PART THREE

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PART THREE – GENERAL REGULATIONS

3.1 Permitted Uses

No Land, Building or Structure in any zone shall be used for any purpose other than that specified for the zone in which it is located.

.1 Subject to the further regulations of this Bylaw, the following Uses shall be permitted in any zone:

a. an Accessory Use that is customarily incidental and subordinate to a permitted use located on the same Parcel;
b. repairs to any Building or Structure, provided that all such repairs comply with regulations of the zone in which it is situated;
c. Temporary Structures or Buildings which are erected for the purpose of providing Temporary Office space or shelter for construction or maintenance crews or storage of materials for the erection or maintenance of any private or Public Utility, or Building or Structure for which a required Building permit has been obtained, provided such Structure or Building is removed within 30 days of completion of such Public Utility, Building or Structure;
d. Utilities;
e. Neighbourhood Energy Utility;
f. public Highways and Lanes, and public street furnishings, including refuse and recycling bins;
g. Buildings providing for a Temporary Accessory Office Use or Accessory marketing Use customarily incidental to the permitted Principal Use with a valid Building permit including a show home or Residential sales centre;
h. the Temporary Use of a Building or part thereof as campaign headquarters for political candidates or as a voting place for government elections, referenda, plebiscites or census, provided that the time period of such use does not exceed 60 days;
i. Hobby Beekeeper;
j. interpretive signage;
k. District of Sicamous owned and administered parks, trails, playgrounds and conservation areas;
l. community mailbox;
m. bus stop;
n. Urban Agriculture;
o. community garden;
p. public art;
q. Public Utility;
r. Electric Vehicle Charge Station;
s. Archaeological Reserve;
t. cultural exhibits; and
u. solar energy devices.

.2 The following Uses shall be prohibited in all zones, unless otherwise permitted in specific zones:

a. Scrap & Recycling Yard when conducted outside a Building;
b. adult entertainment businesses;
c. Escort Service;
d. massage parlours;

e. prize fighting, kick boxing and other martial arts contests, mud wrestling, exotic dancing, bikini contests, and similar Entertainment of a violent or sexual nature, when conducted in liquor principal or food principal licensed establishments;
f. premises used entirely or principally for prescribing, or for the sale or dispensing, of methadone, suboxone, other opioid substitutes, or opioids;
g. the bulk loading, bulk unloading, bulk plants/storage, production, refining or processing of dangerous goods;
h. a weapons use;
i. an exotic performance, show or exhibition on a premise not duly licensed and regulated by the provisions of the *Liquor Control and Licensing Act*;

3.2 Access, Servicing & Utilities

.1 **Servicing Required**

No Building, Structure, or Parcel in any zone shall be used for any purpose that requires street access or services unless the Parcel has actual physical access from the street and the Owner has obtained proper authorization to have the required services installed and has installed such services in accordance with the District of Sicamous Subdivision and Servicing Bylaw.

.2 **Controlled Access Highways**

a. Any parcels fronting a controlled access highway as designated by Section 48 of the Transportation Act with no municipal streets access must apply to the Ministry of Transportation and Infrastructure for an access permit as per section 49 of the Transportation Act.
b. Signage must not contradict Transportation Act Section 16.
c. Roadside sales are not to encroach on Ministry of Transportation and Infrastructure right of way.

.3 **Utility Siting**

Minor utility cabinets for the provision of telephone, power, cable television or other utility services, when located outside a statutory right-of-way or highway, shall comply with the following:

a. a cabinet less than 1.8 m in height with no horizontal dimension exceeding 1 m need not comply with any yard requirements in any zone;
b. a cabinet less than 1.8 m in height with a horizontal dimension between 1 m and 2 m must be set back at least 1 m from a property line; and
c. a cabinet greater than 1.8 m in height or with a horizontal dimension exceeding 2 m shall comply with the setbacks for accessory Structures in that zone.
d. satellite dishes and other equipment for receiving or transmitting information with radio waves shall not be permitted in the front yard of any property occupied with a Residential Use with the exception of properties within the Rural and Agricultural zones.

3.3 Accessible Design

To be determined by Council Policy.

3.4 Accessory Buildings

Accessory Buildings including Structures, Garages, Carports or any permanent Structure with a roof, are subject to the following regulations:

.1 Except in Commercial and Industrial Zones, Shipping Containers are not permitted as an Accessory Building or use for more than 30 days in all zones, unless otherwise specifically permitted;

.2 **Permitted Structures**

a. The following are permitted anywhere on a Parcel:
   (i) Fences, in accordance with other regulations pertaining to fencing;
   (ii) Retaining Walls, in accordance with other regulations pertaining to Retaining Walls;
   (iii) trellises, pergolas, or similar Landscape Structures that do not have an impermeable roof;
   (iv) Temporary children's play equipment;
b. An Accessory Building shall not be used as a Dwelling Unit unless it complies with this Bylaw (such as a Carriage House, Garden Suite or Employee Dwelling);
c. 1 bathroom with a toilet and sink is permitted in an Accessory Building, to a maximum of 3 m^2.
d. Kitchen facilities are prohibited in Accessory Buildings.

.3 **Principal Building**

a. unless otherwise specified, Accessory Buildings or Structures are permitted in each zone provided that the Principal Building has been constructed, or is in the process of being constructed, on the Parcel through an active Building permit;
b. all Structures connected by foundation, roofline or roof Structure to the Principal Building are deemed to be part of the Principal Building;

.4 **Size and Parcel Coverage**

Accessory Buildings shall not exceed:

a. the area of the Principal Building; or
b. 15 % of the Parcel Area or a maximum of 100 m^2 on any Parcel less than 0.4 ha in size.

3.5 Accessory Uses

.1 **Bed & Breakfast Use**

Where permitted by this bylaw, a Bed & Breakfast:

a. may be established within any Dwelling Unit where listed as a permitted use, provided the operator of the Bed & Breakfast establishment is the permanent occupant of the Principal Dwelling Unit located on the same Parcel;
b. may accommodate up to 4 guestrooms on each Parcel;
c. may include facilities within a Secondary Dwelling Unit, however the number of bedrooms in the Secondary Dwelling Unit is included when calculating the maximum number of guestrooms permitted.

.2 **Drive-Through Service Facilities**

a. where Drive-Through Service facilities are installed, there shall be adequate queuing lanes provided on the Parcel to accommodate 6 Vehicles between the Parcel Line and the ordering station. These queuing spaces shall be exclusive of any other Off-Street Parking space and aisle requirements contained in this Bylaw.
b. the Drive-Through Service facilities shall not be visible from the Highway or controlled access Highway. If the Drive-Through Service facilities are visible from the Highway or neighbouring Parcels, Screening or Fencing, a minimum of 1.2 m in Height, shall be required, and located so as to block the light from Vehicle headlights and the Drive-Through Service facility from reaching neighboring Parcels.
c. Drive-Through Service facilities must provide for adequate refuse and recycling collection.

.3 **Employee Dwelling Unit**

a. An Employee Dwelling Unit shall:
   (i) be fully separated from the Commercial, Institutional or Industrial Use by walls, or floors;
   (ii) have an entrance from the exterior of the Building which is separate from the entrance to the Commercial, Institutional or Industrial Use; and
   (iii) not exceed 25 % of the Floor Area of Buildings on the Parcel.
b. An Employee Dwelling Unit can accommodate:
   (i) an employee alone; or
   (ii) a Household; or
   (iii) not more than 5 unrelated employees.

.4 **Family Day Care**

Where permitted by this bylaw, Family Day Care use:

a. may be contained in a Principal, Accessory, or a combination of Principal and Accessory Buildings;
b. shall be limited to 1 Day Care facility per Dwelling Unit, Accessory Building, or combination of;
c. any permanent occupant of the Dwelling Unit may be engaged in the operation of a Family Day Care facility within that Dwelling Unit provided it is a permitted use;
d. the business license holder shall be the permanent occupant of the Dwelling Unit located on the Parcel that contains the Family Day Care facility

.5 **Home Based Businesses**

Where permitted in this Bylaw all of the following conditions must be satisfied for the establishment and continued use of a Home Based Business:

a. a person must not carry on the use unless the person holds a valid Business Licence issued under the provisions of this Bylaw and the Business Licence Bylaw;
b. the use may generate no more than 4 Vehicles per hour between 8:00AM and 9:00PM;
c. the use must be solely operated by the permanent occupant the Dwelling Unit and must not involve the employment of more than 1 full-time or 2 part-time employees on the Parcel;
d. the use must be conducted entirely within 1 or more Buildings or Structures, except for Urban Agriculture;
e. the maximum combined Floor Area of the Dwelling Unit and Accessory Buildings and Structures shall not exceed 50 m^2 for the purposes of operating a Home Based Business;
f. the use must not involve the display or selling of goods, wares or merchandise as the primary Home Based Business but may involve the display and sale of a good, produce, wares or merchandise that is either produced on the Parcel, or is Accessory to the Home Based Business;
g. no Outdoor Storage, unenclosed storage or Storage Facility use is permitted;
h. no Vehicle, boat, or other machinery servicing or repair is permitted;
i. the total display area of any outdoor advertising Sign is subject to the District of Sicamous Sign Bylaw;
j. Home Based Business' must not discharge or emit the following across Parcel lines:
   (i) odorous, toxic or noxious matter or vapours;
   (ii) heat, glare, electrical interference or radiation;
   (iii) recurring ground vibration;
   (iv) noise levels exceeding forty-five (45) decibels.
k. Off-Street Parking must be provided in accordance with Schedule D;
l. no distillery use is permitted.

.6 **Secondary Dwelling Unit**

The following regulations shall apply in zones where a Secondary Dwelling Unit is a permitted use:

a. Off-Street Parking shall be provided in accordance with Schedule D of this Bylaw;
b. the Floor Area of a Secondary Dwelling Unit shall:

(i) Not exceed 40 % of the Floor Area of the Principal Building on the Parcel on which the Secondary Dwelling Unit is located; and
(ii) Have a minimum Floor Area of 33 m²;

d. a Secondary Suite shall have a separate entrance from the outside;
e. an Accessory Building containing a Coach House may be a maximum of 8 m in height where the Coach House is wholly or in part located on the Second Storey of the Accessory Building;
f. a Secondary Dwelling Unit can not be subdivided from the Principal Dwelling Unit and shall be subject to a covenant.

.7 **Urban Agriculture**

Agricultural uses are permitted in urban areas, on non-ALR Lands, subject to the following regulations:

a. Impacts

Urban Agriculture uses and activities that produce or emit hazards, odour, dust, smoke, noise, effluent, light pollution, glare, or other noxious emissions that are detectable at the property boundary are prohibited.

b. Greenhouses

(i) on non-Agriculturally Zoned Land, Greenhouses are permitted to a maximum of 30 m^2 in Total Floor Area per Parcel;
(ii) Greenhouses or Accessory Buildings and Structures associated with Urban Agriculture must conform to the applicable zoning requirements for accessory Buildings or Structures for the relevant zone. A Greenhouse is not included in the calculation of Parcel Coverage for Accessory Buildings or Structures;
(iii) The height of Greenhouses, Accessory Buildings or Structures, and Agricultural Structures for food production purposes must not exceed 3.5 m;

c. Sale of Agricultural Products

Where food is produced for the purpose of Commercial sale, trade, or distribution off site, or where no Dwelling Unit exists on the Parcel, Urban Agriculture must also comply with the following:

(i) Secondary processing of food products produced on site is prohibited in Residential zones unless in conjunction with a licensed Home Based Business;
(ii) No Outdoor Storage of related equipment and materials is permitted;

d. Keeping of Animals

No animals, other than household pets and guard dogs, may be kept in any non-Agricultural zone other than Urban Hens and Urban Beekeeping as per the following regulations:

(i) Keeping Urban Hens in areas outside the ALR is permitted in all zones provided no roosters are kept, hens are provided a coop, are not permitted to run at large outside the Parcel Lines, and there are no more than 4 hens per Parcel;
(ii) coops must be:
.a no more than 10 m^2 in Floor Area;
.b no more than 2 m high;
.c situated in accordance with the Accessory Building Setback regulations;
.d no closer than 3 m from any door or window of any Dwelling Unit;
.e situated in a Rear Yard only;
.f located at Grade level; and
.g be constructed to prevent access by wildlife and other animals.
(iii) Urban Beekeeping on Parcels not within the ALR and not zoned for Agriculture and Resource Management Use is permitted provided that:
.a no more than 2 beehives are kept on all Parcels under 1394 m^2 in area;

.b beehives must be located in accordance with the Accessory Building Setbacks identified in this Bylaw; and
.c be positioned so that the beehive entrance faces away from the closest abutting Parcel Line; and
.d be located in the Rear Yard with a solid Fence at least 2 m in Height; and
.e be constructed to prevent access by wildlife and other animals; and
.f have clear, visible Signage on the Parcel warning that bees are present.

3.6 Agricultural Land Reserve

.1 **Application**
Within the Agricultural Land Reserve, each provision of this Bylaw shall be binding only insofar as it is not contrary or in conflict with the *Agricultural Land Commission Act*, Regulations made under the said *Act* and Orders of the Agricultural Land Commission.

.2 **Agricultural Worker Accommodation**
For Agricultural Worker Accommodation, proof of need may be required by the District, including:
a. description of the farm operation;
b. rationale for Farm Worker Accommodation;
c. number of full and part-time farm workers;
d. site plan of farm and location of proposed Agricultural Worker Accommodation;
e. approval from the Agricultural Land Commission where the Parcel is within the Agricultural Land Reserve.

.3 **Agri-Tourism**
Means:
a. an agricultural heritage exhibit displayed on a farm (e.g. farm equipment displays);
b. a tour of the farm, an agricultural education activity or demonstration in respect of all or part of the farming operations that take place on the farm, and activities ancillary to any of these (e.g. milking barn tour, cheese making demonstration, harvest demonstration, farm crafts such as wreath making or garlic braiding);
c. cart, sleigh and tractor rides on the Land comprising the farm;
d. activities that promote or market livestock (e.g. cattle, horses, sheep, goats, poultry) from the farm, whether or not the activity also involves livestock from other farms, including shows, cattle driving and associated domestic livestock petting zoos;
e. dog trials held at a farm (e.g. agility and stock dog events);
f. harvest festivals and other Seasonal events on a farm for the purpose of promoting or marketing farm products produced on the farm (e.g. pumpkin patch, garlic festival, blueberry festival); and
g. corn mazes prepared using corn planted on the farm.

.4 **Agri-Tourism Accommodation**
Means Tourist Accommodation where the accommodation relates to an Agri-Tourism Activity that is provided on a Parcel.

.5 **Farm Retail Sales**
For Farm Retail Sales:
a. Retail sale of farm products in an area (inclusive of indoor and outdoor space) that does not exceed 300 m²;
b. At least 50 % of that area is limited to the sale of farm products produced as part of the farming unit;
c. Could include a Temporary roadside farm stand.

3.7 Amenities

Within Commercial Zones and Multi-Unit Residential Zones, the maximum density may be increased if amenities are provided as follows:

.1 **Attainable Housing**
To address the District of Sicamous Affordable Housing Strategy and subject to a Housing Agreement as per Section 483 of the *Local Government Act:*

a. the provision of 1 Attainable Rental Unit is equivalent to an increase in density of 2 Dwelling Units or 4 Sleeping Units;

.2 **Parks & Walkways**
The provision of the following amenities is equivalent to an increase in density of 2 Dwelling Units or 4 Sleeping Units:

a. 70 m² of public Walkway 3 m in width along Mara Lake, Shuswap Lake or Sicamous Narrows;
b. 100 m² of public Walkway 6 m in width along the Eagle River; and
c. Park dedication equaling 200 m².

3.8 Firearms

All uses related to Firearms and ammunition including but not limited to manufacturing, processing, testing, wholesale and retail sales, importation, shipping, rental, repair, storage and display of Firearms and ammunition, instruction in the use of Firearms, and the operation of shooting ranges are prohibited within all zones, except that:

.1 storage, sale and display of Firearms and ammunition are permitted in Commercial Zones with the required licenses as permitted in *Firearms Act* (Canada), the *Explosives Act* (Canada) and regulations made under those statutes.

3.9 Fences, Landscape Buffers, Heat Pumps, Hot Tubs, etc.

.1 **Fences**

a. Within **Residential and Rural zones**, fences may be:
   (i) 1.2 m high for a Front Yard or within 6 m of an existing driveway or road right-of-way; and
   (ii) 2 m in Height anywhere else on a Parcel; except
   (iii) no Fence constructed at Natural Grade in a Residential Zone shall exceed 2 m in Height, except where Abutting an Agriculturally Zoned Parcel where the maximum Height is 2.4 m; and
   (iv) vacant Parcels shall not have Fences exceeding 1.2 m in Height between the minimum Setback distance required for a Principal Building and any Parcel Line abutting a Highway.

b. Within **Commercial, Industrial and Special Use Zones**, Fences that are located outside of the required Setback areas may be a maximum of 3 m in Height and Fences located within the required setback areas, may be:
   (i) 1.2 m high for a Front Yard or within 6 m of an existing driveway or road right-of-way if the Fence is opaque;
   (ii) 2 m high anywhere else on a Parcel; except
   (iii) barbed wire and razor wire Fencing shall not be permitted in any zone, except within the Rural, Resource, Civic and Industrial Zones, in which case a maximum of 3 strings of barbed wire or razor wire shall only be located on a Fence above a Height of 1.83 m;
   (iv) where a guard railing is required by the BC Building Code, the minimum required Height of the guard railing may be excluded from calculation of Fence Height if necessary; and
   (v) electric security Fencing, is permitted where the following standards are met:

.a the electric Fence may be installed within a Fenced portion of a Parcel that has an existing non-electrified Fence that is a minimum of 1.2 m in Height, forms a continuous enclosure around the electric security Fencing, and is constructed in such a manner as to prevent unauthorized entry;

.b the electric Fence must display unobstructed warning signage that clearly indicates the risk of electric shock, installed at 10 m intervals around the electric security Fencing;

.c the electric Fence may not involve the electrification of barbed or razor wire;

.d the electric Fence may not conduct current in excess of 10,000 volts.

.2 **Heat Pumps & Air Conditioners**

Exterior heat pumps, air conditioners and swimming pool utility equipment are not permitted in the front or exterior side yard, but are permitted to be located:

.1 a minimum of 1.2 m from the Interior Side Parcel Line; and

.2 A minimum of 3 m from the Rear Parcel Line.

.3 **Landscape Buffer Areas**

A Landscape Buffer shall be located within 1 m of the perimeter of the Parcel and consist of:

a. At least 1 tree every 10 m of the perimeter of the property. The number of shrubs shall be a minimum area of 20 % of the overall Landscape plan.

b. The minimum width of a Landscape Buffer Area shall be:
   (i) 3 m where the development abuts a residential zone;
   (ii) 3 m where the development abuts a Highway or controlled access Highway;
   (iii) 15 m where the development abuts a property within the ALR

c. Landscape screening and hedging located within 6 m of an existing driveway access or road right-of-way may be established and maintained to a maximum height of 0.9 m above the surface elevation of the Highway per the Provincial Public Undertakings Regulation (see 3.5.4 Corner Visibility).

.4 **Lighting**

Any outdoor lighting for any development shall:

a. be shielded, located and arranged so that no direct rays of light are aimed at any adjacent Parcels, Highways, Walkways or interfere with the effectiveness of any traffic control device;

b. be allowed to be directed near vertically (within 15 degrees of vertical) to highlight key features of a Building or Landscape;

c. not include any flashing or blinking exterior lighting or exterior neon lighting in Residential Zones;

d. be shielded in Residential Zones so as to not shine beyond the boundaries of the Parcel;

e. not include lighting posts that exceed the lesser of the Height of the Principal Building or 7.0 m.

.5 **Parking & Loading**

See Schedule D of this Bylaw.

.6 **Refuse & Recycling Containers**

All Multi-Family Dwelling, Commercial or Industrial Uses shall provide refuse and recycling containers subject to the following regulations:

a. provisions for refuse storage, recycling and collection shall be made for these facilities on the same site as the permitted use;

b. all refuse and recycling containers in zones other than the Agricultural and Resource Management Zone, shall require opaque screening of a minimum of 2 m in Height or the Height of the refuse or recycling containers, whichever is higher, by way of fencing or Land scaping from adjacent Parcels and Highways;

c. refuse or recycling containers, rooms or enclosures designed for Vehicle access shall be located to provide unobstructed access with a minimum width of 3 m and a minimum vertical clearance of 4.6 m;
   (i) any refuse and recycling management areas co-existing with any Off-Street Parking or loading area:

(ii) shall be clearly delineated as separate and in addition to required Off-Street Parking and loading spaces;
(iii) shall not be located in any public right-of-way;

d. the amount of space required for refuse and recycling containers for each Land use, shall be a minimum of:
(i) Multi-Family (over 3 units) – 0.5 m²/unit;
(ii) Tourist Accommodation – 0.4 m²/room;
(iii) Retail – 0.025 m²/m²;
(iv) Office – 0.01 m²/m²;
(v) Restaurant – 0.026 m²/m²;
(vi) large Commercial venues – 0.018 m²/m²;
e. separate refuse and recycling storage spaces shall be provided for Residential Uses and Commercial Uses within any mixed-use Building; and
f. all refuse and recycling containers should be located as far away from Watercourses as possible.

.7 **Retaining Walls**

a. shall not exceed 1.2 m in Height from the base of the Retaining Wall; except where supports for plants are installed in the wall and vegetation is planted to cover or screen 75 % the wall surface 12 months of the year to within 0.6 m of the top of the wall, it may be a maximum of 2.5 m in Height;
b. multiple Retaining Walls must be constructed so that the Retaining Walls are spaced to provide at least a 1.2 m horizontal separation between them;
c. if a Fence is constructed on top of a retaining wall within 1.2 m of a Front, Exterior Side, Interior Side, or Rear Parcel Line, the Height of the Fence may not be greater than 1.2 m; and
d. no Retaining Wall over 1.83 m in exposed Height may be located closer than 2 m to a Front, Exterior Side or Rear Parcel Line.

.8 **Screening**

a. any part of a Parcel used for Outdoor Storage or refuse and recycling containers, shall be enclosed by a Landscape Screen and no material shall be piled above the Height of the Landscape Screen;
b. for non-vacant Land zoned for Commercial, Industrial or Civic uses that share a Parcel Line with a Residential or Mixed-Use Zone, the Owner of the non-Residential Use Parcel shall provide a Fence or Landscape Screening along the Parcel Line of not less than one point 1.83 m in Height;
c. Landscape screening and hedging located within 6 m of an existing driveway access or road right-of-way may be established and maintained to a maximum Height of 0.9 m above the surface elevation of the Highway per the Provincial Public Undertakings Regulation (see 3.12.2 Corner Visibility).

.9 **Shipping Containers**

a. In all zones, Shipping Containers shall:
(i) not be used for Fencing, Screening or advertising;
(ii) not be stacked vertically to a maximum of 2 containers high, except in Industrial Zones where they may be stacked to a maximum of 3 containers high, except where permitted by Development Permit;
(iii) not encroach into a Walkway, a right-of-way, easement or Landscape Buffer Area without a permit;
(iv) not occupy the minimum required Off-Street Parking spaces, loading spaces, or Landscaped areas on any Parcel; and
(v) not create a Sight Line obstruction or be located within a Setback area.
b. Where permitted as a Temporary Use Structure, Shipping Containers must:
(i) must not impede or block construction, pedestrian, Highway and other related traffic; and
(ii) must be located on or immediately adjacent to the subject construction site and not obstruct or interfere with other construction and service based activities when used on a construction site, and

shall be removed from the construction site within 30 days of receiving an occupancy permit or immediately if no construction work takes place for a period of thirty days or longer. If it is to be located on a Parcel adjacent to the construction site, a Temporary Use Permit must be approved by Council.

c. where Shipping Containers are to be used as an Accessory Structure, they:
   (i) Shall meet all applicable policies and regulations, including those that regulate Accessory Uses;

.10 **Swimming Pools & Hot Tubs**

All Parcels with exterior swimming pools or hot tubs are subject to the following regulations:

a. Swimming pools and hot tubs shall not be located in a Front Yard;
b. Above ground swimming pools and hot tubs shall meet the siting requirements of Accessory Buildings;
c. At grade swimming pools shall be located at a minimum of:
   (i) 1.5 m from Side and Rear Parcel Lines;
   (ii) 3 m from any Exterior Side Parcel Lines;
   (iii) 20 m from any natural boundary of an adjacent Watercourse or 5 m from the SPEA boundary;
d. Swimming pools shall be enclosed within a Structure or surrounded by a fence.

.11 **Vehicle & Equipment Storage**

The following restrictions apply to the parking of Vehicles, Recreational Vehicles, boats or recreation equipment on Residential Use parcels:

a. parking or storage of Vehicles for Residential Use Parcels shall not exceed a combined total of more than 4 motor Vehicles, Recreational Vehicles, and recreational boats. Where a Two-Unit Dwelling or Multi-Unit Dwelling is located on a Parcel, the combined total of Vehicles shall not exceed 3 per Dwelling Unit;
b. no Parcel in any zone shall be used for the wrecking or storage of derelict Vehicles, boats, Recreational Vehicles, recreational equipment or more than 2 unlicensed motor Vehicles, except where specifically permitted in that zone, or unless the keeping of wrecked Vehicles is required for the operation of a permitted business as an Accessory Use and in such case the wrecked Vehicles shall be completely enclosed within a Building or within a wall or fenced area with no wrecked Vehicles to be visible from a Highway, and further provided that the total number of wrecked Vehicles stored within the walled or fenced area shall not exceed 5 at any time;
c. no Residentially Zoned Parcel shall be used for the parking, storage, or repair of a commercial Vehicle which has, or at any time has had, a licensed gross Vehicle weight greater than 8,600 kg, as indicated on a present or past Commercial Vehicle registration (except where permitted under Home Based Business);
d. No Parcel zoned for Residential use shall be used for the parking, storage or repair of Commercial boats;
e. Houseboats are specifically prohibited from being stored, parked, or repaired on Residential Parcels except where:
   (i) the Parcel is a minimum of 2023 m^2 in Parcel Area;
   (ii) a Principle Dwelling Unit has been developed on the property;
   (iii) the Houseboat is for the sole use of the permanent resident of the principle dwelling unit located on the same parcel as the Outdoor Storage use or permitted Accessory Building within which the Houseboat is stored;
   (iv) Outdoor Storage of a houseboat must comply with the following:
      1) meet a minimum setback of 3 metres; and
      2) be screened with a fence or continuous Landscape Buffer.
   (v) No more than 1 Houseboat may be stored, parked or repaired on a Parcel zoned for Residential use; and
   (vi) the Houseboat is covered by current marine insurance and is “seaworthy”.

f. Where the property is zoned for a Residential use only and an identifiable Commercial Vehicle is parked on the property, the Vehicle must be for use of the property resident and that resident must be an employee or Owner of the company the Vehicle is identified with.

3.10 Other Uses

.1 **Breweries, Cideries, Distilleries, Meaderies & Wineries**

Where Brewery, Cidery, Distillery, Meadery & Distillery Use is permitted, the following conditions shall apply:

a. the public tasting and retail sale of alcoholic product is limited to that which is produced on the Parcel;
b. all processes, functions and mechanical equipment associated with the use must be contained indoors and are limited to production, public tasting or retail activities;
c. may include areas for sampling, retail display, and samples for consumption elsewhere.

.2 **Cannabis Processing**

a. The processing of cannabis is restricted to micro-processing where it is not associated with a standard cultivation license located on the same parcel.
b. Micro-processing is limited to a maximum of 600 kg of dried cannabis (or equivalent) in 1 calendar year.
c. The processing of cannabis does not include cannabis retail.
d. The minimum level of service for the processing of cannabis is connection to a Community Water and Community Sewer System.

.3 **Cannabis Production & Wholesale Sales**

a. Notwithstanding any other provisions in this Bylaw Cannabis Production & Wholesale Sales shall not discharge or emit odorous, toxic or noxious matter, vapour, smoke or fumes into the atmosphere or create heat, glare, radiation, recurrently generated ground vibration, noise in excess of ambient noise, or electrical interference that is detectable at the Parcel Line or create any other health or safety hazards.
b. The minimum level of service for Cannabis Production & Wholesale Sales is connection to a Community Water and Community Sewer System.
c. Other than a permitted Farm Use within the Agricultural Land Reserve, or a permitted Dwelling Unit for an Owner or operator, or a permitted use within an Industrial Zone, a Cannabis Production & Wholesale Sales may not share or be combined with another permitted use on the same Parcel.

.4 **Cannabis Retail**

As per District of Sicamous Recreational Cannabis Retail Sales Policy C-10 Council will, at its discretion, consider a recommendation or approval or not of a Cannabis Retail business intending to sell Cannabis during its formal review of a cannabis retail license application referred to the District by the Province of British Columbia.

.5 **Care Facility**

Where permitted in this Bylaw, a Care Facility shall be subject to the following conditions:

a. the area of a Dwelling Unit shall not be less than 26 m² and not more than 75 m^2;
b. Accessory Personal Service Establishment and Accessory Retail Store uses, where they are provided, shall be contained within the Care Facility and shall only be accessible from an internal hallway or corridor; and
c. the combined total Floor Area of all Accessory Personal Service Establishment and Accessory Retail Store uses shall not exceed 150 m² of net Floor Area.

.6 **Day Care**

a. may be contained in a Principal, Accessory, or a combination of Principal and Accessory Buildings;
b. shall store all equipment and materials related to the day care facility within a permanent Building, except for outdoor play areas.

.7 **Storage of Fuel**

a. No Parcel shall be used for the storage, warehousing, distribution or wholesale of any type of fuel or flammable or combustible liquids in tanks with a capacity in excess of 4546 litres, except for Parcels where the zone permits Bulk Fuel Depot, Marine Fueling Station, and Vehicle Service Station.

b. No Parcel shall be used for the underground storage of fuels, solvents, chemicals, fertilizer, and petrochemical products. All uses that involve the storage of fuels, solvents, chemicals, fertilizer, and petrochemical products, except on Parcels zoned residential, must be carried out within double walled containers or on an impervious containment pad designed to contain and store the entire capacity of the storage container in the event that any leaching or spillage occurs.

.8 **Mobile Vending Unit**

Mobile Vendors are permitted to operate:

a. with the required license from the District when located on public Land;

b. in any zone that permits Mobile Vending Unit, or as approved through a Temporary Use Permit;

.9 **Short Term Rentals**

Where permitted by this bylaw, a Short Term Rental shall be subject to the following conditions:

a. a person must not carry on business as a Short Term Rental operator unless the person holds a valid licence issued under the provisions of this bylaw and the Business Licence Bylaw;

b. Off-Street Parking must be provided in accordance with Schedule D.

c. Local Responsible Person

(i) a person may only operate a Short Term Rental in a premises, other than their permanent Dwelling Unit, if they designate a local responsible person who at all times that the Short Term Rental is operated, has access to the premises and authority to make decisions in relation to the premises and the rental agreement;

(ii) a person may only operate a Short Term Rental if they ensure that the name and contact information of the local responsible person is prominently displayed in the Short Term Rental premises when the Short Term Rental is operated;

(iii) the local responsible person must be able to attend at the Short Term Rental premises within 1 hour of being requested to do so;

d. maximum occupancy shall be limited to two adults per bedroom.

3.11 Renewable Energy

.1 **Biomass**

Biomass fuelled boilers and process heaters shall be permitted in Industrial, Agricultural or Country Residential Zones, subject to the requirements for an Accessory Building or Structure in this Bylaw.

.2 **Solar Energy**

Solar energy devices are permitted in any zone, when:

a. when attached to either a Principal or Accessory Building or Structure, the solar energy device does not extend beyond the outermost edge of the Building or Structure or the highest point of the roof or Structure; and

b. when the solar energy device is a standalone Structure, it shall not be sited within the Front Yard and it shall meet the Side and Rear Yard siting requirements for the principal Building or Structure on the Parcel on which the solar device is located.

.3 **Wind Energy**

Wind driven energy systems shall be permitted in Agricultural or Country Residential Zones, subject to the requirements for an Accessory Building or Structure in this Bylaw.

3.12 Setbacks, Projections, Height & Parcel Coverage

.1 **Building Projections**

Certain types of architectural features are permitted to project from a Building or Structure into a required Yard Area, so long as the total area of projection does not exceed 30 % of the area of the Building Frontage elevation facing that Yard, in accordance with the following table:

Feature	*Maximum Extent of Projection*			
	Front Yard	*Exterior Side Yard*	*Interior Side Yard*	*Rear Yard*
Chimney, chimney box or fireplace box	0.6 m	0.6 m	0.6 m	0.6 m
Eaves, eave-troughs and gutters	1.5 m	1.5 m	0.6 m	0.3 m
Ornamental elements such as sills, cornices, parapets or pilasters	1.5 m	1.5 m	0.6 m	0.6 m
Fire escapes, open stairways, landings, steps, ramps and Patios	1.5 m	1.5 m	0.6 m	3.0 m
Covered or uncovered balcony, porch, Deck, platform or veranda	1.5 m	1.5 m	0.6 m	3.0 m

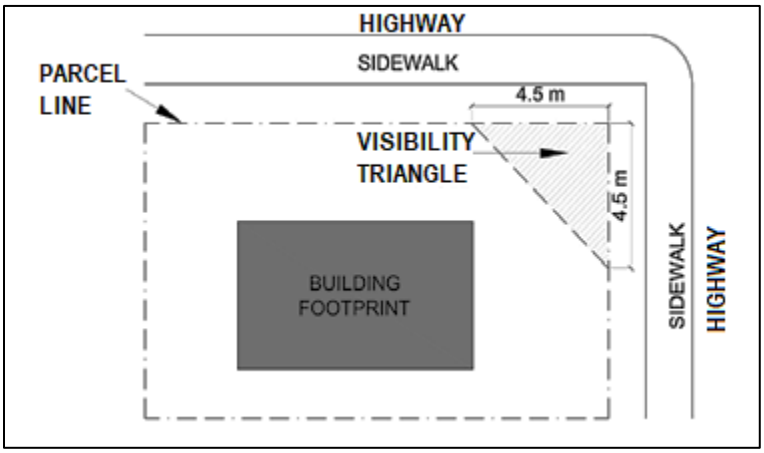
a. In all zones, except low-density Residential Zones, projections, utilities, underground Off-Street Parking and similar Structures constructed entirely beneath the surface of the ground can encroach into required Yards to a maximum of 2 m but not closer than 1.2 m from the adjacent Parcel Line, provided such underground encroachments do not result in a Grade inconsistent with Abutting Parcels, and the encroachments are covered by a minimum depth of 30 cm of soil or surface treatment to foster Soft Land scaping;

b. A concrete exterior staircase or ramp to access a Basement area below Grade may project into any Setback area, up to the Parcel line;

c. Notwithstanding Buffer or Landscape requirements, Patio seating for restaurants may encroach into any yard setbacks in the Commercial Zones.

.2 **Corner Visibility**

On a Corner Parcel in any zone, there shall be no obstruction to the line of vision between 1.2 m and 3 m in Height from the Highway Grade, within the triangular area bounded by intersecting Parcel Lines and a line joining each of the Parcel Lines 4.5 m from their point of intersection.



.3 **Density Measurement**

When density is measured in:

a. **Units/Area:**

Residential density shall be determined by dividing the number of Dwelling Units by the area of the Parcel to be developed in hectares, excluding that portion of a Parcel comprising a utility right-of-way granted to an entity other than the District from the total area of the Parcel, or an area within a Riparian Area Setback. Where the result yields fractional number, the number of Dwelling Units permitted shall be rounded down to the lowest whole number.

b. **Floor Area Ratio (FAR)**

Density shall be determined by the numerical value obtained when the area of all levels of all Buildings and Structures constructed on a Parcel, is divided by the area of the Parcel, excluding:

(i) all that portion of a Parcel comprising a utility right-of-way granted to an entity other than the District, or in the case of a Parcel whose area is reduced below the applicable minimum Parcel Area by the exclusion of such portion, divided by the applicable minimum Parcel Area;

(ii) the portion of the Land that is within a Streamside Protection and Enhancement Area (SPEA) associated with a Watercourse;

(iii) exterior cladding and exterior solid wall systems up to a maximum thickness of 0.165 m provided that an exterior insulation or weather protection wall system has been approved by a Professional Engineer;

(iv) that portion of a Dwelling Unit that is dedicated for a vertical service shaft extending from the mechanical service area to roof for the purposes of solar hot water heating;

(v) that portion of a Building that is dedicated for a vertical service shaft for an elevator or common stairwell;

(vi) floors with a ceiling height of less than 1.5 m;

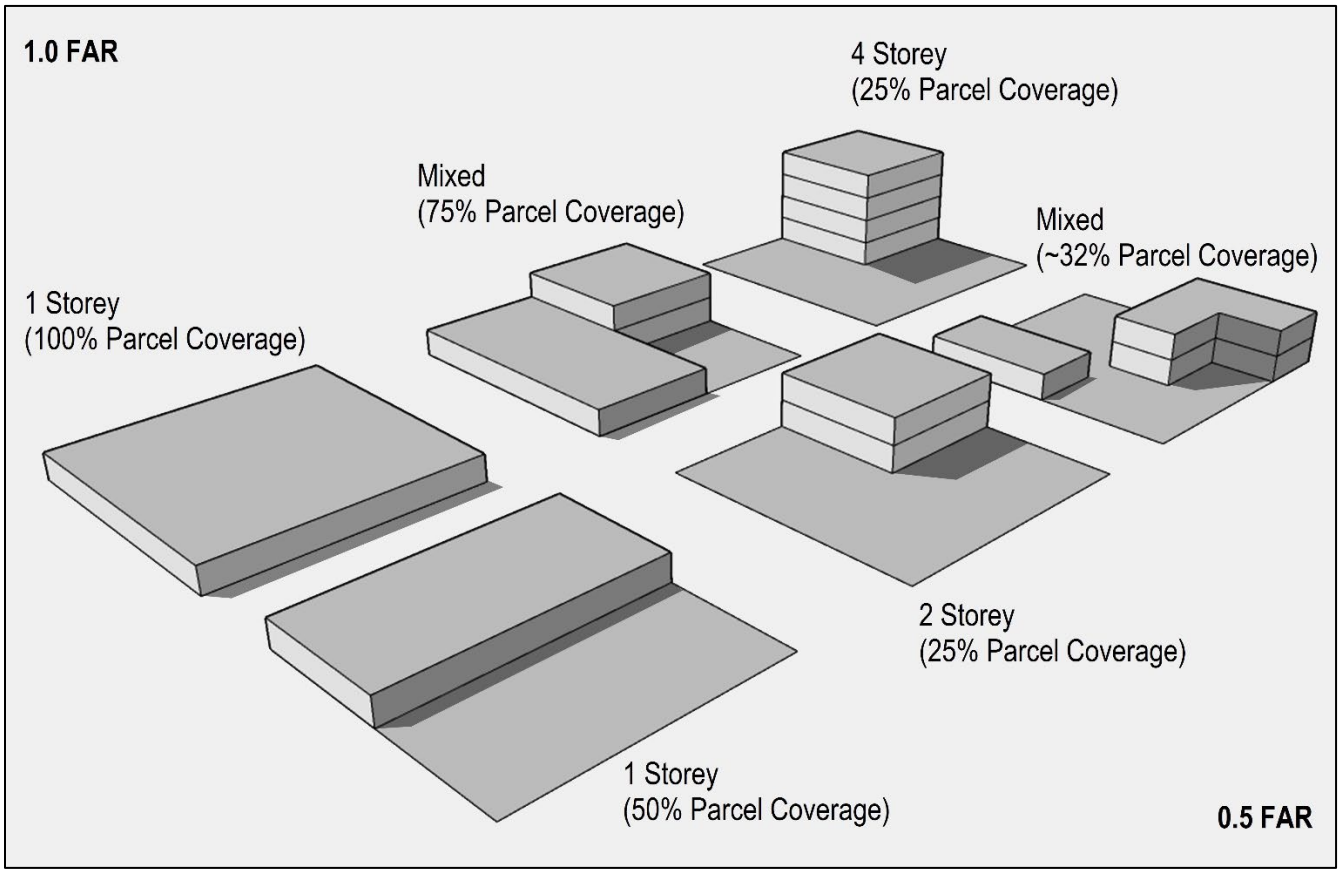
(vii) that portion of a Building provided for mechanical space, refuse and recycling management areas or bicycle parking;

(viii) indoor amenity space provided for occupants and guests of the Building;

(ix) attached Garages on Principal Buildings or Coach Houses;

(x) sheds, open porches or covered Breezeways; and

(xi) basements or underground Off-Street Parking areas whose floor is located a minimum of 1.5 m below the average Finished Grade of all sides of the Building.



.4 **Floodplain Requirements**
See Schedule C of this Bylaw.

.5 **Height Exemptions**
The following Structures are exempt from the Height requirements of zones in this Bylaw:

a. chimneys, elevators, and HVAC equipment where appropriately screened;
b. industrial Structures including industrial cranes, upright silos, tanks, radio and television antennas and utility/plumbing stacks;
c. Public Use or Civic Use Structures including church spires, domes, public monuments, flag poles and stadium bleachers;
d. utility and communication infrastructure including lighting and utility poles, satellite dishes, cell phone relays, fire and hose towers, and solar energy arrays; and
e. farm buildings and structures including crop protection and support structures such as deer fencing, netting supports and trellises.

.6 **Parcel Coverage**
Parcel Coverage shall be determined by calculating the total ground Floor Area of all Buildings and Structures on a Parcel as measured from the outermost perimeter, expressed as a percentage of the total Parcel Area; but excluding the areas of the following:

a. Balconies located above the First Storey which are cantilevered from a Building without footings or support extending to the ground;
b. Canopies and Awnings;
c. uncovered Decks and Patios that are not more than 0.6 m above Grade; and
d. uncovered swimming pools.

.7 **Setbacks & Building Massing**
Buildings and Structures shall be sited and massed as follows:

a. Buildings and Structures may be constructed in accordance with the setback requirements of each zone provided such Buildings and Structures do not extend within:
   (i) 30 m of the centerline of a controlled access Highway;
   (ii) 20 m of the centerline of any un-surveyed Highway;

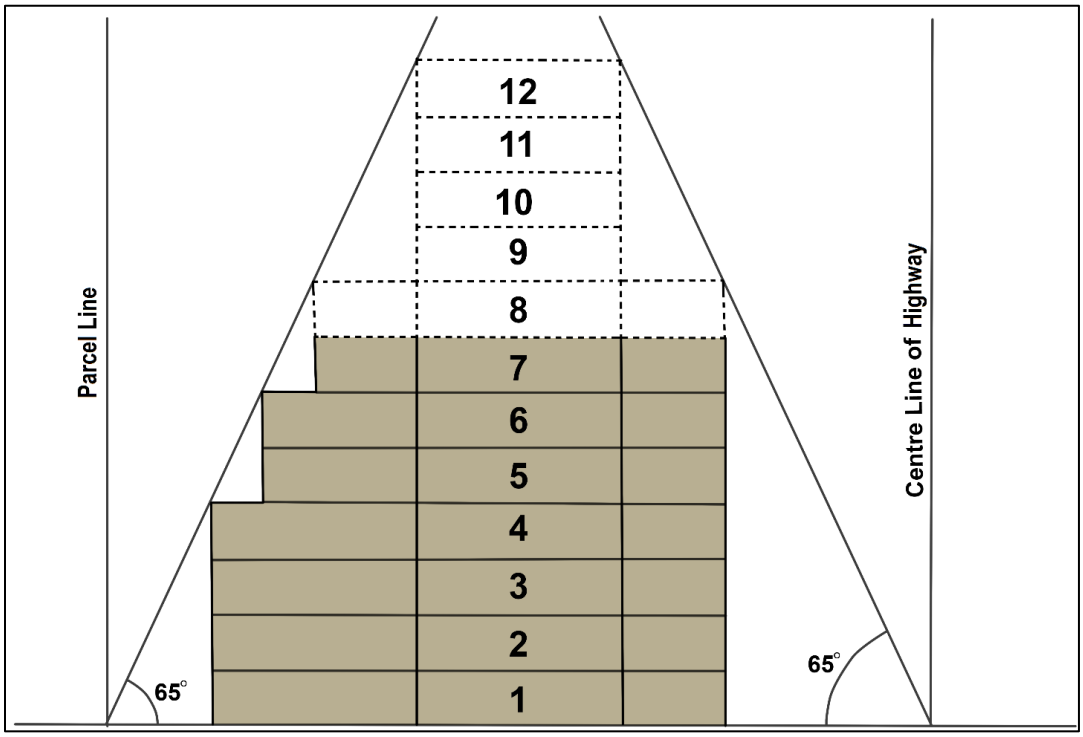
b. 12.5 m of the centerline of the following major Highways:
   (i) Shuswap Ave;
   (ii) Kappel Street west of Riverside Avenue and east of Highway 97A;
   (iii) Rauma Ave between Trans Canada Highway and Kappel;
   (iv) Solsqua - Sicamous Road;
   (v) Old Spallumcheen Road;
   (vi) Parksville Street;
   (vii) Larch Avenue; and
   (viii) Holly Avenue.

c. 18 m of the centreline of Riverside Avenue and the portion of Kappel Street located between Riverside Avenue and Highway 97A.

d. 30 m of the Natural Boundary of the Eagle River or 15 m from the mapped floodplain; whichever is greater;

e. 15 m of the Natural Boundary of Mara Lake, Shuswap Lake, and Sicamous Narrows.

f. Subject to Regulations & Conditions of use within a particular zone, siting and Setback regulations shall apply to every multi-unit Residential, Commercial and Institutional Buildings as illustrated in the following figure:



g. In the case of a Building more than 2 Storeys or 10 m in Height, no part of such Building above the third Storey or above 10 m measured from finished Grade shall project beyond lines extending towards the Building at an angle of 65 degrees from:
   (i) all points along the centre line of an adjacent Highway and inclined at an angle of 65 degrees to the horizontal;
   (ii) all points along the centre line of the rear Highway or the Rear Parcel Line of the Parcel where there is no Highway and inclined at an angle of 65 degrees to the horizontal; and

(iii) all points along the Side Parcel Line of the Parcel and inclined at an angle of 65 degrees to the horizontal.

3.13 Temporary Uses & Buildings

Temporary Buildings:

.1 May be erected for the following Uses:
   a. a Temporary Use granted during the planning approvals, construction or repair of a Principal Building on the same Parcel, intended for that Use, subject to other regulations in this Bylaw;
   b. a sales office for real estate development projects undergoing planning approvals or construction;
   c. shelter for construction or maintenance crews on the Parcel where they are working until construction is complete;
   d. housing of a security guard or night watchperson on the Parcel where they are working;
   e. Storage of materials for the construction or maintenance of any Building, to a maximum of 18 months;
   f. a polling station for election, referendum, census or similar Uses;
   g. a campaign headquarters for a political candidate;
   h. a Garage or Workshop for a Residential Use Parcel, to a maximum of 120 days per year;

.2 Shall be permitted provided that:
   a. the use of the Temporary Building is supported by the Parcel's zoning; and
   b. the Temporary Use meets the Off-Street Parking and Loading requirements of this Bylaw;

.3 Shall be permitted within a single CSA certified Recreational Vehicle per Parcel:
   a. during the construction of a Single-Unit Dwelling provided a Building permit has been issued for the Parcel and has not expired; and
   b. for non-paying guests of the Owner or occupant of a Single-Unit Dwelling on the Parcel, provided such use does not exceed 21 days in the calendar year;

3.14 Subdivision

Regarding the subdivision of Land:

.1 the minimum Parcel sizes shall be in accordance with the applicable zones;

.2 notwithstanding the minimum Parcel sizes in zones, the minimum size of a Parcel that may be created shall be 1 ha for Parcels serviced by neither a Community Water nor Community Sewer System;

.3 minimum panhandle width 6 m;

.4 the District Council delegates to the Approving Officer the power under Section 512 (2) of the *Local Government Act* to exempt a Parcel from minimum Parcel frontage regulations established within this Bylaw;

.5 notwithstanding the Parcel Area requirements of this Bylaw, where the requirements are met under each zone with respect to the provision of water and sewer service, minimum Parcel size requirements shall not apply to a subdivision where:
   a. 2 or more Parcels are being consolidated into a single Parcel; or
   b. the effect of the subdivision would not increase the number of Parcels but would adjust the Parcel Line between existing Parcels, provided that the change did not result in the reduction of either Parcel by more than 10 % of its original Parcel Area; or
   c. an accretion is added to the Parcel;
   d. as a result of dedication of Land for Highway widening purposes, the Yards and Setbacks of an existing Building or Structure are rendered non-conforming to the Yard and Setback requirements of the zone, the bylaw Setback requirements shall not apply; or,
   e. where the Parcel is created as a result of a Highway dedication through a Parent Parcel.

.6 Subdivision adjacent to a controlled access highway need approval by the designated highways official pursuant to section 80 of the Land Title Act.

3.15 Usable Open Space

Private open space shall be provided in all new developments as follows:

a. In Multi-Unit Residential and Tourist Commercial zones, usable open space, including Landscape Buffer Areas shall include:
   (i) A minimum of 15 % of the total Parcel Area; plus
   (ii) A minimum of 10 m² of useable open space per Dwelling Unit.
b. In Commercial, Industrial and Civic zones:
   (i) a minimum of 2 m² of common useable open space shall be provided for every 100 m² of area of Buildings on the Parcel.