available to members of the public, for a fee or in-kind, and which supports demonstration gardening, instructional programming, and the production of produce for the personal use of the members or community use;

Council means the Council of The Corporation of the Village of Slocan;

Day Care Facility means a facility licensed pursuant to the *Community Care and Assisted Living Act* in which care, supervision or any form of educational or social training not provided under the *School Act* is provided for any portion of the day to three or more children under six years of age not forming part of the operator's family;

Dwelling Unit means one or more rooms with self-contained sleeping, living, eating, cooking and sanitary facilities used or intended for use as a residence by one or more persons;

Entertainment Facility means a building, structure or lot used or intended to be used for any one or more of a nightclub, cinema, theatre or similar purpose;

Eave means that portion of the roof projecting beyond the outside wall or supports of a structure;

Exterior Side Lot Line means the lot line or lines not being the front or rear lot line, common to the lot and a street;

Family means (a) one or more persons related by blood, marriage, adoption or foster parenthood, occupying one dwelling unit; or (b) not more than five unrelated persons; sharing one dwelling unit;

Fence means any structure or barrier used to enclose, border, divide or screen a lot or site;

Financial Service means an office or business related to the finance industry that provides advice and service to customers and may include a bank, credit union or trust company;

Flood Construction Level means the observed or calculated elevation of a flood having a 200 year recurrence interval plus an additional vertical allowance used to establish the minimum elevation of the underside of a floor system or top of a pad supporting a habitable building;

Floodplain Area means the minimum required distance from the natural boundary 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 erosion;

Floor Area means the total of the space on each floor of a building between exterior walls, including the space occupied by interior, walls and partitions, but not including exits and vertical service spaces that pierce the storey;

Front Lot Line means the lot line common to the lot and an abutting street, or where there is more than one lot line common to abutting streets, the shortest of these lines shall be considered as the front lot line, or in the case of a lot abutting two parallel or approximately parallel streets, the lot lines abutting these two streets shall be considered as front lot lines;

Grocery, Food Service means a retail use devoted to the sale primarily of food products and specifically excludes the principal use of non-food or specialty product sales;

Health, Fitness, Recreation Facility means the use of land, buildings or structures for athletic purpose including gymnasium, indoor or outdoor racquet court, rink, arena, swimming pool, fitness studio, weight room, billiard hall, bowling alley and similar public or private recreational use;

Height means the vertical distance measured from the average finished ground level at the perimeter of the building or structure to the highest point of the structure;

Hotel, Motel, Tourist Accommodation means a building or group of buildings containing one or more sleeping units or dwelling units intended to be a temporary residential unit for tourists or other members of the travelling public, and may include one or more accessory uses such as restaurant, licensed beverage room, banquet hall, ballroom and meeting rooms, and does not include Bed and Breakfast Accommodation or Vacation Rental Unit;

Interior Side Lot Line means the lot line or lines, not being the front or rear lot line; common to more than one lot or to the lot and a lane;

Landscape Screen means a fence, wall, compact hedge or combination thereof, broken only by access drives, walks and lanes, that visually screens the property which it encloses;

Lane means a public way meant for vehicular use not less than 5 metres and not more than 9 metres in width;

Licensed Establishment means an establishment where alcoholic beverages are offered for sale to the public, for consumption within the premises or off the site and include a neighbourhood pub, beverage room, cocktail lounge, cabaret and nightclub.

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

Lot means:

(a) any parcel, block or other area in which land is held or into which it is subdivided, whether under the *Land Title Act* or the *Bare Land Strata Regulation* under the *Strata Property Act* and includes a water lot; and

(b) for purposes of the R-1, R-2 and R-3 zones, includes a lot created by subdivision pursuant to the *Strata Property Act*, other than a subdivision under the *Bare Land Strata Regulation*.

Lot Line means the legal boundary of a lot;

Main Wall means the exterior front, side or rear wall of a building, and all structural members essential to the support of a fully or partially enclosed space or roof;

Marina means the use of land or surface of water for the rental of boats, marine supplies, marine fuel and docking facilities for the use of recreational motorized and non-motorized boats and tour boats;

Mobile Home means a dwelling unit, suitable for year round occupancy, designed to be moved from time to time, which arrives at the site where it is to be occupied complete and ready for occupancy except for placing on foundation supports, connections of utilities, and some incidental assembly, and complies with either the current CAN/CSA Z240 (Mobile Home) or CAN/CSA A277 (Factory Built House) Standards but specifically excludes recreational vehicles;

Multi-Family Residential Building means a building containing three or more residential dwelling units;

Multi-Family Unit means a dwelling unit which is occupied or intended to be occupied as the home or residence of one family and is situated in a multi-family residential building that may include shared entrances, exits and other essential facilities and services and/or dwelling units separated by common party walls each with its own separate entrance and exit with private space at grade level;

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;

Personal Service Establishment means a commercial use primarily providing services for the maintenance of a person or person's apparel and includes a tailor, seamstress, cobbler, photographer, barber, beautician, hairdresser, laundry and dry-cleaning facility.

Principal Building means the building on a lot in which the majority of the floor space is used as a permitted principal use or uses;

Principal Use means a land use activity permitted as a main or primary use in a zone;

Public Utility means a privately owned or publicly owned use providing right-of-way and sites for the essential and emergency servicing of the region where such use is authorized pursuant to legislative authority by a governmental body, and is established and operated by a governmental body, a Crown Corporation or by a company regulated by a government

commission;

Public Administration means a use providing for public functions and includes federal, provincial and municipal office and yard, public hospital, fire hall, medical station, park, playground, cemetery and similar activities;

Rear Lot Line means the lot line opposite to, and most distant from front lot line, or, where the rear portion of the lot is bounded by intersecting side lot lines, the rear lot line shall be deemed to be the point of such intersection;

Recreational Vehicle means any vehicle, trailer, coach, housecar, structure or conveyance designed to travel or to be transported on streets and constructed or equipped to be used as a temporary living or sleeping quarter by the travelling public;

Retail, General Specialty Shop means an establishment selling goods or merchandise to the ultimate consumer, and not for resale purposes

School means (1) a public or secondary school as defined in the School Act; or (2) a private school operated mainly by private funds and offering the same basic curriculum and certificates as a public school;

Secondary Suite means a secondary dwelling that is located within the principal building or single-family dwelling and does not entail alterations of the existing character of the area and must have a separate entrance and separate living, sleeping, sanitary and kitchen facilities from the single family dwelling;

Service Station means land used for the retail sale of motor fuels and lubricants and includes, as accessory uses, automobile diagnostic centres, the servicing and repairing of motor vehicles and the sale of automotive accessories;

Setback means the required minimum distance between a building or structure and a lot line;

Single Detached Accessory Residence means a stand-alone accessory building that contains a residential dwelling unit and is situated on the same site as a single family dwelling and shall not be a trailer, camper, recreational vehicle or similar shelter;

Single Family Dwelling means a building consisting of one dwelling unit which is occupied or intended to be occupied as the residence of one family;

Site means one or more lots containing a principal use;

Site Area means the area of a lot or lots sufficient to satisfy the minimum area provisions for a specific zone in this bylaw;

Site Coverage means the total horizontal area of all buildings or parts thereof, as measured from the outermost perimeter of all buildings and structures on the lot, and expressed as a percentage of the total area of the lot, and includes the area covered by carports, verandas, sundecks, and balconies but excludes the area covered by steps, eaves, and patios at grade;

Sleeping Unit means a room or suite used by tourists or the travelling public for sleeping, which may include sanitary facilities but does not contain cooking facilities.

Small Car Parking Space means a parking space that has a minimum width of 2.4 metres and a minimum length of 4.6 metres.

Street means any highway, road, boulevard, square or other improved thoroughfare more than nine metres in width, which has been dedicated or deeded for public use, and is accessible to fire department vehicles and equipment;

Structure means anything constructed, placed, erected or sunk on or into land, or supported by land, excluding any fence, landscape screen, or concrete or asphalt paving or similar surfacing.

Two Family Dwelling means a building divided into two dwelling units each of which is occupied or intended to be occupied as the residence of one family;

Unattended Public Utility Building or Structure means a building or structure containing unattended equipment necessary for the operation of a community water, sewer or gas distribution system; a radio or television antenna; a telecommunication relay station; an automatic telephone exchange; a navigational aid; an electrical substation or generating station; or other similar facility or utility;

Use or Used means the purpose for which land, a building or structure is intended, designed or arranged or for which it is occupied or maintained;

Vacation Rental Unit means a single family dwelling or a detached accessory residence used for the purpose of tourist accommodation and intended to be a temporary residential unit for tourists or other members of the travelling public;

Watercourse means any natural or man-made depression with well defined banks and a bed 0.6 metre or more below the surrounding land serving to give direction to a current of water at least six months of the year or having a drainage area of 2 square kilometres or more upstream of the point of consideration

PART 3 - ADMINISTRATION

3.1 Application

- (1) This Bylaw applies to all areas within the boundaries of the Village of Slocan. The location of the zones established in this Bylaw is shown on “Schedule B – Zoning Map”, which is attached to, and forms part of, this Bylaw.

3.2 General Compliance

- (1) Land, air space, surface of water bodies, buildings and structures in the Village of Slocan shall not be constructed, altered, located, or used except as expressly permitted in this bylaw.
- (2) Any use not expressly permitted in this Bylaw is prohibited in every zone and where a particular use is expressly permitted in one zone, such use is prohibited in every zone where it is not also expressly permitted.

3.3 Effective Date

- (1) This Bylaw will come into effect on the date of adoption thereof by the Council of the Village of Slocan.

3.4 Units of Measure

- (1) All units of measure contained within this Bylaw are metric standards.

3.5 Administration of Bylaw

- (1) Employees and Officers of the Corporation of the Village of Slocan are hereby appointed to administer this Bylaw, and may enter onto any property for the purpose of inspecting and determining whether the regulations and requirement of this Bylaw are being met, in accordance with section 16 of the *Community Charter* and any other applicable legislation.

3.6 Violation

- (1) No person may permit a building or structure to be constructed, reconstructed, altered, moved, extended or used, or land to be used, in contravention of this bylaw.
- (2) Any person who violates any provision of this bylaw, or who suffers or permits any act in contravention of this bylaw, or who neglects to do or refrains from doing any act or thing to be done or thing which is required to be done by any provision of this bylaw, commits an offence against this bylaw and is liable to the penalties imposed under this bylaw.

3.7 Penalty

- (1) Any person who contravenes any provision of this bylaw commits an offence punishable upon summary conviction and is liable to a penalty not exceeding TEN THOUSAND DOLLARS (\$10,000.00) plus the costs of prosecution.

3.8 Severability

- (1) If any portion of this bylaw is held to be invalid by a court of competent jurisdiction, the validity of the remaining portions of this bylaw shall not be affected.

3.9 Bylaw Amendment Procedure

- (1) This bylaw may be amended by the Village of Slocan on its own initiative or in response to an application for amendment.
- (2) Applications for an amendment to this bylaw may be made pursuant to all applicable requirements of the *Local Government Act*.
- (3) Any person applying to have any provision of this bylaw amended shall apply in writing to the Administrator of the Village of Slocan describing the proposed change and furnishing reasons in support of the application.

3.10 Compliance with Other Legislation

- (1) In addition to this Bylaw, a person is responsible to ascertain and comply with the requirements of all other applicable Village Bylaws, Provincial and Federal statutes and regulations, including the BC Building Code and the BC Health Act.
- (2) Without limiting the generality of subsection (1) above, the provisions of Development Permit Areas included within the Corporation of the Village of Slocan Official Community Plan apply in addition to the regulations in this Bylaw.

PART 4 - GENERAL REGULATIONS

4.1 Applicability of General Regulations

- (1) The provisions of Part 4 apply to all zones established under this Bylaw.

4.2 Purpose

- (1) This Bylaw is to provide a clear and efficient system of land use regulation for the establishment of orderly, economic and environmentally sensitive development within the Village of Slocan and in accordance with the *Village of Slocan Official Community Plan*.

4.3 Minimum Site Area and Frontage

- (1) The minimum site area or frontage requirements of this Bylaw shall not apply to any lot which has an area or frontage less than that required by this Bylaw if such a lot was described on the official records on file in the Land Title Office on or before the effective date of this Bylaw.
- (2) The minimum site area for any use is subject to compliance with the requirements of the *British Columbia Health Act* for sewage disposal and the *British Columbia Building Code*.
- (3) The frontage of a lot on any street shall not be less than one-tenth of the perimeter of the lot.

4.4 Lot Consolidation

- (1) If proposed construction of a building, structure or addition will straddle two or more lots, the separate lots must be consolidated to form one parcel with a single Certificate of Indefeasible Title.

4.5 Siting and Setback Exceptions

- (1) Where chimneys, eaves, uncovered steps or similar building features project beyond the main wall of a building or structure; the minimum distance to an adjacent lot line as prescribed in the applicable zone may be reduced by not more than 0.6 metres, to accommodate the building feature.
- (2) Uncovered steps, solar collectors, free standing lighting poles, or a maximum of three (3) satellite receiving dishes may be sited on any portion of a lot.
- (3) In no case shall a building, structure or building feature project over a lot line.

4.6 Accessory Buildings and Structures

- (1) A principal building is deemed to include any building or structure attached to it that would, but for such attachment, be considered an accessory building or structure under this bylaw.

- (2) An accessory building or structure must not be erected on any lot unless the principal building, to which the accessory building or structure is an accessory use, has been erected or is in the process of being erected.
- (3) No accessory building or structure, including without limitation a garage, shed or shipping container, shall be used for human habitation.

4.7 Storage

- (1) Unless specifically permitted in this Bylaw, no lot in any zone shall be used for the wrecking, salvage or outdoor storage of junk or derelict automobiles, or the outdoor storage of more than one vehicle that has not been licensed for a period of one year.

4.8 Shipping Containers

A shipping container shall be permitted as an accessory structure subject to the requirements that:

- (1) The maximum number of shipping containers for storage or other accessory use permitted on a lot at any one time shall be limited to:
 - (a) Zero for lots zoned R-1, R-2, R-3, C-2 and P-1;
 - (b) One for lots zoned C-1, M-1 and M-2.
- (2) Any shipping container placed on a lot as an accessory structure must comply with site coverage, siting, size and setback requirements for that zone.
- (3) Any shipping container used as an accessory structure must be screened from view from the roadway(s) and adjacent residential properties using a landscape screen of a height not less than 2.0 metres.
- (4) The use of a shipping container for human habitation is prohibited.

4.9 Height Regulations

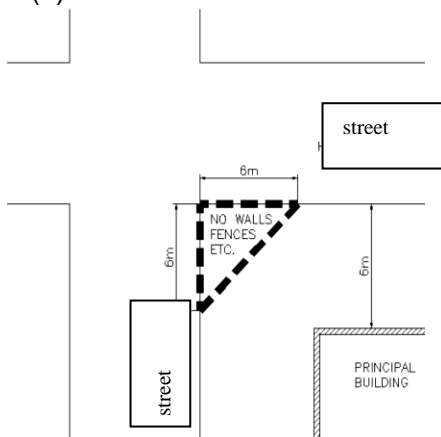
- (1) Unless specifically otherwise provided in this bylaw, the maximum height of a principal building shall be 10 meters.
- (2) Unless specifically otherwise provided in this bylaw, the maximum height of an accessory building or structure in any zone shall be 4.5 metres.
- (3) Any of the following may exceed the height limitations specified for each zone of this Bylaw provided that the lot coverage of such structure or feature does not exceed 1% or, if located on a building, the structure does not occupy more than 10% of the roof area of that building:
 - a) Chimney;
 - b) Church spire, belfry, dome;
 - c) Elevator shaft
 - d) Flag pole;
 - e) Hose and fire alarm tower;
 - f) Lighting pole;
 - g) Monument;

- h) Receiving or transmission antenna,
- i) Rooftop mechanical appurtenance;
- j) Solar collectors;
- k) Scenery Loft;
- l) Stairs;
- m) Stadium bleacher;
- n) Tower.

4.10 Clear Vision Area

(1) In the case of a parcel abutting a street intersection no structure or vegetation exceeding 0.9 m in height shall be permitted within the sight triangle formed by the intersection of the lot lines at the corner and a line joining points along the lot lines a distance of 6.0m from their points of intersection.

(2) Illustration of Restrictions of Corner Lots Sight Triangle:



4.11 Fences and Landscape Screens

- (1) Landscape screens or fences may be sited on any portion of a lot.
- (2) Landscape screens or fences shall not exceed a height of 2.0 metres within the R-1, R-2, R-3 and C-2 zones.
- (3) In the M-1, M-2 and C-1 zones, all shipping containers, outdoor industrial activity and outdoor industrial storage areas shall be enclosed by a landscape screen or tight board fence with a height not less than 2.0 metres.

4.12 Uses Permitted in All Zones

- (1) The following uses shall be permitted in any zone:
 - a) Bicycle parking areas;
 - b) Community Gardens;
 - c) Parks, Playgrounds and Trails;
 - d) Unattended Public Utility Buildings and Structures

- e) Public Highways
- f) Underground Utilities
- g) Water Supply Facilities.

4.13 Temporary Buildings or Structures

- (1) Temporary buildings or structures that are erected for the purpose of providing temporary office space, shelter and accommodation for construction crews or for the storage of materials, and that are incidental to the erection, maintenance, alteration or construction of any essential utility service, building or structure, for which a required building permit has been obtained, are permitted in all zones, provided that the temporary building or structure is removed within 30 days of project completion or within one year following the erection of the temporary building or structure, whichever is the lesser period.

4.14 Temporary Residential Use

- (1) Unless specifically permitted in this Bylaw, the use of any lot for camping or campground purposes is prohibited.
- (2) Notwithstanding subsection (1), temporary campground use by not more than one trailer, camper, tent, recreation vehicle or similar shelter, but not a mobile home, is permitted on any lot for a period not to exceed 14 consecutive days
- (3) At the conclusion or any temporary residential campground use permitted under subsection (2), no camping or campground use is permitted on the same lot for the following five days.
- (4) The use of a tent, trailer, motor home or other recreational vehicle as a permanent residence is prohibited.

4.15 Home Based Business

- (1) A home based business, where permitted, is subject to the requirements that:
 - a) the activity shall be conducted in a dwelling unit or accessory building;
 - b) the floor area devoted to the home based business shall not exceed fifty per cent of the floor area of the dwelling unit;
 - c) no more than one person who is not a resident of the dwelling may be employed in the home based business;
 - d) no change shall be made in the external appearance of the building to indicate that a home based business is being conducted therein; except for one non-illuminated sign not larger than 0.1 square metre;
 - e) no commodities may be offered for sale except those produced on the premises;
 - f) there shall be no external storage or outdoor display of materials, equipment or finished products;
 - g) there shall be no noise, traffic, vibration, smoke, odour, glare or electrical interference other than that normally associated with a dwelling; and
 - h) off-street parking shall be provided in accordance with regulations in this bylaw and shall be in addition to those units provided for the principal dwelling.

4.16 Bed and Breakfast Accommodation

- (1) Bed and breakfast accommodation, where permitted, is subject to the requirements that:
 - a) the owner of the bed and breakfast accommodation resides in the dwelling;
 - b) the bed and breakfast accommodation shall be confined to the principal building;
 - c) no more than one person who is not a resident of the dwelling shall be employed in the business;
 - d) no more than two sleeping units may be used for bed and breakfast accommodation in a dwelling;
 - e) no change shall be made in the external appearance of the building to indicate a bed and breakfast operation is being conducted therein; except for one non-illuminated sign not larger than 0.1 square metre; and
 - f) off-street parking shall be provided in conjunction with regulations in this bylaw and shall be in addition to those units provided for the principal dwelling.

4.17 Vacation Rental Unit

- (1) One vacation rental unit is permitted per parcel in the R-1, R-2 and R-3 Zones provided that:
 - a) no structural alterations or additions are made to a dwelling to facilitate a vacation rental, that alters the existing residential character and form of the immediate neighbourhood;
 - b) there is no exterior signage advertising the vacation rental;
 - c) the owner shall ensure that vacation renters do not create any form of nuisance for surrounding residents, including but not limited to, noise, light or traffic that is disruptive to the surrounding residents' enjoyment of their property;
 - d) a maximum of two (2) persons per sleeping unit and a maximum of five (5) persons total is permitted per vacation rental unit.

4.18 Accessory Residential (Amendment Bylaw No. 667, 2018)

- (1) An accessory residential unit, where permitted within this Bylaw, shall be subject to the following conditions:
 - a) In the C-1, M-2, and P-1 Zones, a maximum of one (1) accessory residential unit permitted per site;
 - b) An accessory residential unit must have a separate entrance and separate living, sleeping, sanitary and kitchen facilities from the principal use;
 - c) The minimum width of an accessory residential unit shall be 5.5 metres, and the minimum depth of an accessory residential unit shall be 5.5 metres;
 - d) An accessory residential unit shall be located in the same building above or behind the principal use and shall have a separate entrance from the outside; and
 - e) In the Core Commercial C-2 Zone, a maximum of two (2) accessory residential units permitted per 13,200 ft² (1,226m²) minimum build site.

4.19 Secondary Suite or Single Detached Accessory Residence

- (1) Subject to compliance with requirements of the BC Health Act for sewage disposal and the BC Building Code, one secondary suite or one single detached accessory residence, is permitted as an accessory use to a single family dwelling.
- (2) No more than one secondary suite will be permitted per principal dwelling unit and is permitted within the principal dwelling unit only.

- (3) No secondary suite or single detached accessory residence shall be allowed without connections to septic or sanitary sewer system.
- (4) The maximum floor area of a secondary suite must not exceed the lesser of 90 m² or 40% of the total floor area of the principal dwelling.
- (5) Nothing in this bylaw shall relieve the owner or occupier of a secondary suite or single detached accessory residence from compliance with all applicable bylaws of the Village of Slokan or the *British Columbia Building Code*.
- (6) A secondary suite must not be strata titled.

4.20 Flood Hazard Regulations

- (1) Those areas identified as “floodplain” and “non-standard flood and erosional areas” on Schedule ‘D’ Hazards and Development Permit Area in the *Village of Slokan Official Community Plan Bylaw No. 616, 2011*, as amended from time to time, are hereby designated flood plains pursuant to section 910(1.1) of the *Local Government Act*.
- (2) For land in a flood plain, the setback of any landfill or structural support required to elevate a floor system or pad above the flood level is:
 - a) 15.0 metres from the natural boundary, in the case of a lake; and
 - b) 30.0 metres from the natural boundary in the case of any watercourse or any other body of water.
- (3) For land in a flood plain, the flood level is the greater or the following:
 - a) The observed or calculated elevation of a flood having a 200 year recurrence interval;
 - b) 3.0 metres above the elevation of the natural boundary of the lake, watercourse or other body of water.

4.21 Off-Street Parking

- (1) Parking Standards: off-street parking spaces for each building and use shall be provided in accordance with the following:
 - a) Each required off-street parking space shall have convenient vehicular access to a street or lane. (Amendment Bylaw 657, 2017)
 - b) Required off-street parking for residential uses, Hotel, Motel and Tourist Accommodation, Vacation Rental Units and Bed and Breakfast Accommodation shall be on the same site.
 - c) Required off-street parking for uses other than those described in subsection (1)(b) shall be on the same site as the use, except that the required off-street parking may be located on a lot that does not form part of the site, provided that the off-street parking is within 200 metres of the site, and provided that the owner of the lot on which the off-street parking is located grants to the Village of Slokan and registers against title to the lot a covenant under section 219 of the *Land Title Act* requiring that the lot be used to provide the required number of parking spaces for the use which requires the parking, such covenant to be registered in priority over all charges and encumbrances of a financial nature.
 - d) Required off-street parking for Core Commercial properties with a maximum site area of 614 square meters, other than those described in subsection (1)(c), may use street frontage, provided that the frontage street is not less than 30.5 meters

in width. (Amendment Bylaw 657, 2017)

- e) Required off-street parking areas accommodating three or more vehicles shall have a surface which is continually dust free and shall have individual parking spaces, manoeuvring aisles, entrances, and exits clearly marked.
 - f) All parking spaces shall have a clear length of not less than 5.8 metres, a clear width of not less than 2.6 metres and a clear height of not less than 2.2 metres.
 - g) Where more than eight off-street parking spaces are required for a site, not more than 25% of the parking spaces may be small car parking spaces.
 - h) Where parking spaces for persons with disabilities are required pursuant to the *British Columbia Building Code*, such spaces must be clearly identified as being for use only by disabled persons.
- (2) Off street parking spaces may be equipped with electric vehicle charging equipment.
- (3) In addition to off street parking spaces, bicycle storage and bicycle parking may be installed on or off site.
- (4) Parking Requirements: off-street parking spaces for each building and use shall be provided in accordance with the following table and in the case when the calculation for required parking results in a fraction, the required number of parking spaces shall be rounded to the next whole number:

Category	Permitted Use	Number of Parking space
Residential	Single Family; Two Family; Vacation Rental Unit	2 per dwelling unit
	Single Detached Accessory Residence Mobile Home Accessory Residential Secondary Suite	1 per dwelling unit
	Multi-family residential building	1.5 per dwelling unit
	Home Based Business	2 for business
	Bed and Breakfast	1 per sleeping unit
Commercial	All Commercial Zone uses, except those uses listed separately	1 per 30 m ² floor area.
	Office, retail, financial services	1 per 30 m ² floor area.
	Hotel, motel, tourist accommodation	1 per sleeping unit or dwelling unit in addition to parking required for accessory uses.
	Restaurant, coffee shop Licensed establishment	1 per 4 seats
	Health, fitness, recreation facility	1 per 4 users based on maximum capacity
	All Industrial Zone uses, except those uses listed separately	2 spaces plus 1 per 50 m ² floor area
Industrial	commercial storage, warehouse,	1 per 200 m ² floor area
	Accessory retail and wholesale	2 spaces in addition to parking provided for principal use
Other	Day Care Facility	1 per facility
	Assembly Hall	1 per 4 seats
	Public Administration,	1 per 35 m ² floor area
	Community care Social Care Hospital	1 per 4 beds/dwelling units
	Campground	2 spaces + 1 per camp site.
	Marina, dock, boat launching ramp	1 per 2 boat spaces
	School	1 space per 10 students

4.22 Off Street Loading Requirements

- (1) One off-street loading space shall be provided in the C-1, C-2, M-1 and M-2 Zones for every 300 square metres of floor area.
- (2) Each loading space shall have a minimum length of 12 metres, a minimum width of 3.5 metres and a minimum height of 4 metres.
- (3) Each loading space shall have convenient vehicular access to a street or lane by means other than through an area designated for off-street parking.

4.23 Active Transportation

- (1) Bicycle Racks in All Zones may be provided for the use of customers, residents and employees in convenient and readily accessible places.

PART 5 – ESTABLISHMENT OF ZONES

5.1 Zone Designations

- (1) For the purpose of this bylaw, the Village of Slocan is divided into the following zones:

R-1	Single and Two Family Residential
R-2	Special Residential
R-3	Multi-Family Residential
C-1	Highway Commercial
C-2	Core Commercial
M-1	Mill Industrial
M-2	Light Industrial
P-1	Parks, Open Space and Institutional

5.2 Location of Zones

- (1) The extent of each zone is shown on Schedule 'B' Zoning Map, which is incorporated in and forms part of this bylaw.

5.3 Zone Boundaries

- (1) Where a zone boundary is designated as following a road allowance, creek or other body of water, the centre line of the road allowance, creek or body of water shall be the zone boundary.
- (2) Where a zone 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 Schedule 'B' Zoning Map.

5.4 Single and Two Family Residential Zone (R-1)

5.4.1 Permitted Uses

Land, buildings and structures in the Single and Two Family Residential Zone shall be used for the following purposes only:

- (a) One Single Family Dwelling;
- (b) One Two Family Dwelling;
- (c) One Single Detached Accessory Residence;
- (d) Accessory Buildings and Structures;
- (e) Assembly Hall;
- (f) Bed and Breakfast Accommodation;
- (g) Day Care Facility;
- (h) Home Based Business;
- (i) Vacation Rental Unit;

5.4.2 Minimum Site Area

- (a) The site area shall not be less than 550 square metres.

5.4.3 Setbacks

- (a) No principal building shall be located within 4.5 metres of the front, rear or exterior side lot lines or within 1.5 metres of an interior side lot line.
- (b) No accessory building or structure shall be located within 4.5 metres of the front or exterior side lot lines or within 1.5 metres of the rear or interior side lot lines.

5.4.4 Height

- (a) No principal building shall exceed 10 metres in height.
- (b) No accessory building or structure shall exceed 4.5 metres in height.

5.4.5 Site Coverage

- (a) Buildings and structures shall not cover more than 33 per cent of the site in total.

5.4.6 Maximum Density

- (a) The maximum number of dwelling units per site shall be 2 and shall be in any of the following combinations: single family dwelling plus one detached accessory residence; single family dwelling plus one secondary suite; or a two family dwelling.

5.4.7 Width of Buildings

- (a) The minimum width and the minimum depth of a single family dwelling or a two family dwelling shall be 5.5 metres, not including additions, carports, porches or decks.

5.5 Special Residential Zone (R-2)

5.5.1 Permitted Uses

Land, buildings and structures in the Special Residential zone shall be used for the following purposes only:

- (a) Mobile Home;
- (b) Permitted Uses in the Single and Two Family Residential Zone (R-1).

5.5.2 Minimum Site Area

- (a) The site area shall not be less than 550 square metres.

5.5.3 Setbacks

- (a) No principal building shall be located within 4.5 metres of the front, rear or exterior side lot lines or within 1.5 metres of an interior side lot line.
- (b) No accessory building or structure shall be located within 4.5 metres of the front or exterior side lot lines or within 1.5 metres of the rear or interior side lot lines.

5.5.4 Height

- (a) No principal building shall exceed 10 metres in height.
- (b) No accessory buildings or structures shall exceed 4.5 metres in height.

5.5.5 Site Coverage

- (a) Buildings and structures shall not cover more than 33 per cent of the site in total.

5.5.6 Maximum Density

- (a) The maximum number of residential units per site shall be 2 and shall be in any of the following combinations: mobile home plus one detached accessory residence; single family dwelling plus one detached accessory residence; single family dwelling plus one secondary suite; or a two family dwelling.

5.5.7 Width of Buildings

- (a) The minimum width and the minimum depth of a mobile home shall be 4.27 metres, not including additions, carports, porches or decks.
- (b) The minimum width and the minimum depth of a single family dwelling or a two family dwelling shall be 5.5 metres, not including additions, carports, porches or decks.

5.6 Multi-Family Residential Zone (R-3)

5.6.1 Permitted Uses

Land, buildings and structures in the Multi-Family Residential zone shall be used for the following purposes only:

- (a) Multi-Family Residential Building;
- (b) Accessory Buildings and Structures;
- (c) Community Care, Social Care Facility;
- (d) Home Based Business.

5.6.2 Minimum Site Area

- (a) The site area shall not be less than 1,100 square metres.

5.6.3 Setbacks

- (a) No principal building shall be located within 4.5 metres of the front, rear or exterior side lot lines or within 1.5 metres of an interior side lot line.
- (b) No accessory building or structure shall be located within 4.5 metres of the front or exterior side lot lines or within 1.5 metres of the rear or interior side lot lines.

5.6.4 Height

- (a) No principal building shall exceed 10 metres in height.
- (b) No accessory buildings or structures shall exceed 4.5 metres in height.

5.6.5 Site Coverage

- (a) Buildings and structures shall not cover more than 45 per cent of the site in total.

5.6.6 Maximum Density

- (a) The maximum density shall be 49 dwelling units per hectare.

5.6.7 Amenity Area Requirement

- (a) 20 square metres of amenity area must be provided per dwelling unit;
- (b) A minimum of 25 per cent of required amenity area shall be at grade;
- (c) Amenity areas shall include landscaping with natural or introduced vegetation climatically suitable for the Village of Slocan.

5.7 Highway Commercial Zone (C-1)

5.7.1 Permitted Uses

Land, buildings and structures in the Highway Commercial zone shall be used for the following purposes only:

- (a) Accessory Buildings and Structures;
- (b) Accessory Residential;
- (c) Building Supply Shop;
- (d) Campground;
- (e) Health, Fitness, Recreation Facility;
- (f) Hotel, Motel, Tourist Accommodation;
- (g) Licensed Establishment;
- (h) Personal Service Establishment;
- (i) Restaurant, Coffee Shop;
- (j) Retail, General Specialty Shop;
- (k) Service Station.

5.7.2 Minimum Site Area

- (a) The site area shall not be less than 900 square metres.

5.7.3 Setbacks

- (a) No building or structure shall be located within 4.5 metres of the front or exterior side lot lines or within 3.0 metres of the rear or interior side lot lines.

5.7.4 Height

- (a) No building or structure shall exceed 10 metres in height.

5.7.5 Site Coverage

- (a) Buildings and structures shall not cover more than 50 per cent of the site in total.

5.8 Core Commercial Zone (C-2)

5.8.1 Permitted Uses

Land, buildings and structures in the Core Commercial zone shall be used for the following purposes only:

- (a) Accessory Buildings and Structures;
- (b) Accessory Residential;
- (c) Assembly Hall;
- (d) Business, Professional, Administration Office;
- (e) Entertainment Facility
- (f) Financial Service;
- (g) Grocery, Food Service;
- (h) Health, Fitness, Recreation Facility;
- (i) Hotel, Motel, Tourist Accommodation;
- (j) Licensed Establishment;
- (k) Personal Service Establishment;
- (l) Restaurant, Coffee Shop;
- (m) Retail, General Specialty Shop.

5.8.2 Minimum Site Area

- (a) The site area shall not be less than 614 square metres. (Amendment Bylaw 657, 2017)

5.8.3 Setbacks

- (a) No building or structure shall be located within 4.5 metres of the front or interior side lot lines when the C-2 lot abuts a residential zone.
- (b) When a C-2 lot abuts a non-residential zone, there shall be no required setback from the front, exterior side or interior side lot lines.
- (c) No building or structure shall be located within 4.5 metres of the rear lot line.

5.8.4 Height

- (a) No building or structure shall exceed 12 metres in height.

5.8.5 Site Coverage

- (a) Buildings and structures shall not cover more than 90 per cent of the site in total.

5.9 Mill Industrial Zone (M-1)

5.9.1 Permitted Uses

Land, buildings and structures in the Mill Industrial zone shall be used for the following purposes only:

- (a) Accessory Buildings and Structures;
- (b) Sawmill, Wood Product Manufacture. (Amendment Bylaw 657, 2017)

5.9.2 Minimum Site Area

- (a) The site area shall not be less than 900 square metres.

5.9.3 Setbacks

- (a) No building or structure shall be located within 7.5 metres of the front or exterior side lot lines when the M-1 lot abuts a non-residential zone.
- (b) No building or structure shall be located within 7.5 metres of the rear or interior side lot lines when the M-1 lot abuts a residential zone.
- (c) No building or structure shall be located within 4.5 metres of the rear or interior side lot lines when the M-1 lot abuts a non-residential zone.
(Amendment Bylaw 657, 2017)

5.9.4 Height

- (a) No building or structure shall exceed 12 metres in height.

5.9.5 Site Coverage

- (a) Buildings and structures shall not cover more than 70 per cent of the site in total.

5.10 Light Industrial Zone (M-2)

5.10.1 Permitted Uses

Land, buildings and structures in the Light Industrial zone shall be used for the following purposes only:

- (a) Accessory Buildings and Structures;
- (b) Accessory Residential;
- (c) Accessory Retail and Wholesale;
- (d) Commercial Storage, Warehouse;
- (e) Light Manufacture, Process, Assembly, Repair of Products;
- (f) Manufacture of Wooden Aircraft Components;

5.10.2 Minimum Site Area

- (a) The site area shall not be less than 900 square metres.

5.10.3 Setbacks

- (a) No building or structure shall be located within 4.5 metres of the front or exterior side lot line.
- (b) No building or structure shall be located within 3.0 metres of the rear or an interior side lot line.

5.10.4 Height

- (a) No building or structure shall exceed 10 metres in height.

5.10.5 Site Coverage

- (a) Buildings and structures shall not cover more than 70 per cent of the site in total.

5.11 Parks, Open Space and Institutional Zone (P-1)

5.11.1 Permitted Uses

Land, buildings and structures in the Park, Open Space and Institutional zone shall be used for the following purposes only:

- (a) Accessory Buildings and Structures;
- (b) Accessory Residential;
- (c) Assembly Hall;
- (d) Campground;
- (e) Community Care, Social Care Facility;
- (f) Dock, Boat Launching Ramp;
- (g) Health, Fitness, Recreation Facility;
- (h) Hospital;
- (i) Marina;
- (j) Park, Playground;
- (k) Public Administration;
- (l) School.

5.11.2 Minimum Site Area

- (a) The site area shall not be less than 900 square metres.
- (b) The minimum play lot area for a school shall be 0.4 hectare, exclusive of parking areas, for each fifty students or portion thereof.

5.11.3 Setbacks

- (a) No building or structure shall be located within 15.0 metres of the rear or an interior side lot line when the P-1 lot abuts a residential zone.
- (b) No building or structure shall be located within 4.5 metres of a front, rear, exterior or interior side lot line when the P-1 lot abuts a non-residential zone.

5.11.4 Height

- (a) No building or structure shall exceed 12 metres in height.

5.11.5 Site Coverage

- (a) Buildings and structures shall not cover more than 70 per cent of the site in total.