THE CORPORATION OF THE VILLAGE OF WARFIELD

Committee of the Whole Meeting #06-21

Minutes of the Committee of the Whole Meeting of the Village of Warfield, held Thursday June 10, 2021, at 3:00 p.m. In an electronic/video format due to the inability to provide COVID-19 spacing under the Province of B.C. Ministerial Order 192.

Present:	Mayor D. Langman Councillor C. Yunkws Councillor A. Parkinson Councillor R. Masleck Councillor J. Hill
Staff Present:	Jody-Lynn Cox, CFO/CO Lila Cresswell, CAO Christine Meschi, Senior Administrative Clerk Melissa McGee, Administrative Clerk II
Gallery:	Neal Smith

Call to Order
Mayor Langman called the meeting to order at 3:00 p.m.

Council Resolution for Electronic Meeting
Moved/Seconded
THAT the Council of the Village of Warfield approve the electronic meetings to continue being held due to the inability to provide COVID-19 spacing under Province of BC Ministerial Order 192.

CARRIED

Agenda Approval
The agenda for Committee of the Whole meeting for June 10, 2021 was adopted as circulated.

Adoption of the Minutes
a. Minutes of the Committee of the Whole Meeting Held May 13, 2021
Recommended THAT the minutes of the Committee of the Whole meeting #05-21 be recommended to Council for adoption.

b. Minutes of the Public Hearing Held May 17, 2021 – Zoning Bylaw 896
Recommended THAT the minutes of the Public Hearing held May 17, 2021, Zoning Bylaw 896 be recommended to Council for adoption.

Amendment to Recommendation requested by Councillor Masleck
THAT Staff amend the minutes of the Public Hearing meeting, May 17, 2021, Zoning Bylaw 896 to remove the last line of the minutes, “Mr. Smith uttered a vulgar expletive and Mayor Langman advised him that his audio was still on”.

CO Cox reviewed the privacy disclosures at the Public Hearing including the login notification and

agreement, the Mayor's verbal disclosure and the on-screen agenda disclosure.

CO Cox explained that staff will not edit the recording as that would be altering a public record and removes credibility.

Final Recommendation THAT staff amend the minutes of the Public Hearing held May 17, 2021 - Zoning Bylaw 896 to remove the last line of the minutes, "Mr. Smith uttered a vulgar expletive and Mayor Langman advised him that his audio was still on" and that the amended minutes be recommended to Council for adoption.

Draft Zoning Bylaw #896

- Report from CAO Regarding Zoning Bylaw Review
  CAO Cresswell reviewed the Zoning Bylaw Review process. The report outlined the background of the project, process and timeline, and the next steps in the zoning process. She noted the report is for information only.

- WSP Key Recommendations
  Council reviewed and discussed the key recommendations brought forward by WSP and additional items of concern that were expressed by members of the public at the Public Hearing meeting held May 17, 2021. CAO Cresswell reviewed each area of concern, addressing the recommended changes or explanations and the following recommendations were made;

Recommendations:

- THAT Adult Entertainment Definition (Section 2.3.3) be removed
- THAT definitions be clarified as recommended (street, parcel, grade etc.)
- THAT "P" referring to 'permitted uses' of Secondary and Accessory Suites in the associated zones be removed from R1 and R2 designations in Table 5-1.
- THAT Parking for Home Occupations (Table 4-1), one additional parking stall is required, be removed
- THAT Bicycle Parking (Section 4.11 (c) v.), where possible, provide a roof, enclosure, or similar suitable weather protection be added
- THAT "P" referring to 'permitted uses' for Bed and Breakfast be removed from R1 and R2 zone designations in Table 5.1
- THAT Development of Emerald Ridge (Section 3.4.1), be removed as repetitive
- THAT Home Industry be added to Definition, Section 5.9 and Table 5-1
- THAT the definition of "detached suite" be removed to add clarity
- THAT Community Gardens be allowed in all zones
- THAT Indoor Entertainment Establishment be removed due to overlapping in definition.
- THAT Farmers' Markets be exempt from requiring a Temporary Use Permit and FUTHER THAT: a maximum occurrence allowance of once a week be set
- THAT Wind Turbines be removed as federal regulations cover them
- THAT Lighting (Section 4.12), where possible, energy-efficient light bulbs should be utilized be added
- THAT Shipping Containers (Section 5.11) be prohibited in any residential zone
- THAT Backyard Chicken Keeping (Section 5.12) be allowed in all residential, commercial and ICF

- THAT Domestic Agriculture (Section 5.12) be allowed in all residential, commercial and ICF zones and FUTHER THAT the limit of 40% parcel coverage be removed

Councillor Masleck requested a maximum size be considered for accessory suites in R2 zones.
CAO Cresswell will research and make a recommendation prior to Council meeting.

Rise and Report to Next Council Meeting

The Committee of the Whole will report to the next Council meeting with the following recommendations:

a) THAT Council moves forward with the recommended amendments agreed upon today
b) THAT Council defer the third reading from the June 14, 2021 Council meeting and FURTHER THAT Council hold a Committee of the Whole meeting to review the recommended amendments.

Adjournment

On a motion by Councillor Parkinson, the meeting adjourned at 4:07 p.m.

I hereby certify the preceding to be a true and correct account of the Committee of the Whole meeting #06-21 held by Council on June 10, 2021.

_____	_____
Diane Langman	Jody-Lynn Cox
Mayor	Corporate Officer

Village of Warfield

ZONING BYLAW NO. 896

JUNE 2021

PREPARED FOR:
VILLAGE OF WARFIELD

PREPARED BY:
WSP CANADA INC.

THE CORPORATION OF THE VILLAGE OF WARFIELD

ZONING BYLAW # 896

A Bylaw to regulate the location and use of buildings and structures and the use of land including the surface of water within the Village of Warfield and for that purpose to divide the area of the Village into zones pursuant to the provisions of the *Local Government Act*.

WHEREAS the Village of Warfield wishes to repeal "Village of Warfield Zoning Bylaw No. 440", as amended, and to adopt a new Zoning Bylaw for the health, safety and protection of persons and property, under Part 14 of the *Local Government Act*.

AND WHEREAS the Council of the Village of Warfield held a Public Hearing pursuant to Section 464 of the *Local Government Act*.

AND WHEREAS the Council of the Village of Warfield deems a Zoning Bylaw to be in the community's interest.

NOW THEREFORE BE IT RESOLVED that the Village of Warfield, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as "The Village of Warfield Zoning Bylaw No. 896".
2. The following schedules are attached to and form part of this Bylaw:
    a. Schedule A – Zoning Map
    b. Schedule B – Development Permit Area Maps
3. If any section, subsection, sentence, clause, phrase or map in this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder.
4. Bylaw No. 440, cited as "Village of Warfield Zoning Bylaw No. 440" and all amendments thereto as applicable to the Village of Warfield is hereby repealed.

READ A FIRST TIME this 12th day of April, 2021.

READ A SECOND TIME this 12th day of April, 2021.

PUBLIC NOTICE ADVERTISED the 6th and 13th days of May, 2021.

PUBLIC HEARING held the 17th day of May, 2021.

READ A THIRD TIME this __ day of _____, 2021.

RECONSIDERED AND FINALLY ADOPTED this ___ day of _____, 2021.

_____ _____

Mayor Corporate Officer

Acknowledgement

We acknowledge and appreciate that the land on which we gather is the converging, ancestral, traditional and unceded territory of the Syilx, Secwépemc, Sinixt and Ktunaxa Peoples as well as the Métis Peoples whose footsteps have also marked these lands.

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SCHEDULE A: ZONING MAP

SCHEDULE B: DEVELOPMENT PERMIT AREA MAPS

List of Amendments to the Village of Warfield Zoning Bylaw No. XXX				
Amendment Bylaw No.	**Date of Adoption**	**Purpose and Description of Amendment**	**Text**	**Map**

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PART 1 - ADMINISTRATION

1.1 TITLE

1.1.1 This Bylaw may be cited as "Village of Warfield Zoning Bylaw No. 896, 2021."

1.2 APPLICATION

1.2.1 This Bylaw shall be applicable to all lands, including the surface of water located within the Village of Warfield municipal boundaries, and to all buildings and structures located thereon.

1.3 COMPLIANCE WITH OTHER BYLAWS

1.3.1 In addition to this Bylaw, a person is responsible for determining and complying with the requirements of all other applicable Village of Warfield Bylaws as well as provincial and federal enactments.

1.4 SEVERABILITY

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

1.5 ENFORCEMENT AND INSPECTION

1.5.1 The Chief Administrative Officer, and any person acting on the Chief Administrative Officer's instruction, are hereby appointed to administer and enforce the provisions of this Bylaw as 'Designated Officers', and are hereby authorized to enter upon any property subject to the provisions of this Bylaw, at all reasonable times, to ascertain whether the provisions of this Bylaw are being adhered to.

1.6 PROHIBITION

1.6.1 Subject to the provisions of the *Local Government Act* respecting non-conforming uses and land, including the surface of water, buildings and structures shall not be used, constructed, re-constructed, altered, moved or extended contrary to the provisions of this Bylaw.

1.7 VIOLATION

1.7.1 Every person who:

(a) Violates any provision of this Bylaw;

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

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

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

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

(f) Prevents or obstructs or attempts to prevent or obstruct the authorized entry of an individual identified in Section 1.5.

1.8 PENALTY

1.8.1 This Bylaw may be enforced by means of a ticket in the form prescribed for the purpose of Section 264 of the *Community Charter*.

1.8.2 If an offence continues for more than one calendar day, separate offences are deemed to occur each day and separate fines may be issued for each calendar day in respect of which the offence occurs or continues.

1.8.3 Nothing in this Bylaw limits the Village from utilizing any other remedy that is otherwise available to the Village at law in respect to the enforcement of this Bylaw.

1.8.4 Any person who violates any of the provisions of this Bylaw shall, upon summary conviction thereof, be liable to a fine of not more than ten thousand ($10,000.00) plus the cost of prosecution.

1.9 APPEAL

1.9.1 Persons wishing to appeal to the Board of Variance under provincial statute, shall obtain the necessary appeal forms from, and submit the same to, the Village of Warfield for deliberation.

1.10 AMENDMENTS

1.10.1 Any person applying to have any provision of this Bylaw amended shall apply in writing by submitting an application in the form and manner prescribed by the Village of Warfield.

1.10.2 Council, in considering an application for amendment to this Bylaw may at its discretion:

(a) Agree, with or without conditions, to advertise the amendment to the Bylaw and make a final decision on the amendment after the public hearing;

(b) Refuse the application;

(c) Hold the application in abeyance pending further information; or

(d) Agree to consider an alternative amendment to the Bylaw.

1.11 EFFECTIVE DATE

1.11.1 This Bylaw shall become effective upon adoption.

1.12 REPEAL OF OTHER BYLAWS

1.12.1 The “Village of Warfield Zoning Bylaw No. 440, 1984” and all amendments made thereto are repealed upon the adoption of this Bylaw.

PART 2 - INTERPRETATION

2.1 RULES OF INTERPRETATION

2.1.1 All dimensions and measurements in this Bylaw are expressed in the Standards International Units (metric) system.

2.1.2 Any imperial conversions are provided for convenience only and have no force or effect.

2.1.3 For the purposes of calculating parking and loading spaces, units of measure shall be interpreted as follows:

(a) Where the sum of the calculation of the required total parking spaces results in a fraction, unless otherwise stated, the required spaces are to be rounded up if the number is 0.5 or higher and rounded down if the number is less than 0.5;

(b) When calculating required parking spaces as per the number of employees, this shall be determined as the largest shift during the peak period of operation for any use.

2.1.4 Words used in the present tense include other tenses and derivative forms. Words used in the singular include the plural and vice versa. The word "person" includes a corporation, firm, partnership, trust and other similar entities as well as an individual. Words have the same meaning regardless of capitalization.

2.1.5 The words "shall" and "is" require mandatory compliance except where a variance has been granted pursuant to the *Local Government Act*.

2.1.6 The phase "used for" includes "arranged for", "designed for", "maintained for", or "occupied for".

2.1.7 Words, phrases and terms neither defined in this section nor defined in the *Local Government Act* shall be given their usual and customary meaning.

2.2 ZONING MAP

2.2.1 The extent and boundary of each zone is shown in Schedule A – Zoning Map.

2.2.2 The precise boundaries of each zone are shown as:

(a) The legal boundaries of a parcel or the natural boundary of a body of water or watercourse;

(b) The Village of Warfield boundaries;

(c) The centre of a road allowance, or rail right-of-way.

2.2.3 Where distances are not specifically indicated, the location of the Zone Boundary shall be determined by scaling of the Village of Warfield Zoning Maps.

2.3 DEFINITIONS

2.3.1 The definitions of uses group individual land uses into a specified number of classes, with common functional or physical impact characteristics. They define the range of uses which are principal and accessory, with or without conditions, within various zones of this Bylaw.

2.3.2 When interpreting definitions in this Bylaw:

(a) Typical uses listed in the definitions as examples are not intended to be exhaustive, exclusive or restrictive; and

(b) Where a specific use does not conform to the wording of any use class definition or generally conforms to the wording of two or more definitions, the use conforms to and is included in that use class which is most appropriate in character and purpose.

2.3.3 The following words, terms and phrases, wherever they occur in this Bylaw, shall have the meaning assigned to them as follows:

Abut means immediately contiguous to or physically touching. When used with respect to parcels, abut means two parcels that share a common parcel line. When used with respect to two parcels separated by a road or lane, abut means two parcels that share the road or lane centreline.

Accessory Building or Structure means a building or structure located on a parcel, the use of which is incidental and ancillary to the principal permitted use of the land, buildings or structures located on the same parcel.

Accessory Suite means a self-contained accessory dwelling unit located within an accessory building. An accessory suite has its own separate cooking, sleeping and bathing facilities, and may include carriage houses, garage suites, or garden suites.

Accessory Use means a use that is clearly incidental and ancillary to the principal use of land, buildings or structures located on the same parcel.

Adult Entertainment means any exotic or erotic dancing as part of a business, or sexually explicit performance as part of a business, including but not limited to strip-tease performance.

Agriculture means growing, rearing, producing or harvesting agricultural crops and livestock and includes processing and selling the primary agricultural products harvested, reared or produced on parcels comprising the farm. Barns, processing and retail facilities for primary agricultural products are considered incidental to agricultural uses.

Agriculture – Domestic means the use of land, buildings or structures for the purpose of conducting household domestic farm activities, the products of which are for personal use only and not a farm business. Such products exclude ungulates.

Aisle means the area used by motor vehicles for access to and from all off-street parking spaces but does not include a driveway.

Alteration means a change or extension to any matter or thing or to any occupancy regulated by the British Columbia Building Code. This includes:

(a) an addition to a building's gross floor area (GFA) or height;

(b) the removal of a portion of a building;

(c) construction of, cutting into or removing of a wall, partition, column, beam, joist or floor;

(d) a change to, or closing of any required means of access; and

(e) a change in fixtures, equipment, cladding or trim.

Amenity Space means outdoor or indoor space provided in a multiple dwelling housing development and specifically designed for the tenants' use for cultural, social and recreational activities and, except as expressly permitted in the zone, not used for commercial purposes. Such spaces may include, but are not limited to, communal meeting spaces, plazas, sports and fitness facilities, cultural facilities, gardens, tennis courts, swimming pools, garden plots, landscaped open space and children's play structures. Amenity spaces do not include hallways or indoor or outdoor alcoves or other similar spaces.

Animal Service Facility - Major means a development for the purpose of treatment, boarding, training, or grooming of animals and includes retail sales of associated products. This includes such uses as large-animal veterinary clinics, boarding and breeding kennels, impounding and quarantining facilities and animal shelters, but does not include the sale of animals.

Animal Service Facility – Minor means a development for the purpose of outpatient care, small-animal training, treatment or grooming of animals and includes retail sales of associated products. Typical uses are pet grooming salons, daytime boarding and small-animal veterinary clinics.

Art Gallery or Studio means premises used for the exhibition, creation or retail sale of works of art, which may include the collection, storage or preservation of works of art.

Assisted Living means seniors and/or accessible housing that provides nursing care, housekeeping and prepared meals.

Automobile Sales, Service and Rental means the retail sale or rental of new or used automobiles, bicycles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light recreational vehicles, together with incidental maintenance services and sales of parts.

It includes automobile dealerships but does not include dealerships for the sale of trucks with a gross vehicle weight of more than 4100 kg. or the sale of motorhomes with a gross vehicle weight rating of more than 5500 kg. or a length of more than 6.7 m.

Automobile Service Station means a premise used primarily for the retail sale of motor fuels, electric vehicle (EV) charging stations for the use of the general public, lubricating oils, automobile repairs and servicing, including automobile structural or body repairs and painting and motor vehicle sales, but not a wrecking yard or vehicle storage. A service station may include accessory retail sale of motor fuels, lubricating oils and motor vehicle accessories.

Average Grade means the elevation grade of the finished ground abutting a structure, averaged around the perimeter of the structure.

Basement means a storey of a building located below the first storey, located below the average grade.

Bed and Breakfast means an accessory use within a single detached dwelling that provides temporary lodging for tourists and visitors where guest rooms are rented to any single individual or group for a continuous period or total period of less than one (1) month to one group at any given time. It may or may not include meal service. This use includes short-term rental uses.

Bike Parking means infrastructure that enables the secure and convenient parking of bicycles, for either long-term or short-term parking. Arrangements for this may include lockers, stands, manned bicycle parks, automated facilities or legal arrangements for ad hoc parking alongside railings and other street furniture.

Boarding, Rooming or Lodging House means a building in which the owner or manager may supply accommodation for their family, and sleeping unit accommodation, for remuneration to members of the public for a number of guest rooms. It may or may not include meal service. It includes lodges for senior citizens but does not include hotels, motels, temporary shelter services, or bed and breakfasts.

Brewery and Distillery – Major means the brewing, distilling and manufacturing of beverage products with an alcoholic content exceeding 1% by volume. Production, manufacturing and selling of any liquor product(s) must be licensed by the *Liquor Control and Licensing Act*. This use may include the accessory retail of liquor products manufactured on-site and merchandise specific to the brewery and distillery function and company branding.

Brewery and Distillery – Minor means the brewing, distilling and manufacturing of beverage products with an alcoholic content exceeding 1% by volume. Production, manufacturing and selling of any liquor product(s) must be licensed by the *Liquor Control and Licensing Act*. All processes, functions and mechanical equipment must be contained indoors and the total area for manufacturing is limited to a maximum of 300 m^2. This use may include the accessory retail of liquor products manufactured on-site, the sale of food and beverage associated with a licensed restaurant on the property, and merchandise specific to the brewery and distillery function and company branding.

Buffer means a landscaped or natural area intended to visibly and physically separate and screen one use from another to improve land use compatibility and environmental quality by reducing noise, lighting glare and other nuisances, or facilitating natural drainage and wildlife movement. This also refers to the use of vegetation and other screening or separation methods to separate non farming and farming land uses.

Building means any structure located on or attached to the ground and supported by columns or walls which is designed, erected or intended for the shelter, support, enclosure or protection of persons, animals or property.

Building Area means the greatest horizontal area of a building above grade within the outside surface of exterior walls or within the outside surface of exterior walls and the centre line of firewalls.

Building Height means the vertical distance between the average elevation of the finished grade of the ground immediately surrounding the building, and the structure's highest point.

Building Supply Establishment means the supply and indoor and/or outdoor storage of materials or fixtures that are incorporated in the structure of a building including hardware, lumber, wall-paneling and carpet. A building supply establishment excludes concrete mix plants and other building supply manufacturing and processing plants.

Campground or Recreational Vehicle Park means the use of a parcel, buildings or other structures for an overnight camping experience, including tenting or recreational vehicle sites as well as accessory facilities which support this use, such as administration offices and laundry facilities.

Cannabis Production Facility means cultivating, growing, processing, testing, producing, packaging, storing, distributing, dispensing, advertising, trading or selling of cannabis or any products containing or derived from cannabis or marijuana, as lawfully permitted and authorized under the Federal *Cannabis Act*.

Cannabis Retail Store means a retail premises used for the sale of cannabis that has been licensed by the Government of British Columbia.

Carport means a structure not over one storey in height, enclosed by not more than two walls, which is designed for the storage of a vehicle.

Cemetery means land that is set apart or used as a place for the interment of the deceased within the meaning of the Cremation, Interment, and *Funeral Services Act*.

Commercial Amusement Enterprise means a commercial establishment where permanent buildings or structures have been erected for the purpose of video games, pinball, billiards, bowling alley, mini golf, coin operated games, indoor playgrounds or indoor or electronically operated rides, and an accessory restaurant may also be provided.

Commercial School means a private facility used for training, instruction or certification in specific occupations, skills or services. Commercial schools are run for the financial gain of the owner or operator of the facility. Typical uses include but are not limited to secretarial, business, driver training, hairdressing, beauty culture, dancing, language or music schools. Commercial schools do not include industrial trades training facilities.

Commercial Temporary Accommodation means accommodation for the travelling public for a period not exceeding 30 continuous days or 30 days in a calendar year.

Commercial Vehicle Wash means a facility for washing vehicles that is intended and designed to accommodate vehicles with a licensed gross vehicle weight exceeding 4,500 kg.

Community Care Facility means the use of premises operated as a community care facility by a licensee under the *Community Care and Assisted Living Act*.

Community Garden means land gardened by individuals or non-profit groups for the purpose of providing a garden experience, education and local food production. A community garden may be developed to increase local food security for an individual, family or non-profit group, but not for retail or wholesale sale to persons who are not carrying out the gardening.

Corner Parcel means a parcel abutting upon two or more streets or rights-of-way at their intersection, excluding laneways. For the purposes of this definition, the front yard is the yard adjacent to the shortest boundary abutting on a street or right-of-way.

Council means the Council of the Village of Warfield.

Crime Prevention Through Environmental Design (CPTED) means a multi-disciplinary approach to deterring criminal behaviour through environmental design. Crime Prevention Through Environment Design strategies rely upon the ability to influence offender decisions that precede criminal acts by affecting the built, social and administrative environment.

Cul-de-Sac means a length of local street made for vehicular use, the end of which is permanently closed either by subdivision design or by a natural feature such as inaccessible terrain, as shown in Figure 1.

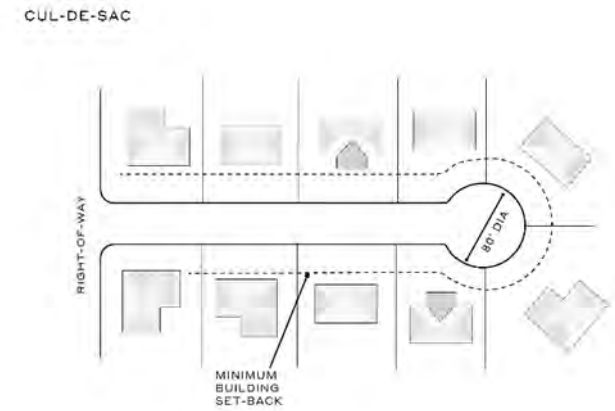


Figure 1 *Cul-de-Sac*

Cultural Establishments means any premises or part thereof used for one or more of the following purposes: Art Gallery, Art Studio, Museum, Library, Performing Arts Theatre or Concert Hall.

Curb Line means the outer boundaries of a street at the edge of that portion of the street usually traveled by or constructed for travel by vehicular traffic.

Day Care Centre – Major means premises licensed as required under the *Community Care and Assisted Living Act* intended to provide care, educational services and supervision during the day or evening. This use includes group day care centres, out-of-school centres and drop-in centres, intended for more than 8 persons.

Day Care Centre – Minor means premises licensed as required under the *Community Care and Assisted Living Act* intended to provide care, educational services and supervision during the day or evening and provides care for no more than 8 persons.

Deck means a structure attached to a dwelling unit, with no walls except for visual partitions and railings, which is constructed with a floor on posts and beams above grade for use as an outdoor living area.

Density means a measure of the intensity of development to the area of the parcel, including without limitation the number of units on a parcel measured in units/area or floor area ratio, as applicable. When the calculation of density yields a fractional number, the required number of units permitted shall be rounded down to the next lowest whole number.

Derelict Vehicle means all or part of any irreparable or salvageable vehicle or all or part of any motor vehicle which is not validly registered and licensed in accordance with the *Motor Vehicle Act*, and which is not located in a garage or carport.

Designated Officer means the Chief Administrative Officer, and any person acting on the Chief Administrative Officer's instruction, who are appointed to administer and enforce the provisions of this Bylaw.

Dormitory - removed

Duplex Dwelling see Two-Unit Dwelling.

Dwelling Unit means one or more habitable rooms that together contain only one set of cooking facilities and is used for living and sleeping purposes for a household. A dwelling unit may have a private entrance either from outside or from a common hall inside a building. A dwelling unit does not include temporary accommodation but may include a bed and breakfast as an accessory use.

Emergency and Protective Services means and includes, but is not limited to, a public facility used by police, fire protection, rescue and ambulance.

Equipment Sales and Servicing means the sale or servicing of tools, appliances, office machines, furniture, light construction equipment or similar items, but does not include the rental of motor vehicles or industrial equipment.

Farmer's Market means a market for the sale of products produced on farms, with multiple farmer vendors, operated in a fixed location on a periodic basis, and includes accessory mobile food vendors and sale of arts and crafts; excludes the sale of farm machinery, implements, tools and durable goods of every kind, other than gardening supplies.

Fence means a structure serving as an enclosure, a barrier or a boundary, usually made of posts or stakes, joined together by boards, wire or rails and includes a gate, screen trellis and wall.

Fence Height means the distance from normal ground level to the top of a structure serving as an enclosure, a barrier or a boundary, usually made of posts or stakes, joined together by boards, wire or rails and includes a gate, screen trellis and wall.

Financial Institution means the provision of financial and investment services by a bank, trust company, investment dealer, credit union, mortgage broker, insurance company, financial planner or advisor or related business, and may include a drive-through.

Floor Area Ratio (FAR) means the total gross floor area on all levels of all buildings and structures on a parcel, divided by the total area of the parcel.

Frontage means the extent of land abutting the front parcel line.

Funeral Services means the furnishing of supplies, funerals, viewing and related services to the public and includes facilities intended for the preparation of the dead human body for internment which may include cremation.

Garage means a detached accessory building or a portion of a principal building which is above grade and enclosed on three sides and is used for the sheltering of motor vehicles and the storage of household goods incidental to the residential use of a dwelling unit.

Gas Station - removed - see Automobile Service Station definition

Government Services means a building designed for the purpose of providing for Crown Corporation, local, provincial or federal government services directly to the public. Government services do not include emergency and protective services. Typical government services include, but are not limited to, courthouses, employment offices, social service offices, post offices, municipal, provincial or federal government offices and the offices of Crown Corporation.

Grade means, with reference to a building, the elevation on of the finished grade of the ground where it meets the exterior of such building and when used with reference to a structure shall mean the average elevation of the finished grade of the ground immediately surrounding such structures, exclusive in both cases of any artificial embankment.

Greenhouse/Nursery means a building and/or outdoor area used for the retail sale of trees, plants, flowers and associated gardening or landscaping supplies and outdoor garden equipment.

Gross Floor Area (GFA) means the sum of all floors of a building, measured from the building's perimeter, including all areas within the building and excluding parking areas, accessory structures, as well as unenclosed space outside of exterior walls or space located on a rooftop such as balconies and patios.

Ground Floor means that floor of a building which is at or nearest to ground level, not including a basement.

Harm Reduction Services means policies and programs which attempt primarily to reduce the adverse health, social and economic consequences of mood-altering substances to individual drug users, their families and communities, without requiring a decrease in drug use. Such services are managed by provincial Health Authorities in co-operation with community partners that provide designated space, either integrated in existing health or social care settings or in newly established locations. For the purposes of this Bylaw Harm Reduction Services does not include a Supervised Consumption Facility.

Health Services Facility means a building used for the provision of physical or mental health services offered by qualified professionals on an out-patient basis. Services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative or counseling nature. Typical uses include but are not limited to medical and dental offices, chiropractors, massage therapists, optometrists, acupuncture clinics, naturopaths, physical therapy clinics, health clinics, art and music therapy and counseling services. Health Services Facility does not include an Animal Service Facility or Supervised Consumption Facility.

Helipad - removed as federal regulations supersedes

Highway see street.

Home Industry means a trade of a small-scale industrial nature, which is clearly accessory to the use of a dwelling unit, such as but not limited to arts and crafts studio and storage of tools for fabricating, light manufacturing, servicing and repairing.

Home Occupation – Standard means an occupation carried out entirely within the principal dwelling or an accessory building or structure that provides professional or personal services in accordance with this Bylaw. A home occupation must be clearly incidental and accessory to the use of the principal dwelling unit for residential purposes.

Home Occupation – Minor means an occupation, profession or craft carried out entirely within a secondary suite or multiple dwelling housing unit, by a resident of the secondary suite or multiple dwelling housing unit. A home occupation must be clearly incidental and accessory to the use of the principal dwelling unit for residential purposes.

Hospital - removed included in Health Services Facility

Hotel means a building that provides rooms or suites for temporary accommodation where each room or suite is accessed by an enclosed common interior corridor, or, where each room has direct access to the parking lot, and may be equipped with individual kitchen facilities. A hotel may include an office for hotel administration, and it may contain such accessory uses as assembly, indoor recreation or restaurant licensed or not licensed for on-site consumption of alcoholic beverages.

Household means one or more persons living together in a dwelling unit.

Indoor Entertainment - removed included in Commercial Amusement

Industrial, Heavy means the use of land, buildings or other structures providing for the processing, fabricating, warehousing, testing, assembling, service, repairs, manufacturing, distribution or maintenance of goods or materials and can include bulk storage, junkyards, wood processing, meat and fish processing and automobile service stations.

Industrial, Light means the use of land, buildings or other providing for the fabricating, manufacturing, warehousing, testing, service, repairs, maintenance of goods or materials and includes wholesale and retail sales accessory to the principal use but specifically excludes motor vehicle salvage and junkyards, scrap salvage, wrecking yards, bulk storage and wood, meat, and fish processing.

Institutional Use means a use in which the predominant use, as determined by its general purpose and list of permitted uses, is of an institutional nature. Typical uses include but are not limited to, auditoriums, libraries, museums, theatres, and publicly owned art galleries.

Irregular Shaped Parcel means a parcel that is inconsistent in shape with other parcels in the neighbourhood. An irregular shaped parcel cannot be uniformly subdivided.

Junkyard or Wrecking Yard means the use of land, buildings or other structures where old articles, waste or discarded material including but not limited to rubber tires, metal, plastics, plastic containers, glass, papers, sacks, wire, ropes, rags, machinery, cans, any other scrap or salvage including two or more derelict vehicles, are stored or kept externally, whether or not for commercial purposes or as part of a trade or calling, and includes automobile wrecking yards.

Landscaping means a vegetated area and/or garden, or a combination thereof, that includes trees, shrubs, plants, decorative stonework, retaining walls, walkways or other landscape architectural elements. Driveways or areas used for loading, parking or storing of vehicles are not included in landscaping.

Land means an area of land, and includes the surface of water.

Lane means a right-of-way with less than 10 m in width, which may afford access to a parcel, at the side or rear of the parcel.

Market Garden means the commercial growing and harvesting, which contributes to the production of agricultural, floricultural, or horticultural products for on-site agriculture or on-site sales.

Medical Establishment - removed

Mixed-Use means a building that has commercial uses located on the ground floor with office and/or residential uses located on the upper floors of the building.

Mobile Home Dwelling means a detached dwelling unit designed to be transportable on wheels. This may include homes constructed to CSA Z240 or similar certified standards or park model trailers constructed to CSA Z241 or similar certified standards for residential occupancy.

Multiple Dwelling Housing means housing on a single parcel that contains three or more dwelling units.

Non-Conforming Use means a lawful existing use made of a parcel or building, intended to be made of a building lawfully under construction, or a development which is approved at the date of Council adoption of this Bylaw, or amendment thereof, which on the date this Bylaw or an amendment thereto becomes effective, would no longer comply with this Bylaw.

Obnoxious Use means any use that creates a nuisance or is offensive through the creation of noise, vibration, glare, electrical interference, fire, or explosion hazard, or the emission of gas, fumes, dust, smoke, oil, runoff, or objectionable smell.

Off-Street Loading means an area, located on the parcel, that is designed for loading and unloading goods from motor vehicles

Occupancy means the taking possession of or using a building or part thereof for the shelter or support of persons, animals or property, and includes the class or nature of the use.

Office means a building or part thereof, designed, intended or used for the practice of professional services, the carrying on of a business involving consultation with clients, or, where not conducted on the site thereof, the administration of an industry.

Open Space means the open, unobstructed space on a parcel, including the open unobstructed space accessible to all occupants of any residential or commercial building or structure on the parcel. Open space is suitable and used for the growth and maintenance of grass, flowers, shrubs, trees and other landscaping and may include any surface pedestrian walk but does not include any driveway or areas used for loading, parking or storing of vehicles.

Outdoor Recreation means recreation facilities that are not enclosed and include baseball diamonds, soccer fields, outdoor ice rinks, outdoor auditoriums, outdoor stadiums, playgrounds and other similar type uses.

Outdoor Storage or Display means the use of land or structures for the keeping of any goods, material, merchandise or vehicles associated with a permitted principal use, in an unroofed area or a roofed area with unenclosed sides, and on the same parcel for more than 24 hours.

Parcel means any lot, block of land or other area that is recorded in the records of the Land Title Office.

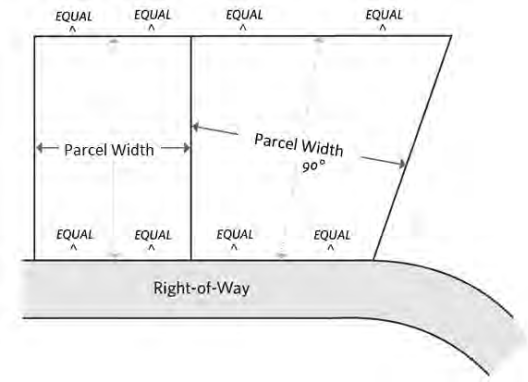
Parcel Area means the total surface area of land comprising the parcel but excluding any panhandle area and expressed in square metres (m^2).

Parcel Coverage means the percent of the parcel area covered by buildings and structures excluding parking areas, decks, patios, driveways and walkways. Coverage is calculated by dividing the sum of the footprints of all buildings and structures by the total parcel area.

Parcel Depth means the shortest horizontal distance between the front and rear parcel lines.

Parcel Line means the boundary of a parcel as follows:

a) Flankage means a side parcel line that abuts a street (or access route in a bare land strata plan) but is not a front or rear parcel line.
b) Front means any parcel line common to a parcel and a street. The side of the building containing the primary access to the dwelling unit is the front parcel line.
c) Interior means a parcel line between two (2) or more parcels that is not a front, rear or flankage parcel line.
d) Rear means the parcel line which is opposite to, and does not intersect, the front parcel line.



Parcel Width means the horizontal distance between the side parcel lines of a site, measured at right angles to the parcel depth at a point midway between the front and rear parcel lines, or 7.5 m from the front parcel line, and the lesser of these distances is the parcel width.

Park means an area permanently devoted to recreational uses and generally characterized by its natural, historic or landscaped features, used for both passive and active forms of recreation and does not include stormwater management ponds.

Parking Lot means a surface parking area, not contained within a structure, for five or more motor vehicles.

Parking Space means an area identified for the parking of one motor vehicle and does not include aisle space.

Patio means a platform or hard surfacing the surface of which is less than 0.6 m above grade and that does not have a roof.

Passive Recreation Area means areas that have minimal impact on the natural environment and may include parks, trails, benches, picnic areas, soccer pitches, ponds (not including storm water retention ponds) and gardening areas.

Personal Service Establishment means a commercial establishment that provides direct personal goods or services to persons involving the health, fitness, beauty or grooming of a person. Such services include, but are not limited to, barber shops, beauty salons, fitness facilities, tailor shops, laundry, dry cleaning and shoe repair shops.

Place of Worship means a building wherein people regularly assemble for religious worship and related religious, philanthropic or social activities, which is maintained and controlled for public worship. Typical uses include but are not limited to churches, chapels, synagogues, mosques, monasteries, temples and convents. It also includes a suite for the minister or someone of a similar position.

Porch means a roofed structure abutting a building and forming a covered approach to a doorway.

Principal Building means a building which occupies the major or central portion of a parcel and is the main or primary building on a parcel, or constitutes, by reason of its use, the primary purpose for which the parcel is used.

Principal Use means the main or principal use of land, buildings or structures which is provided for in the list of permitted uses in the zones of this Bylaw.

Protective and Emergency Facility means a public facility used by fire protection, police, ambulance, or other such services as a base of operations.

Qualified Professional means an individual who is registered with or accredited by the Province, Canada, or a provincial or federal entity created to register or give accreditation to an individual who carries on a profession that is regulated by that entity, and includes an individual who is certified by a government-recognized entity to carry on a profession. Typical professions include but are not limited to: medical or dental practitioners, chiropractors, massage therapists, optometrists, acupuncturists, naturopaths, physical therapists, art and music therapists, counsellors, engineers or landscape architects

Recreation Facility means development providing facilities within an enclosed building for sports and active recreation where patrons are predominantly participants and any spectators are incidental and attend on a non-recurring basis. Typical uses include athletic clubs; health and fitness clubs; curling, roller skating and hockey rinks; swimming pools; rifle and pistol ranges, bowling alleys and racquet clubs.

Recycling Materials Drop Off Centre means an establishment used for the buying, collection, sorting and temporary indoor storage of recyclable materials. Recyclable materials include, but are not limited to, cardboard, plastics, paper, metal, bottles and similar household goods or return for deposit items, but the receipt, storage or processing of hazardous waste is prohibited.

Restaurant or Bar means an establishment which prepares and serves food and beverages to customers in return for money, either paid before the meal, after the meal or with a running tab and may include a drive-through.

Residential Use means the use in or around a home, apartment building, sleeping quarters, and similar facilities or accommodations.

Retail Store means a building or part thereof where goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail but not wholesale, including storage of limited quantities of such goods, wares, merchandise, substances, articles or things, sufficient only to service such store and may include a drive-through.

School means a facility that is for education, training or instruction purposes and includes dormitories and the administration offices required for the provision of such services on the same site. Typical uses include but are not limited to public and independent schools, community colleges and universities. This use does not include commercial schools.

Screening means a continuous fence, wall, compact evergreen hedge, row of shrubs, trees or combination thereof, supplemented with landscape planting that effectively screens the view of property which it encloses, and is broken only by access driveways and walkways.

Secondary Suite means an accessory dwelling unit to a principal dwelling unit

a) having a floor space of not more than 90 m^2 in area;
b) having a floor space less than 50% of the habitable space of the building;
c) located within a building of residential occupancy containing not more than one principal dwelling unit; and
d) located in and part of a building which is a single real estate entity.

Semi-Attached Dwelling see Two-Unit Dwelling.

Service Commercial Maker Space means a community workshop or community studio that is dedicated to nurturing creativity, collaboration and hands-on learning through the provision of shared do-it-yourself space where like-minded individuals can gather and interact to: (1) create (make, build), invent, tinker, explore, learn; and, (2) share ideas, resources (tools, materials), knowledge, and skillsets.

Setback means the horizontal distance from the parcel line to the building, excluding eaves, chimneys, balconies or decks and bay or boxed windows.

Sign means any writing (including letter, word, or numeral), pictorial representation (including illustration or decoration), emblem (including device, symbol, logo, or trademark), flag (including banner, or pennant but not the flag of any nation or government), and anything designed or intended to, or having the effect of, announcing, identifying, directing attention to, or advertising any building or use.

Sign Form

Attached means a sign that is attached to the exterior of a building. This form of sign may include fascia, awning, banner, marquee, blade, volumetric, canopy, or other attached forms.

Freestanding means a sign that is supported by a permanent, independent structure, and is not attached to a building. This form of sign includes pylons, pedestals, monuments, and other free-standing forms.

Projecting means a sign that projects horizontally from a supporting wall or is attached to the underside of the building or canopy.

Temporary means a sign that is supported by non-permanent means and may be independent or attached to a building or structure.

Sign Type

Advertising Sign means a sign directing attention to a business, commodity, service or entertainment conducted, sold, or offered elsewhere than upon the same site where the sign is maintained.

Directional Sign means a sign that indicates vehicular access or egress from a parking or loading area

Identification Sign means a sign that identifies a building, business, service, institution, owner, or resident by name, logo, street address, or a combination thereof and which may direct attention to a business, service, or commodity conducted, offered, or sold on the same parcel or lands.

Temporary Sign means a sign intended for a temporary event or purpose.

Single-Detached Dwelling means a building that contains only one dwelling unit and is completely separated by open space on all sides from any other structure, except its own garage or shed. This use includes factory-built homes that conform to CSA A277 standards, but does not include recreational vehicles, travel trailers or campers.

Storey means that portion of a building which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it. A storey may not exceed 3.5 m in height.

Streetscape means the design of the street including roadbed, sidewalks, landscape plantings, as well as the character and setback of the adjacent buildings.

Street means a highway under the *Community Charter*, which is not a laneway, and that affords the principal access to abutting properties. It can include a thoroughfare, street, trail, avenue, parkway, driveway, highway, road, viaduct, alley, bridge, trestleway, or other public right of way that is ordinarily used for vehicular traffic, parking, and pedestrians and is located on publicly owned lands. It includes sidewalks, curbs, boulevards, ditches and traffic lanes.

Street, Flankage means a street which abuts a side parcel line. A lane abutting a side parcel line is not considered a flankage street.

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

Suite means a single room or a series of rooms of complementary use, operated under a single tenancy, and includes dwelling units, individual guest rooms in motels, hotels, boarding houses, rooming houses and dormitories as well as individual or complementary rooms for business and personal service occupancies.

Supervised Consumption Facility means a use that is a federally regulated and within a medically supervised building where drug users can inject or inhale pre-obtained illegal drugs. For the purposes of this Bylaw, this use includes overdose prevention services.

Temporary Use means a use as identified under the *BC Local Government Act* where a permit may be issued for land uses for a maximum three (3) year period, which are not permitted by existing zoning.

Townhouse Dwelling means a building divided into three or more side by side dwelling units under one roof with private exits or entrances to each dwelling unit, with each dwelling unit sharing at least one party wall and facing the front property line.

Two-Unit Dwelling means a single building or structure containing two separate dwelling units as principal uses, separate from any other building. This use includes duplexes and semi-attached dwellings.

> **Duplex dwelling** means a building used or designed for use as two self-contained dwelling units as principal uses, with each unit divided horizontally, with one unit generally stacked on top of the other.
>
> **Semi-Attached dwelling** means a building used or designed for use as two self-contained dwelling units as principal uses, generally divided vertically, with each having direct access or shared access to the outside, as shown in Figure 2. A semi-attached dwelling may be designed and constructed as two dwelling units at initial construction or through the conversion of an existing building.

Figure 2 Semi-Attached Dwelling

Village means the whole of Warfield as defined by the legal municipal boundaries.

Warehousing means a large open facility in which materials are delivered in bulk quantities, stored, sorted, separated and eventually shipped in smaller quantities to other destinations.

Watercourse means any natural or man-made drainage course or source of water, whether usually containing water or not, and includes any lake, river, creek, spring, ravine, swamp, gulch, or source of ground water, whether enclosed in a conduit or not.

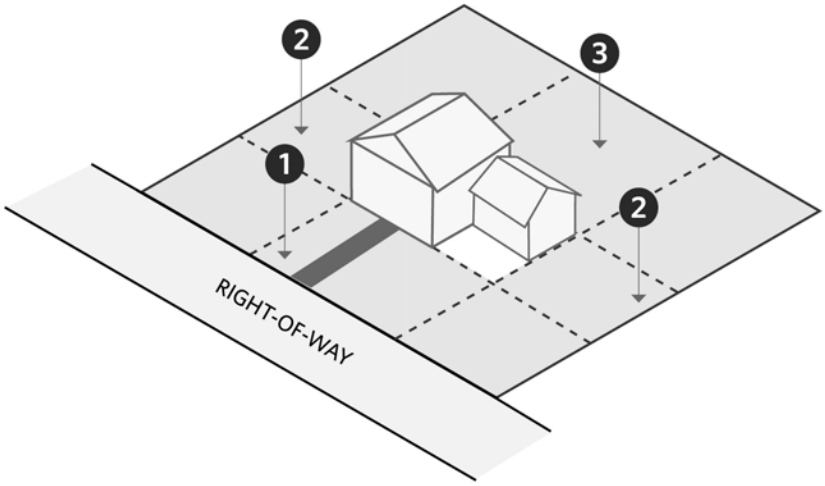
Wholesaler means the bulk sale of new or used goods to retailers, commercial users or the general public, but does not include industrial materials, construction materials, vehicles, machinery or agricultural goods.

Work Camp means one or more modular buildings or structures established for the purpose of providing residential accommodations and supports to workers, arranged to provide individual sleeping units (1 person per unit) with or without

individual bathrooms, meals in communal dining areas, and communal areas for recreation, laundry and other basic living essentials.

Yard means the portion of a site that is unoccupied by any portion of a building or structure and unobstructed from the ground to the sky unless otherwise permitted in this Bylaw. Yards (also referred to as setbacks) are measured using the horizontal distance between any parcel line and the closest wall of a building or structure along a line perpendicular to the parcel line.

(1) Front Yard; (2) Side Yard; (3) Rear Yard



Yard, Flankage the side yard of a corner lot, which side yard abuts a public street (excluding a laneway), as seen on a corner parcel. The "required flankage yard" or "minimum flankage yard" means the minimum side yard required by this Bylaw where such yard abuts a street.

Yard, Front means a yard extending across the full width of a parcel and between the front parcel line and the nearest wall of any main building or structure on the parcel; and "required front yard" or "minimum front yard" means the minimum depth required by this Bylaw of a front yard on a parcel between the front parcel line and the nearest wall of any building or structure on the parcel.

Yard, Rear means a yard extending across the full width of a parcel and between the rear parcel line and the nearest wall of any main building or structure on the parcel; and "required rear yard" or "minimum rear yard" means the minimum depth required by this Bylaw of a rear yard on a parcel between a rear parcel line and the nearest main wall of any building or structure on the parcel.

Yard, Side means a yard extending between the front yard and the rear yard and between a side parcel line where the side parcel line is not a public street (excluding a laneway), and the nearest wall of any building on the parcel; and "required side yard" or "minimum side yard" means the minimum breadth required by this Bylaw of a side yard on a parcel between a side yard line and the nearest wall of any building or structure on the parcel.

Yard, Required means the minimum distance that the development or a specific portion of a development must be separated from a parcel line. Required yards are specified in the dimensional standards for each Zone.

Yard, Corner Side - removed and clarified above

Yard, Interior Side - removed and clarified above

Zone means any portion of land, identified in Schedule A of this Bylaw, which regulates the use and development of land as depicted on the Zoning Map.

Yard Setback means the horizontal distance measured at right angles to the parcel line, between the parcel line and the building, structure or use, as shown above.

PART 3 - ZONES

3.1 DESIGNATION OF ZONES

3.1.1 The location of each zone is established on Schedule A, the Zoning Map.

3.1.2 Where a zone boundary does not follow a legally defined parcel boundary, watercourse or street, and where the distances are not specifically indicated, the location of the boundary shall be determined by scaling from the Zoning Map.

3.1.3 Where a zone boundary is shown on Zoning Map as following a street, rail right-of-way or watercourse, the centreline of the street, rail right-of-way or watercourse shall be the zone boundary.

3.1.4 All lands within the municipal boundary of the Village of Warfield are divided into the zones listed in Table 3-1. The correct name of each zone is set out on the left, with the abbreviated symbol and colour for each zone found on the right. Abbreviated symbols for zones are for convenience only.

Table 3-1 – List of Zones

NAME OF ZONE	MAP SYMBOL
Residential Zones	
Single Unit Residential Zone	R1
Single Unit Bed & Breakfast Zone	R1-BB
Single Unit Secondary Suite Zone	R1-SS
Large Lot Residential Zone	R2
Large Lot Residential Bed & Breakfast Zone	R2-BB
Large Lot Residential Secondary Suite Zone	R2-SS
Multiple Unit Residential Zone	R3
Residential Infill Housing Zone	RIH
Commercial Zones	
Comprehensive Commercial (Annable) - Development Permit Area Zone	C1
General Commercial (Upper Warfield) - Development Permit Area Zone	C2
Civic Zones	
Institutional and Community Facilities Zone	ICF
Parks and Recreation Zone	REC
Comprehensive Development Zones	
Emerald Ridge Comprehensive Development 1 Zone	CD1
Emerald Ridge Comprehensive Development 2 Zone	CD2

3.2 DESIGNATION OF DEVELOPMENT PERMIT AREAS (DPA)

3.2.1 Some lands within the municipal boundary of the Village of Warfield are subject to development permit area requirements, as outlined in Table 3-2, and established on the maps below.

Table 3-2 – List of Development Permit Areas

NAME OF DEVELOPMENT PERMIT AREA	MAP NUMBER
Comprehensive Commercial (Annable) Development Permit Area	Schedule B – Map 1
General Commercial (Upper Warfield) Development Permit Area	Schedule B – Map 2
Multiple Unit Residential Development Permit Area	Schedule A – Map 1 Lands Zoned R3 or RIH
Wildfire Hazard Development Permit Area	Schedule B – Map 3
Watercourse Protection Development Permit Area	Schedule B – Map 4
Steep Slopes Development Permit Area	Schedule B – Map 5

3.3 ZONE INTENT

3.3.1 The descriptions of zones contained in this Part are intended to assist in selecting the appropriate zone for different types of land, and to assist in identifying the intended character of each district. Whenever there is a conflict between any zone description and a substantive requirement in other Sections of this Bylaw, the more stringent requirement shall apply.

3.3.2 Residential Zones

(a) Single Unit Residential (R1) is intended to accommodate low density single detached residential development or other compatible uses in urban-style neighbourhoods.

(b) Single Unit Bed & Breakfast Zone (R1-BB) is intended to accommodate low density single detached residential development or other compatible uses including bed and breakfasts.

(c) Single Unit Secondary Suite Zone (R1-SS) is intended to accommodate low density single detached residential development or other compatible uses including secondary suites and accessory suites to a single unit dwelling.

(d) Large Lot Residential Zone (R2) is intended to accommodate predominantly single detached residential development on large lots including other compatible uses in rural-style neighbourhoods.

(e) Large Lot Residential Bed & Breakfast Zone (R2-BB) is intended to accommodate predominantly single detached residential development on large lots, two-unit dwellings, and compatible accessory uses including bed and breakfasts.

(f) Large Lot Residential Secondary Suite Zone (R2-SS) is intended to accommodate predominantly single detached residential development on large lots, two-unit dwellings, and compatible accessory uses including secondary suites, and accessory suites to a single unit dwelling.

(g) Multiple Unit Residential Zone (R3) is intended to accommodate multiple-unit residential development at various densities. Note that the Multiple Unit Residential Development Permit Area boundary applies to all properties within the Multiple Unit Residential Zone (R3) Zone.

(h) Residential Infill Housing Zone (RIH) is intended to accommodate multiple-unit residential development at modest densities, including townhomes.

3.3.3 Commercial Zones

(a) Comprehensive Commercial (C1) is intended to accommodate commercial developments that require larger sites, or sites that serve the motoring public and require direct access to a street.

(b) General Commercial (C2) is intended to accommodate commercial developments including service, business, retail and administration uses in central business areas.

3.3.4 Civic Zones

(a) Institutional and Community Facilities Zone (ICF) is intended to provide lands for community, government and emergency service-related uses that are primarily focused on providing services to the community.

(b) Parks and Recreation Zone (REC) is intended provide amenity space for residents and to protect natural areas.

3.3.5 Comprehensive Development Zones

(a) Emerald Ridge Comprehensive Development 1 Zone is intended to accommodate future master planned development, including trails and amenities for currently undeveloped sites in the Emerald Ridge neighbourhood.

(b) Emerald Ridge Comprehensive Development 2 Zone is intended to accommodate self-storage uses, reflecting the proximity to established industrial lands, and the associated restrictive covenants on the property.

3.4 COMPREHENSIVE DEVELOPMENT 1 (CD1) ZONE REQUIREMENTS

The subject property shall not be rezoned and subdivided except as part of an approved comprehensive development plan. - REMOVED AS REPETITIVE

3.4.1 The following studies and assessments will be required to be submitted alongside, and adequately addressed as part of a comprehensive development plan:

(a) Servicing strategies (water, wastewater, stormwater);

(b) Traffic impact assessment;

(c) Environmental assessment; and

(d) Any other studies that the designated officer deems applicable.

3.4.2 In addition to the information required by this Bylaw for a rezoning, the applicant shall also provide the following information:

(a) a proposed revised CD1 zone, which includes the general purpose of the zone, a list of principal uses for the site, a list of subdivision regulations, a list of development regulations, and a list of any other regulations which apply in addition or instead of any regulation in this Bylaw;

(b) a narrative documenting the opinions and concerns of surrounding property owners and residents obtained through a public information program, and how the proposed development responds to these concerns, together with a summary of the methods used to obtain such input; and

(c) a site plan, and/or elevations may be required to be attached to the specific CD1 zone as a schedule, where, in the opinion of Council, the complexity of the proposed development is such that a site plan and/or elevations would be necessary to clarify or interpret the written regulations of the specific CD zone.

3.4.3 Subject to all other provisions of this Bylaw, on any parcel, in any district designated as a CD1 District, the following design approaches and site elements shall be considered as part of the rezoning application:

(a) Future residential development should be clustered to protect natural areas and green space and create walking trails and access to other areas.

(b) Identify and protect areas with potential for future parks, recreation, and open space uses.

(c) Encourage new development to retain original natural areas and features, and to incorporate green spaces as much as possible.

(d) Ensure appropriate buffers are established between incompatible land uses.

(e) Encourage property owners and developers to follow provincial Best Stormwater Management Practices to protect water courses from adjacent surface disturbance and development.

(f) Landscaping opportunities, particularly strategies to control invasive plants as described in the *BC Weed Control Act*.

3.4.4 All buildings, structures and uses shall comply with the size, shape, siting and statement of uses as designated on the approved comprehensive development plan, which shall be attached to and amend this Bylaw.

3.5 COMPREHENSIVE DEVELOPMENT 2 (CD2) ZONE REQUIREMENTS

3.5.1 Development, aside from a self-storage facility development on the site, will only be enabled in the CD2 zone where the following conditions are met:

(a) the proposed development is, in the opinion of Council, considered appropriate for the site, having regard for the policies and objectives of the Official Community Plan and any other applicable municipal plan or policy;

(b) an acceptable servicing strategy and/or development agreement to enable the servicing strategy can be negotiated;

(c) the use of any other zone of this Bylaw to accommodate the proposed development would, in the opinion of Council, result in potential conflicts with the scale and character of existing or future surrounding development, should the full development potential of such zone be utilized.

3.5.2 The subject property may not be subdivided except as part of an approved comprehensive development plan.

3.5.3 Every applicant for comprehensive development district zoning or a comprehensive development involving the rezoning from the CD2 zone to other zones shall submit a comprehensive plan, including the following information to Council for approval:

(a) A site plan or plans, including legal descriptions of the area to be developed, showing the location of all existing and proposed buildings, streets, lanes, highways, driveways, parking and loading areas, sidewalks, street lighting, utilities and utility easements, streams and other topographical features of the site.

(b) Preliminary architectural plans for any proposed buildings.

(c) Existing and proposed grades and their relation to the elevations on adjoining properties.

(d) The location, size, height, colour, lighting and orientation of all signs.

(e) The location and treatment of open spaces, landscaping, fences and retaining walls.

(f) A statement of uses.

(g) A statement of ownership of land and interest of the applicant therein.

(h) A site grading plan.

(i) The estimated commencement date and proposed schedule of construction.

(j) A statement of financial responsibility, including the posting of bonds or cash, to assure the installation of the improvements required by the Village as a condition to development.

3.5.4 All buildings, structures and uses shall comply with the size, shape, siting and statement of uses as designated on the approved comprehensive development plan, which shall be attached to and amend this Bylaw.

PART 4 - GENERAL REGULATIONS

4.1 REGULATION OF USES

4.1.1 No land, building or structure shall be used or occupied except for a use which:

(a) Is listed in Table 5-1 as A Permitted Use;

(b) Is an Accessory Use; or

(c) Is a Temporary Use.

4.1.2 Where land, a building, or a structure is used for more than one purpose, all provisions of this Bylaw relating to each use shall be satisfied. Where more than one provision in this Bylaw is applicable, the higher or more stringent requirement shall apply unless specified otherwise.

4.2 REQUIREMENT FOR A BUILDING PERMIT, USES NOT REQUIRING A DEVELOPMENT/ BUILDING PERMIT

4.2.1 A building permit shall not be issued except for development in accordance with all applicable provisions under this Bylaw.

4.2.2 A building permit shall be in force for a period of 1 year from the date of issue, unless otherwise stated on the permit, after which time the permit may be reissued upon the request of the applicant and subject to the review of the Designated Officer.

4.2.3 A building permit shall pertain to 1 parcel only.

4.2.4 Notwithstanding the above provisions, a development permit and/or building permit shall not be required for the following:

(a) Signs not requiring a development permit and/or building permit identified under Section 4.27; and

(b) Fences not requiring a development permit and/or building permit identified under Section 4.15.

4.3 ACCESSORY USES, BUILDINGS AND STRUCTURES

4.3.1 Where this Bylaw provides that any land may be used or a building or structure may be erected or used for a purpose, the purpose includes any accessory use.

4.3.2 No accessory building or structure shall be constructed or erected, except those in compliance with the following regulations:

(a) The accessory use or structure shall be located on the same parcel and in the same zone as the principal building, structure or use.

(b) Where the accessory building or structure is attached to a principal building or structure, it shall be subject to, and shall conform to, all regulations of this Bylaw applicable to the principal building or structure.

(c) Where the accessory building or structure is detached from the principal building or structure:

i. it shall be subject to, and shall conform to, all regulations of this Bylaw applicable to accessory buildings or structures; and

ii. if accessory to a residential use, it shall not be located in the front yard.

(d) Accessory uses and structures must comply with all other provisions of this Bylaw applicable to the principal use to which they are associated. Parking requirements must also be met for the principal use where applicable.

(e) Where any building or structure on a site is attached to a principal building on the site by a roof, an open or enclosed structure above grade, a floor or a foundation which is above grade, or any structure below grade allowing access between the buildings such as a parking garage, breezeway or corridor, it is part of the principal building and is not considered an accessory building or structure.

(f) No accessory building or structure shall be constructed on any parcel prior to the time of construction of the principal building to which it is accessory.

(g) No accessory structure shall be located within a dedicated easement or right-of-way.

4.4 GRANTING OF PERMITS FOR TEMPORARY USES, BUILDINGS AND STRUCTURES

4.4.1 In accordance with the *Local Government Act*, all zones within the Village of Warfield are designated areas for consideration of Temporary Use Permits for uses not permitted on a parcel.

4.4.2 The following temporary uses are exempt from requiring a Temporary Use Permit, provided that the use operates for a maximum of two days per month, except for Farmers' Market which operate for a maximum of once a week, and the proposed temporary use complies with the general requirements of Section 4.5:

(a) Farmers' Markets;

(b) Garage or yard sales; and

(c) Carnivals or fairs and any associated uses.

4.4.3 The decision to issue a Temporary Use Permit is subject to the following considerations by the Council or its lawful delegate:

(a) compatibility of the uses proposed in a temporary use application with current or future land uses on adjacent parcels, such that the proposed use does not require a change of land use designation or zoning of the parcel; without limitation, this may include economic development and testing the compatibility of a proposed use with established nearby uses;

(b) the impact of the proposed temporary use on the natural environment and environmentally sensitive areas, and any proposed remedial measures to mitigate any damage to the natural environment or environmentally sensitive areas as a result of the temporary use must be considered;

(c) the compatibility of the operation, function, appearance and intensity of the proposed temporary use with the surrounding uses; and

(d) whether the proposed temporary use could be conducted on land elsewhere in the Village.

4.4.4 A Temporary Use Permit does not apply to a controlled access highway area as defined in the *Transportation Act* unless the Bylaw has been approved in writing by the minister or any person designated in writing by the minister before its issuance.

4.4.5 As a condition of issuing a Temporary Use Permit, Council or its lawful delegate may specify conditions including, but not limited to:

(a) the demolition of a building or structure associated with the permit, or the restoration of the property as described in the permit by the date specified in the permit;

(b) posting a letter of credit as security to guarantee the performance of the terms of the permit;

(c) the hours of the proposed use;

(d) the area of the proposed use; and

(e) environmental and groundwater protection measures.

4.4.6 A Temporary Use Permit may be granted for a period of no greater than three (3) years.

4.4.7 Permission to renew an approved Temporary Use Permit is limited to one renewal, which may only be granted by a resolution of Council.

4.5 GENERAL REQUIREMENTS FOR TEMPORARY USES, BUILDINGS AND STRUCTURES

4.5.1 An approval issued for a temporary use or structure is issued subject to the following general requirements, unless otherwise stated in this Bylaw:

(a) The temporary building, structure or use must not be detrimental to property or improvements in the surrounding area or to the public health, safety, or general welfare, nor must the temporary development have any adverse impacts on nearby residential neighbourhoods.

(b) The temporary use or structure must not result in permanent alterations to the zoning site in which it is located.

(c) Unless otherwise stated in this Bylaw or in the terms of the building and/or development permit, the temporary building, structure or use must cease to operate, and be removed thirty (30) days after expiry of the approval of the permit.

(d) Tents and other temporary structures must be located so as not to interfere with the normal operations of any permanent use located on the site.

(e) In all cases, temporary buildings and structures shall not exceed 93 m^2 in area and one storey or 4.5 m in height.

(f) No temporary building, structure or use shall be used for human habitation.

(g) A temporary building or structure may be used as an office space for a contractor or developer, or for the storage of construction materials or equipment, both incidental and necessary to development on the same zoning site.

4.5.2 In addition to complying with Section 4.5.1 above, the temporary uses listed in this Section must comply with the following standards:

(a) Real Estate Sales Offices and Model Sales Homes must:

i. meet all dimensional standards and parking requirements as applicable to principal structures in the zone where the temporary building or structure is located; and

ii. must not be used as a dwelling during the time it is being used as a real estate sales office or model home.

(b) Seasonal or Special Sales areas:

i. must not reduce the number of required off-street parking or loading spaces below the minimums required by this Bylaw;

ii. must not obstruct any vehicular circulation route into or through the zoning site; and

iii. are limited to a maximum of 60 days in each calendar year.

(c) Temporary construction trailers or buildings must be removed from the premises within one month after completion of such construction project for which they have been erected.

4.6 SERVICE CONNECTIONS & PUBLIC UTILITIES

4.6.1 No permanent principal building or dwelling shall be constructed unless it is connected to municipal piped sewer and water.

4.6.2 The Designated Officer has the authority to refuse or withhold a permit if insufficient piped sewer and water service capacity exists for a proposed development.

4.6.3 This Bylaw shall be interpreted so as not to interfere with the construction, erection and location of a public utility's works, plant, pipes, cables, or equipment.

4.7 SETBACK FROM PROVINCIAL HIGHWAYS

4.7.1 All buildings and structures on parcels abutting Highway 22 shall not be closer than 4.5 m to the Highway. A variance to no less than 3 m from the highway will require approval from Provincial Government Authorities (MOTI).

4.8 AUTOMOBILE SERVICE STATION & CAR WASH REQUIREMENTS

4.8.1 The following requirements shall apply to automobile service stations:

(a) No portion of any pump island shall be located closer than 6 m from any street line, except an overhead canopy.

(b) The minimum distance between ramps and driveways shall not be less than 9 m.

(c) The minimum distance from a driveway to a street intersection shall not be less than 15 m.

(d) The minimum angle of an intersection or a ramp to a street line shall be 45 degrees.

(e) Dedicated bays, separate from service bays, must be provided for any car wash facilities.

(f) All car wash bays or automated car washes must include an oil/water separator.

4.8.2 The following requirements shall apply to car washes:

(a) All car wash bays or automated car washes must include an oil/water separator.

4.9 LANDSCAPING

4.9.1 This section sets out landscaping requirements for all zones and areas in addition to any Development Permit Areas.

4.9.2 All work set out in the landscape plan, including design, installation and maintenance, must be executed to the Canadian Landscape Standard, industry requirements, national or provincial standards, codes and regulations recognized by the Canadian Nursery Landscape Association (CNLA), the Canadian Society of Landscape Architects (CSLA), national masters specification or other applicable trade associations.

4.9.3 Landscaping Requirements:

(a) Buildings erected for use as a single detached dwelling, two-unit dwelling, or townhouse shall plant one tree with a minimum 8 cm caliper in each front yard for every dwelling unit.

(b) Required landscaped areas pursuant to Section 4.9.3(c) shall be provided for new buildings having:

i. Off-street parking areas having more than 4 stalls abutting a street;

ii. Multiple-unit buildings;

iii. Any commercial or institutional building use.

(c) Required landscaped areas shall comply with the following requirements:

i. Where the rear yard abuts any residential zone, a landscaping area that is 6 metres in depth shall be provided along any abutting rear residential property line. This landscaping area may be reduced to a depth of 1 metre of landscaping if a 1.8 metre wooden, stone or acceptable equivalent, fence is provided along the abutting residential property line.

ii. The front yard shall include a landscaped area which shall be grassed, or alternatively, water features or natural ground covers such as stone (washed or flat), mulch, perennials, annuals, may be utilized. Within the landscaped area, trees, walls made of natural materials, planters, and shrubs shall be utilized and shall be planted at a rate of one (1) tree and three (3) shrubs per 5 metres of parcel frontage; and

iii. Existing trees and shrubs may be incorporated into the landscaped setback, and where possible may be calculated as part of the one (1) tree and three (3) shrubs per 5 metres requirement.

iv. Plant material must be planted at sufficient installation sizes as to provide an immediate landscape impact. Shrubs, grasses and perennials shall be a minimum No. 5 pot and trees shall be a minimum 45 mm caliper.

v. All trees, shrubs and other vegetative plantings required pursuant to this section shall be drought resistant and hardy to the region, using native species where possible, and plant materials located within 3.0 metres of a public street must be of a salt-tolerant species. In the event that planting material required in an approved development is inappropriate or fails to survive, the Designated Officer may allow or require materials to be substituted.

vi. Plant material must be of various species and genus as to provide a high level of visual and seasonal interest in form, colour and texture.

vii. The applicant shall be responsible for landscaping and proper maintenance of the site. The Designated Officer may require, as a condition of approval, that the applicant provide an irrevocable letter of credit in the amount of 100% of the estimated landscaping cost, the condition of the said irrevocable letter of credit being that, if the landscaping is not completed in accordance with this Bylaw and the plan within one growing season after the completion of the development, then the amount required to complete the landscaping shall be paid to the Village from the said irrevocable letter of credit.

4.9.4 Site grading of landscape areas must be done in a manner that minimizes the disruption of natural drainage patterns, soil erosion and runoff by keeping irrigation and normal rainfall within property lines and landscape areas.

4.10 PARKING

4.10.1 Where any development is proposed, including new development, change of use of existing development, or enlargement of existing development, off-street vehicle parking (including parking for the disabled, and visitors) parking shall be provided by the property owner in accordance with the requirements of this Bylaw.

(a) Parking spaces may include structures related to charging electric vehicles parked on the lot.

(b) Where calculation of the total number of parking spaces yields a fractional number, the required number of spaces shall be the next highest whole number.

(c) Where more than one calculation of parking space requirements is specified for a land use, the greater requirement shall be applied.

(d) Where the Parking Schedule does not clearly define requirements for a particular development, the single use class or combination of use classes most representative of the proposed development shall be used to determine the parking requirements.

(e) Where a development consists of a mix of use classes, the total off-street parking requirement shall be the sum of the off-street parking requirements for each use class.

(f) Where parking requirements are based on the GFA (gross floor area) of the use, the term means the gross floor area of the principal building, excluding:

i. Any area used for parking within the principal building;

ii. Any area used for incidental service storage, mechanical equipment, or similar uses.

(g) The minimum number of off-street vehicle parking spaces required for each use is specified in Table 4-1 except where additional parking is required by the Ministry of Transportation if the site has direct access to a provincial highway.

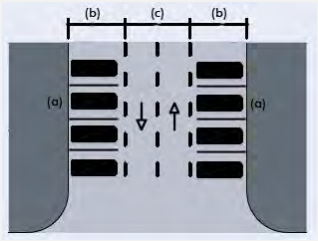
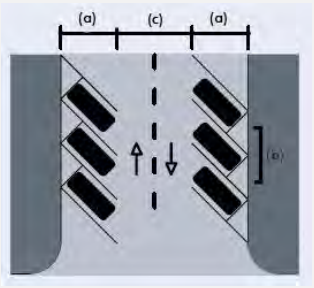
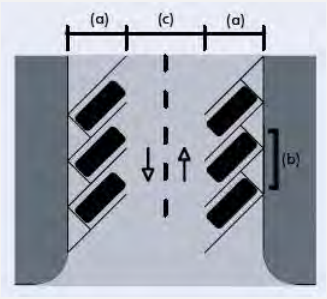
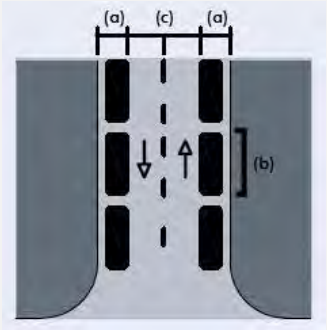
Table 4-1 – Minimum Vehicle Parking Requirements

USE OF A BUILDING OR PARCEL	MINIMUM NUMBER OF REQUIRED SPACES
Residential Uses	
Single Unit Residential Townhouse Dwelling Two-Unit Dwelling Live-Work Unit - REMOVED	2 per dwelling unit
Community Care Facility, Multiple Unit Residential or Work Camp	1 space per dwelling unit, plus 0.25 spaces per dwelling unit, for assisted living, plus 1 visitor parking space per 7 dwelling units with a minimum of 1 visitor space
Commercial Uses	
Any	2.5 per 100 m² GFA up to a building of 3,000 m² GFA, then 2.0 per additional 100 m² of GFA
Civic Uses	
Cemetery	1 per employee
Educational Facilities	Elementary School: 2 per classroom Other: 5 per classroom
Health Service Facility	1 per 3 beds plus 1 per treatment staff
Institutional Facilities Not Listed which do not involve spectator assemblies	1 per 20 m² of GFA
Institutional Facilities Not Listed which involve spectator assemblies	1 per 4 seats
Park or Open Space	1
Places of Worship	1 per 5 seats or 10 per 100 m² of GFA whichever is the greater
Recreational Facilities	1 per 10 m² of skating arena, plus 1 per 4 m² of pool surface, plus 1 per 4 player capacity for other sports
Spectator Sports Establishment	1 per 4 seats
Industrial Uses	
Any Industrial Use excluding Warehousing and Storage	1 per 2 employees on the largest shift or 1 per 100 m² of GFA, whichever is greater
Warehousing and Storage	0.5 per 100 m² GFA; minimum 5
Accessory Uses	
Accessory Suite	1 per suite, in addition to the spaces required for the corresponding principal dwelling unit
Bed and Breakfast	1 per sleeping unit, in addition to the spaces required for the corresponding principal dwelling unit
Home Occupation, Standard - REMOVED	1 for each non-resident employee on site during the largest shift, in addition to dwelling unit requirements
Secondary Suite	1 per suite, in addition to the spaces required for the corresponding principal dwelling unit

4.10.2 Parking Stall and Aisle Specifications

(a) Off-street parking spaces shall meet the parking stall and aisle specifications in Table 4-2. If the proposed spaces are designed at an angle that is not shown, use the specifications for the angle that is closest.

Table 4-2 – Minimum Vehicle Parking Stall Dimensions and Aisle Widths

		Minimum Stall Dimensions		Minimum Aisle Width	
Angle	Configuration	Stall Width (a)	Stall Depth (b)	Two – Way (c)	One – Way (d)
90° (Head In)		2.6 m	6.0 m	11.0 m	4.0 m
60° (Angled)		2.6 m	6.0 m	10.5 m	7.0 m
45° (Angled)		2.6 m	6.5 m	6.0 m	7.3 m
0° (Parallel)		3.0 m	7.5 m	n/a	n/a

4.10.3 Parking Spaces for the Disabled:

(a) Shall be designated if the BC Building Code deems that disabled access to the development is required.

(b) Shall be designated as parking space for the disabled using appropriate signage.

(c) Shall be included in the calculation of the applicable minimum parking requirement.

(d) Shall be as close as practical to the building entrance.

(e) In the Commercial and Civic zones, shall comprise 2% of the required parking stalls with a minimum of 1 parking stall for the exclusive use by disabled persons.

4.10.4 Parking Area Landscaping and Buffering:

(a) If a surface parking lot or accessory parking area abuts a public street, the owner must screen the perimeter of the parking area from public view excluding any drive aisles or pedestrian entrances. The screening must be:

i. A wall, fence, or landscaped hedge a minimum of a one meter high;

ii. A planting bed a minimum of 2 m wide, planted with a minimum of one shrub every 0.75 metres and one shade tree every 9 metres.

4.11 BICYCLE PARKING

(a) Where any new development, or enlargement of existing development is proposed, off-street bicycle parking shall be provided by the property owner in accordance with the requirements of this Bylaw.

(b) Off-street bicycle parking shall be provided in accordance with the following Table 4-3:

Table 4-3 – Minimum Bicycle Parking Requirements

Type of Development (Use)	Minimum Off-street Bicycle Parking Requirement
Multiple Unit Dwelling	• Greater than 4 dwelling units, up to 12 units: 2 spaces • 13-24 dwelling units: 6 spaces • Above 24 dwelling units: 8 spaces
Any commercial or institutional use up to 3,000 m^2 of gross floor area	2 spaces
Any commercial or institutional use greater than 3,000 m^2 of gross floor area 6 spaces	6 spaces

(c) Off-street bicycle parking provided to meet the requirements of this section shall:

i. be a minimum of 0.6 m in width and a minimum of 1.8 m in length, shall have a vertical clearance of at least 1.9 m;

ii. be situated on a hard surface;

iii. be constructed of theft resistant material, be securely anchored to the floor, building, or ground, supports the bicycle frame above the centre of gravity, and enables the bicycle frame and front or rear wheel to be locked with a U-shaped lock;

iv. be located in a convenient, well-lit location that is easily accessible by visitors and shall be placed so as not to obstruct pedestrian or vehicle circulation;

v. where possible, provide a roof, enclosure, or similar weather protection; and

vi. not be placed as to in or obstruct parking stalls, boulevards, landscaping or block walkways, aisleways or sidewalks when occupied.

4.12 LIGHTING

4.12.1 The following provisions shall apply to all outdoor lighting for any development:

(a) Outdoor lighting shall be low-glare in nature and located and arranged such that no light is directed at any adjoining properties, or that it may interfere with the effectiveness of any traffic control devices in the vicinity;

(b) Where possible, energy-efficient light bulbs should be utilized;

(c) If ground mounted, the maximum height shall be 11 m; and

(d) All outdoor lights must have fully shielded luminaries to direct light downward.

4.13 OUTDOOR STORAGE AND DISPLAY

4.13.1 No building and/or development permit will be issued for the outdoor storage of goods or materials not intended for immediate sale to the general public unless the outdoor storage:

i. is accessory to a permitted commercial development (use);
ii. is not located in a front yard or a flankage yard;
iii. has an area on the parcel equal to or less than 50% of the gross floor area of building the permitted commercial use occupies; and
iv. is not located in a required yard.

4.13.2 No building and/or development permit will be issued for the outdoor display of goods or materials intended for immediate sale to the general public unless the outdoor display:

i. has an area on the parcel equal to or less than 50% of the gross floor area of building the permitted commercial development occupies;

ii. is accessory to a permitted commercial development (use); and without limiting the generality of the following, involves the display of: swimming pools, fountains, prefabricated buildings, vehicles or recreational vehicles; and

iii. is not located in a required yard.

4.14 LOADING

4.14.1 Where any development is proposed, including new development, or enlargement of existing development, off-street loading spaces shall be provided by the property owner in accordance with the requirements of this Bylaw.

4.14.2 Number of Spaces:

(a) The minimum number of off-street loading spaces, including bus loading spaces, required for each use is specified in Table 4.4.

(b) Where calculation of the total number of loading spaces yields a fractional number, the required number of spaces shall be the next highest whole number.

(c) Where more than one calculation of loading space requirements is specified for a land use, the greater requirement shall be applied.

(d) Where the Loading Schedule does not clearly define requirements for a particular development, the single use class or combination of use classes most representative of the proposed development shall be used to determine the loading space requirement.

(e) Where a development consists of a mix of use classes, the total off-street loading requirement shall be the sum of the off-street loading requirements for each use class, unless there is a complementary demand or differences in periods of use for loading that warrants a different requirement.

4.14.3 Location:

(a) Off-street loading space shall be provided entirely within the property of the development being served, and shall be subject to all setbacks and yard requirements specified elsewhere in this Bylaw.

(b) Off-street loading space shall be oriented away from residential development.

4.14.4 Size and Access:

(a) Each off-street loading space shall be of adequate size and accessibility to accommodate the vehicles expected to load and unload, but in no case shall a loading space be less than 28 m² in area, less than 3.0 m in width, or have less than 4.0 m in overhead clearance.

(b) Each required bus loading space shall be a minimum of 3.6 m in width, a minimum of 12.2 m in length, and have a minimum clearance of 4.6 m.

(c) Access to any loading area shall be provided, wherever possible, internally to the development or from a lane abutting the development.

(d) Access to any loading area shall be arranged such that no backing or turning movement of vehicles going to or from the site causes interference with traffic on the abutting streets or lanes.

Table 4-4 – Minimum Loading Space Requirements

USE OF A BUILDING OR PARCEL	MINIMUM NUMBER OF REQUIRED SPACES
Residential Uses	
Care Centres, Minor Care Centres, Intermediate Care Centres, Major	1 car loading space 2 car loading space 3 car loading space
Commercial Uses Industrial Uses	1 per 1,900 m² GFA
Community, Educational (except below), Other Civic Uses	1 per 2,800 m² GFA
Educational Institutions	3 bus loading spaces
Hotels Motels	1 per 2,800 m² GFA

4.15 FENCES AND SCREENING

4.15.1 The height of a fence shall be measured as the vertical distance from the ground grade level at the base of the fence to the highest point of the fence.

4.15.2 Except where fencing is required by any part of this Bylaw, no development permit and/or building permit shall be required for a fence under 2.0 m in height, however fences must comply with the requirements of this part, not cross parcel boundaries, and not be located in an easement.

4.15.3 No razor wire, barbed wire, spire tips, or fences including sharp objects shall be permitted.

4.15.4 No fence shall exceed a height of 1.2 m in a front yard and 1.8 m in a side and rear yard in residential zone as indicated in Table 5-1.

4.15.5 No fence shall exceed a height of 2.4 m in in any yard in any commercial, civic or comprehensive zone as indicated in Table 5-1.

4.15.6 Fences may be constructed within any required setback, with the exception of setbacks required for a watercourse and to the portion of a parcel that is within a required sight triangle.

4.16 VISION TRIANGLES

4.16.1 As illustrated in Figure 3 on a corner parcel within the shaded space formed by the curb lines 7.5 m from the point of intersection of the curb lines, joining perpendicular to the parcel lines and joining the parcel lines, no landscaping, screening, building or structure may be planted or erected to a height greater than 1 m above the grade of the street.

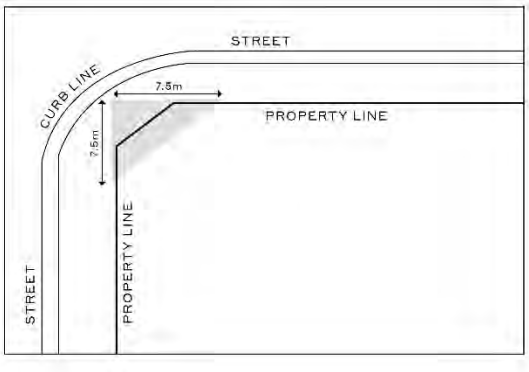


Figure 3 Vision Triangles

4.17 YARDS

4.17.1 Where a parcel has frontage on more than one street, or fronts both a street and a lane which is used for primary access, any building, structure or accessory building shall be located on such parcel to maintain a front yard on each street frontage so as to be consistent with the predominant front yard setback on the block.

4.17.2 In the case of a corner parcel, the front yard shall be the narrower of the two frontages.

4.18 PROJECTIONS INTO REQUIRED YARDS

4.18.1 No features for any type of building or structure shall project into the setback required by this Bylaw, except the following:

(a) Provided foundations or supports do not project into the required yard, eaves and gutters, cornices, sills, belt courses, bay windows, pop outs, chimneys or other similar features may project no more than:

i. 1 m into a side yard or flankage yard where the minimum yard is 3 m;

ii. 0.5 m into a side yard or flankage yard where the minimum yard is 1.5 m; or

iii. 1 m into a front yard or rear yard.

(b) Porches, accessibility ramps, decks and canopies, provided that such projections do not exceed 50% of the width of a required side yard or rear yard.

(c) Balconies and sun shades, provided that such projections do not exceed 1.5 m or 50% of the width of a required side yard.

(d) A patio which may be open or enclosed, in any yard.

(e) Arbors and trellises, fish ponds, ornaments, flag poles or similar landscape features.

4.18.2 Where a common wall shared by two or more dwelling units within a building for residential use, commercial use or industrial use coincides with an interior side parcel line of a parcel subdivided under the *Land Title Act* or of a strata parcel shown on a registered strata plan, the setbacks for the principal building specified in this Bylaw with respect to the interior side parcel line shall not apply.

4.18.3 All buildings and structures, and any part of any building or structure, must be setback a minimum of 4.5 m from all street rights-of-way under the jurisdiction of the Ministry of Transportation and Infrastructure.

4.19 BUILDING AND STRUCTURE HEIGHT

4.19.1 The maximum height regulations of this Bylaw do not apply to:

(a) The following parts of a building or structure provided it does not cover more than twenty percent (20%) of the parcel or, if located on a building, not more than 10% of the roof area of the principal building:

i. chimney, smoke stack;

ii. dome, cupola;

iii. hose and fire alarm tower;

iv. industrial cranes;

v. mechanical appurtenance on rooftops, including satellite dishes or other telecommunications apparatus used for domestic or commercial purposes;

vi. monument, sculpture;

vii. pole, flood light;

viii. public utility;

ix. radio and television tower or antenna;

x. spire, steeple, belfry;

xi. transmission tower.

wind turbine - REMOVED - federal regulations supersede

4.19.2 In a R3 Zone, the maximum permitted height of a multiple unit dwelling building which conforms with all the regulations of this Bylaw may be increased to permit the location of a penthouse on the roof of such building if:

(a) the height of the penthouse does not exceed 3.5 m;

(b) it occupies not more than 12.5% of the roof area; and

(c) the outer walls of the penthouse are located not closer than 3 m to the outer edge of the roof of the building on which it is situated.

4.20 PROHIBITED USES

4.20.1 No person shall use land, a building or a structure in any zone except as expressly permitted for the zone in which it is located. Without limitation, unless otherwise expressly permitted in a zone under this Bylaw, the following uses are prohibited in all zones:

(a) Cannabis Production Facility; and

(b) Supervised Consumption Facility.

4.21 USES PERMITTED IN ALL ZONES

4.21.1 Except where expressly prohibited, the following uses, buildings or structures are permitted in every zone:

(a) uses, buildings or structures which are accessory to a principal permitted use, building or structure on the same parcel;

(b) underground telecommunication lines and cables and telephone exchange buildings;

(c) pipelines, telecommunication towers and wires, traffic control devices, clock towers and underground utility systems;

(d) parks, open space, community gardens, playgrounds and playing fields, multi-use trails and ecological reserves;

(e) places of worship;

(f) municipal public works yard;

(g) transportation rights-of-way established by a government or Crown Corporation; and

(h) public utility facilities for transmission of water, sewage, electrical power, telephone, natural gas, cable television and other similar services (but not including sewage treatment plants, electrical substations or electrical generation, and individual parcels for the facilities are exempt from minimum parcel area requirements.

4.22 PARCEL WIDTH AND IRREGULAR SHAPED PARCELS

4.22.1 Minimum parcel width regulations do not apply where parcel lines are relocated to facilitate an existing development, if:

(a) no additional parcels are created;

(b) all affected parcels are contiguous; and

(c) no parcel shall be enlarged to a size permitting further subdivision.

4.22.2 The minimum parcel size required by this Bylaw may be reduced by a maximum of ten percent (10%) under the following conditions:

(a) part of the proposed parcel is required for the purpose of widening an existing street or right-of-way;

(b) the minimum parcel width set out in this Bylaw, or approved through subdivision;

(c) the minimum parcel area needs to be reduced in order to allow the length of the parcel to be reduced; and

(d) the reduction in minimum parcel size (and resulting reduction in required length) is required in order to allow a subdivision to fit within an extension of the standard grid of streets in the Village.

4.22.3 In all zones, the minimum parcel width is 11 m for parcels fronting on a cul-de-sac bulb. The width of a parcel is measured along the arc of the front parcel line on the bulb at the end of a cul-de-sac street.

4.23 AMENITY SPACES

4.23.1 Every applicant for a rezoning or building permit for a residential use having six (6) units or more must provide amenity spaces in accordance with this section.

4.23.2 Amenity spaces shall consist of a mixture of active and passive recreation opportunities for residents. Amenity spaces shall include, but are not limited to, a minimum of one (1) of the following:

(a) Private amenity spaces for each unit, consisting of private decks, patios, balconies or outdoor space for each unit each having a minimum area of 3 m^2 per unit;

(b) Common amenity spaces having a combined minimum area of 3 m^2 per unit consisting of:

i. on-site trails and pathways promoting pedestrian connectivity from parking lots and adjacent properties;

ii. indoor or outdoor sport or fitness room areas; and

iii. raised garden beds at a minimum of one (1) garden bed measuring 1.0 m^2 per every five (5) units.

4.23.3 Where common amenity spaces are required, an amenity space shall include a minimum of one (1) of the following:

(a) communal kitchen, which must include washrooms, seating and tables; or

(b) games and recreation room, which must include washrooms, seating and tables, containing such things as a pool table, air hockey table, shuffleboard and arcade games; or

(c) fitness facilities, which must include washrooms; or

(d) playground equipment including, but not limited to, natural play features, jungle gyms, swing sets, teeter totters and balancing play equipment, and must include playground equipment for children of all ages and abilities; or

(e) pools, sauna and/or hot tub area.

4.24 ACCESSIBLE DESIGN

4.24.1 Every parcel that is the subject of a building permit application for a multiple dwelling housing, commercial or institutional development may only be developed in accordance with this section.

4.24.2 The parcel must be developed to a high standard of accessibility with the goal of accommodating the needs of all individuals, including children, adults and seniors, as well as those with visual, mobility or cognitive challenges.

4.24.3 An access of no greater than 1:20 slope from grade must be provided at main entrances to every new or renovated building. The parking stall(s) must be directly adjacent to entrances.

4.24.4 Access ramps and related elements must be visually integrated with the overall building design and site plan.

4.24.5 Access across the front entrance should be a zero-lip entrance.

4.24.6 Automatic door openers should be provided at the main building entrance(s).

4.24.7 On-site pedestrian walkways must provide for some level of pedestrian scale lighting to promote safety and encourage limited nighttime use.

4.24.8 On-site pedestrian network must be considered in conjunction with overall roadway network and building siting, so as to maximize interconnectivity between roads and open spaces and minimize pedestrian and vehicle conflicts.

4.24.9 All accessibility requirements on a parcel on which a building is located must meet the specifications within the Building Access Handbook, as amended, as a condition of construction or renovation of the building.

4.25 RENEWABLE ENERGY AND SUSTAINABLE BUILDING TECHNOLOGIES

4.25.1 In Residential zones, sustainable building technologies shall be permitted provided that the technologies shall:

(a) Be attached to a principal or accessory building;

(b) Not extend beyond the ridgeline of the roof; and

(c) Not extend beyond the outermost edge of the roof.

4.25.2 In commercial, industrial or civic institutional zones, sustainable building technologies shall be permitted provided that the technologies are located on or within the principal or accessory building in which case, the technology shall not extend beyond the outermost edge of the roof, or if a standalone structure, shall be subject to the siting requirements for the principal building on the site where the technology is located.

4.25.3 The production of renewable energy as well as any device used to produce such energy shall comply with all other municipal, provincial and federal Bylaws, statutes and regulations, including, but not limited to a building permit and *BC Building Code* regulations.

4.26 NUMBER OF PRINCIPAL BUILDINGS

4.26.1 There shall only be one principal building and/or one principal use on a site, except in the following cases:

(a) Comprehensive Developments;

(b) Commercial Use in the C1 or C2 Zones; or

(c) Wherein otherwise stated or permitted in *the Local Government Act*.

4.26.2 A two-unit or multi-unit dwelling shall be considered one (1) building occupying one (1) site.

4.27 SIGNS

4.27.1 No person shall erect a sign without first obtaining a development permit and/or building permit from the Designated Officer, unless otherwise specified herein, and no permit approval shall be issued unless all the sign regulations and yard requirements of this Bylaw have been satisfied;

4.27.2 No sign shall be erected, operated, used or maintained which:

(a) Creates a nuisance, obstructs visibility, or in any way interferes with public safety;

(b) Due to its position, shape, colour, format or illumination, obstructs the view of, or may be confused with, an official traffic sign, signal or device, as determined by the Designated Officer or Council;

(c) Display lights resembling the flashing lights usually associated with danger or those used by police, fire, ambulance, and other emergency vehicles;

(d) Allows a swinging motion or contains moving parts;

(e) Is located on the roof of a building or structure;

(f) Is painted on a fence or roof; or

(g) Is located in a public right-of-way or sidewalk area.

4.27.3 The following signs are not subject to this Bylaw, however, this does not relieve the owner or person in control of such signs from erecting and maintaining them in a safe and good condition:

(a) Signs installed by the Village for traffic control, parking, street/road names and direction or those signs required to be constructed or maintained by law or governmental order;

(b) One temporary sign per site including garage sale signs, auction signs, or election signs so long as it does not impede access to the site or property and does not encroach into the public right of way;

(c) Non-illuminated directional signs, each sign not to exceed 0.5 m^2 in sign area;

(d) Window signs, unless such signs occupy more than 30 percent of the window surface on any façade of the principal building, in which case they are treated as fascia signs; and

(e) Memorial signs or tablets of non-combustible material when built into or attached to the walls of a building or other structure provided such tablets bear only the name of the owner, the name and use of the building, the date of erection of the building or reading matter commemorating a person or event.

4.27.4 The following signs do not require a building and/or development permit;

(a) Signs posted by duly constituted public authorities in the performance of their public duties;

(b) Flags or emblems of a political, civic, educational or religious organization;

(c) Historic or commemoratory signs identifying a location of historical significance;

(d) “No Trespassing” or “Private Property” or similar signs not exceeding 0.5 m^2;

(e) Construction signs when placed on construction sites and not exceeding 3 m^2;

(f) Signs required for direction and convenience of the public including signs which identify rest rooms or parking entrance or exits, not exceeding 1 m^2;

(g) Real estate signs not exceeding 1.5 m^2;

(h) For single- and two-unit dwellings, one building identification sign not exceeding 0.5 m^2 in area;

(i) For institutional uses, one building identification sign not exceeding 5 m^2 in area; and

(j) Any sign that cannot be seen from off the premises.

4.27.5 The following regulations shall apply to signs that are abandoned, in disrepair or unlawful:

(a) Where the Designated Officer finds a sign to be abandoned, the Designated Officer may, by notice in writing or by registered mail, order the registered owner, the person in possession of the site or building, or the person responsible for the abandoned sign to remove the sign within twenty days after receipt of the notice, or take such measures as are specified in the notice to alter or refurbish the sign so that it performs its purpose correctly.

(b) All signs shall be well maintained and shall remain in the general form as when they were applied for. Where the designated officer finds a sign to be in disrepair, or knocked over, the Designated Officer may, by notice in writing or by registered mail, order the registered owner, the person in possession of the site or building, or the person responsible for the sign in disrepair, to remove the sign within twenty days after receipt of the notice, or take such measures as are specified in the notice to alter or refurbish the sign so that it performs its purpose correctly.

(c) Where a sign contravenes the regulations of this Bylaw, or has been erected without authorization or permit, Council may, by notice in writing, order the owner or the person responsible for the contravening sign to take such measures as are specified in the notice to alter the sign so that it complies with the regulations of this Bylaw, or remove the sign.

(d) Failure to remove an abandoned, derelict or unlawful sign, or to comply with the measures specified in the notice by Council, shall result in the removal of the sign by the Village with the owner or the person responsible for the contravening sign assuming liability for all removal costs.

4.27.6 Owners must maintain all signs such that they are not damaged or upended and have a neat appearance. Should a sign be inadequately maintained, the Designated Officer may by notice in writing or by registered mail, order the sign to be corrected.

4.27.7 The following sign types and forms are recognized and permitted in this Bylaw:

Table 4-5 – Permitted Sign Types and Forms

Sign Type	Sign Form	Example
Advertising	Free Standing	Ground Sign
	Temporary	Sandwich Boards
Identification	Attached	Fascia, Awning, Band, Marquee, Projecting
	Free Standing	Pedestal, Pylon, Pole
Directional	Attached	Fascia, Projecting
	Free Standing	Pedestal, Pylon, Pole
Temporary	Free Standing	Flags, Sandwich Boards, Vehicle

4.27.8 Regardless of the Zone, no on-site sign shall be constructed, erected, altered, enlarged, or placed, except those that are permitted in accordance with the table below.

Table 4-6 – Permitted Sign Types and Dimensions by Permitted Use

Use Class	Permitted Type	Permitted Form	Surface Area Maximum	Height Maximum
Residential or Residential Related Uses	Identification – Building or Use	Attached or Free Standing	0.5 m^2 or 1.5 m^2 for real estate signs	3 m
	Directional	Attached or Free Standing	0.5 m^2	2 m
Commercial or Industrial Uses	Identification – Building or Use	Attached	25% of the front building façade for each business to a maximum 19 m^2 for single occupancy or maximum 60 m^2 for multiple occupancy	11 m
		Free Standing	20 m^2 for single occupancy or 60 m^2 for multiple occupancy	11 m
	Directional	Attached or Free Standing	1.5 m^2	11 m
	Mobile	Free Standing	1.5 m^2	1.5 m
	Temporary	Free Standing	4.65 m^2	11 m
Civic Uses	Identification – Building or Use	Attached or Free Standing	5 m^2 or 2.5 m^2 if it abuts a Residential or Residential Related Use Class	11 m
	Directional	Attached or Free Standing	1.5 m^2	11 m

4.27.9 Free standing signs are limited to no more than one per parcel, except on a corner parcel or through parcel. The Designated Officer or Council may allow more than one free standing sign if warranted by the site-specific characteristics or circumstances.

4.27.10 For the purposes of this section, each occupant in a multiple occupancies parcel or building shall be considered on an individual basis.

4.27.11 The following regulations shall apply to mobile signs:

(a) Mobile signs are only allowed in the C1 or C2 Zones;

(b) The maximum duration of a mobile sign on a site is ninety (90) consecutive days per calendar year. The mobile sign shall be removed from the site upon the expiry date of the sign permit;

(c) There shall be no more than one mobile sign per parcel, except that for a parcel with multiple occupancies, where there can be a maximum of two mobile signs. Where there is more than one mobile sign, the signs shall be a minimum of 15 m apart;

(d) No flashing or scintillating mobile signs shall be permitted;

(e) No mobile sign shall be located within 3.0 m of the nearest part of an entrance or exit to a site;

(f) The maximum height for all mobile signs shall be 3.0 m measured from grade to the highest part of the sign; and

(g) An applicant for a mobile sign must sign a letter indicating they will comply with the regulations of this section and agree to a date that the mobile sign will be removed.

4.27.12 Notwithstanding the regulations pertaining to mobile signs, the following regulations shall apply to all other temporary signs:

(a) No flashing or scintillating signs shall be permitted;

(b) No temporary sign shall be located within 3.0 m to the nearest part of an entrance or exit;

(c) All temporary signs shall be removed within seven days after the date of the advertised community event or at the discretion of the Designated Officer; and

(d) An applicant shall sign a letter indicating that they will comply with these regulations.

4.27.13 No off-site advertising signs (billboards) shall be permitted.

4.28 COMMUNICATION TOWERS

4.28.1 All communication towers are federally regulated and subject to policies as provided by Innovation, Science, and Economic Development (ISED) Canada thereto.

PART 5 - USE SPECIFIC REGULATIONS

5.1 REGULATION OF USES

5.1.1 No development shall be permitted in the Village of Warfield except for those developments that are listed herein as permitted, or those developments that are accessory to a permitted use listed herein.

5.2 PRINCIPAL USE TABLE

5.2.1 In Table 5-1, land uses and activities are classified into general 'use categories' based on common functional or physical characteristics, such as:

(a) The type and / or intensity of land use;

(b) The type and / or number of residents or customers;

(c) How goods and / or services are managed or delivered; or

(d) Other site-specific conditions.

5.2.2 This classification system provides a method for assigning present and future land uses into appropriate Zones. This classification does not list every use or activity that may exist, and some uses may be listed in one category when they may reasonably be listed in another.

REMOVED - The use categories in Table 5-1 are intended to operate as an indexing tool and do not form part of this Bylaw.

5.2.3 In Table 5-1:

(a) The letter "P" in a cell indicates a use is permitted in the associated Zone;

(b) A blank cell indicates a use is prohibited in the associated Zone.

5.2.4 Subject to all other provisions of this Bylaw, on any parcel in the zones identified in the following table, the following uses shall be permitted:

TABLE 5 – 1

Use	Residential								Commercial		Civic		Comprehensive		Use Specific Regulation
	R1	R1-BB	R1-SS	R2	R2-BB	R2-SS	R3	RIH	C1	C2	ICF	REC	CD1	CD2	
Residential Uses															
Boarding, Rooming or Lodging House							P								
Community Care Facility	P	P	P	P	P	P	P				P				
Mobile Home Dwelling								P							
Multi-Unit (3+ Unit) Dwelling							P	P							
Single Detached Dwelling	P	P	P	P	P	P		P							
Townhouse Dwelling							P	P							
Two-Unit Dwelling	P			P	P	P	P	P							
Work Camp								P							
Commercial Uses															
Adult Entertainment PROHIBITED															
Animal Service Facility, Major									P						
Animal Service Facility, Minor									P	P					
Art Gallery or Studio									P	P	P				
Automobile Sales, Service and Rental									P						
Automobile Service Station									P	P					Applies
Cannabis Retail Store									P	P					Applies
Commercial Amusement Enterprise									P		P				
Commercial School									P	P					
Commercial Vehicle Wash									P						Applies
Community Hall, Club or Lodge										P	P	P			
Day Care Centre, Major	P	P	P	P	P	P	P	P	P	P	P				
Day Care Centre, Minor	P	P	P	P	P	P	P	P	P	P	P				
Financial Institution									P	P					
Funeral Services									P	P					
Grocery Store									P	P					
Hotel									P						
Laundry Establishment									P	P					
Market Garden	P			P	P	P	P		P	P	P	P			
Office									P	P					
Personal Service Establishment									P	P					
Recycling Materials Drop off Centre									P						
Restaurants or Bar									P	P					
Retail Store									P	P					
Self-Storage									P	P				P	
Trade Contractor Office									P	P					
Transportation Depot									P	P					
Wholesaler									P						
Medical Establishment - REMOVED															

TABLE 5 – 1

Use	Residential								Commercial		Civic		Comprehensive		Use Specific Regulation
	R1	R1-BB	R1-SS	R2	R2-BB	R2-SS	R3	RIH	C1	C2	ICF	REC	CD1	CD2	
Civic Uses															
Campground or Recreational Vehicle Park												P			
Cemetery											P	P			
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Cultural Establishment											P				
Educational Facilities											P				
Government Services									P	P	P	P			
Health Service Facility									P	P	P				
Park or Open Space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Place of Worship	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Protective and Emergency Facility											P				
Recreation Facility (Indoor)											P	P			
Recreation Facility (Outdoor)											P	P			
Industrial Uses															
Cannabis Production															
Industrial, Heavy															
Industrial, Light															
Junkyard or Wrecking Yard															
Waste Management Facility or Landfill															
Winery, Brewery and Distillery, Major									P	P					
Winery, Brewery and Distillery, Minor									P	P					
Accessory Uses															
Accessory Suite			P			P									Applies
Agriculture, Domestic	P	P	P	P	P	P	P	P	P	P	P				Applies
Bed and Breakfast (Including Short-term Rental)		P|		P										Applies
Home Industry	P	P	P	P	P	P			P	P					Applies
Home Occupation, Standard	P	P	P	P	P	P		P	P	P					Applies
Home Occupation, Minor	P	P	P	P	P	P	P	P	P	P					Applies
Outdoor Storage & Display									P	P					Applies
Secondary Suite			P			P									Applies
Service Commercial Maker Space Uses									P	P	P				Applies
Shipping Container									P	P					Applies
Swimming Pool	P	P	P	P	P	P	P	P			P	P			Applies

5.3 SITE SPECIFIC COMMERCIAL USES

5.3.1 In addition to the uses permitted in the C1 and C2 Zones, the following uses are permitted to be located on the properties described therein:

(a) An industrial use limited to the production of concrete and concrete products, including the sale of goods associated with the finished concrete product is permitted on Lot 1 Plan 1803, D.L. except Plan 1918, K.D. and Lot 4, Plan 1804, D.L. except part outlined on reference plan 1036261, K.D.;

(b) An auto body shop use is permitted on Lot 1, Plan 5723, D.L. 4597, K.D.; and

(c) A winery, distillery or brewer is permitted on Lots 6 and 7, Plan NEP1957, D.L. 7189, K.D.

5.4 PRIVATE SWIMMING POOLS AND HOT TUBS

5.4.1 Swimming pools or hot tubs shall not be located in a required front yard.

5.4.2 Swimming pools or hot tubs shall not be constructed or located within any required front or flankage yard or located within 3.5 metres of any other parcel line, unless expressly provided for in this Bylaw.

5.4.3 Above ground swimming pools or hot tubs shall meet the siting requirements of accessory buildings.

5.4.4 Swimming pools or yards containing a swimming pool shall be enclosed in a structure or surrounded by a fence with a height of no less than 1.5 metres. The fence shall be equipped with a self-closing gate and secured by a spring lock not less than 1m above grade, designed to open from the inside of the fence. The fence and gate shall be erected at the same time as the excavation and construction of the swimming pool.

5.4.5 Hot tubs shall be equipped with a locking, rigid safety cover that meets the performance standards of American Society of Testing Materials (ASTM) Standard F1346-91 (2010) as amended, or comply with enclosure requirements for pools as per Section 5.4.4 above.

5.4.6 Minimum parcel coverage requirements shall not apply to uncovered swimming pools or hot tubs.

5.5 SERVICE COMMERCIAL MAKER SPACE USES

5.5.1 Service commercial uses may include maker space industries. These are limited to a community workshop or community studio uses fully enclosed in a building dedicated to nurturing creativity, collaboration and hands-on learning through the provision of shared do-it-yourself space where like-minded individuals can gather and interact to:

(a) create (make, build), invent, tinker, explore, learn; and,

(b) share ideas, resources (tools, materials), knowledge, and skillsets.

5.6 SECONDARY SUITES

5.6.1 Where permitted, all suites must comply with the following regulations:

(a) a maximum of one secondary suite or accessory suite is permitted per parcel;

(b) suites are only permitted as an accessory use;

(c) suites are only permitted in conjunction with a permitted principal residential use; and

(d) a suite must be fully separated from the associated principal use by walls, partitions and/or floors.

5.6.2 If located within a principal building, a suite must:

(a) have an entrance from the exterior of a building which is separate from the main entrance of the principal use;

(b) share common utility connections with the principal building; and

(c) must not exceed 50% of the principal buildings floor area or 90 m^2, whichever is less.

5.6.3 Where permitted, secondary suites are subject to the following regulations:

(a) no more than one secondary or accessory suite is permitted on a parcel with a principal single-detached dwelling;

(b) a secondary suite is not permitted within a semi-attached dwelling, on a parcel containing a semi-attached dwelling or within an accessory building on the same parcel as a semi-attached dwelling;

(c) the maximum floor area of a secondary suite must not exceed the lesser of 90 m^2 or 50% of the habitable floor area of the principal building;

(d) the secondary suite must meet BC Building Code requirements for secondary suites;

(e) the owner of the secondary suite is required to hold a valid business license with the Village;

(f) one off-street parking space must be provided on the parcel for the secondary suite;

(g) secondary suites shall not be subdivided or strata titled; and

(h) the principal single-detached dwelling on the parcel containing the secondary suite must be occupied by the owner of the principal single-detached dwelling.

5.7 ACCESSORY SUITES

5.7.1 Where permitted, all suites must comply with the following regulations:

(a) a maximum of one secondary suite or accessory suite is permitted per parcel;

(b) suites are only permitted as an accessory use;

(c) suites are only permitted in conjunction with a permitted principal residential use; and

(d) a suite must be fully separated from the associated principal use by walls, partitions and/or floors.

5.7.2 Where permitted, accessory suites are subject to the following regulations:

(a) no more than one accessory suite is permitted per principal single-detached dwelling. The accessory suite is permitted within an accessory building on the same parcel as a single-detached dwelling;

(b) an accessory suite is not permitted on a parcel containing a semi-attached dwelling or within an accessory building on the same parcel as a semi-attached dwelling;

(c) the maximum floor area of an acccessory suite must not exceed the lesser of 90 m2 or 75% of the habitable floor area of the principal building;

(d) the accessory suite must meet BC Building Code requirements for suites;

(e) one off-street parking space must be provided on the parcel for the accessory suite;

(f) accessory suites shall not be subdivided or strata titled;

(g) the principal single-detached dwelling on the parcel containing the accessory suite must be occupied by the owner of the principal single-detached dwelling; and

(h) an accessory suite must be located a minimum of 5 m from the rear of the principal single-detached dwelling.

5.8 BED AND BREAKFAST HOME (INCLUDING SHORT-TERM RENTAL SUITES)

5.8.1 Where permitted within a zone, a bed and breakfast operation is subject to the following regulations:

(a) A bed and breakfast must be licensed by the Village of Warfield under the Village of Warfield's business licensing Bylaw;

(b) A bed and breakfast must clearly be accessory to the use of the dwelling unit for residential purposes;

(c) A bed and breakfast must be conducted wholly within a single-detached dwelling unit;

(d) The principal single-detached dwelling unit on the parcel containing the bed and breakfast must be occupied by the owner of the principal single-detached dwelling unit;

(e) The maximum of three (3) guest rooms shall be permitted in a bed and breakfast;

(f) One additional off-street parking space must be provided for each guest room, in addition to any off-street parking requirements for the single-detached dwelling unit; and

(g) The maximum length of stay for any guest may not exceed 30 consecutive days.

5.9 HOME INDUSTRY

5.9.1 Home industry uses may include:

(a) Low-impact, domestic scale tools and technology such as:

i. Computers, 3D printers and software;

ii. arts and crafts equipment (such as easels, sewing machines);

iii. electronics, such as audio and visual devices;

iv. hand tools, vinyl cutting equipment;

v. microcontrollers for prototyping, digital devices, and interactive objects;

vi. mixed media;

vii. robotics;

viii. locksmiths; and

ix. tools for repairing electronic instrument and vehicle parts.

(b) A contractor's shop, a plumbing shop, an electrical shop, a small engine repair shop, or a similar use.

(c) A storage building for school buses, boats, interim storage of heavy equipment, snowmobiles or a similar use.

5.9.2 Where permitted, a home industry is subject to the following regulations:

(a) A standard home industry must be licensed by the Village under the Village's business licensing Bylaw;

(b) A standard home industry is an accessory use that must only be conducted within the principal single-detached dwelling and within up to one accessory building;

(c) No more than one person in addition to the residents of the principal residence where the home industry is being operated must work on the parcel in which the home industry is located;

(d) A home industry must not:

i. occupy more than 25% of the floor area of the principal building or 90.0 m^2, whichever is less, and in no case will the combined area of the principal building used for the business and an accessory building used for the business exceed 120 m^2;

ii. be operated in a manner that routinely generates more than one client visit at any one time;

iii. operate in a manner where clients or non-resident employees are working on the premises outside of the hours of 7:00 am to 8:00 pm;

iv. create a hazardous or dangerous condition for the neighbourhood or the environment;

v. generate sound from machinery at the parcel line of the parcel on which the home industry is located;

vi. produce odour, smoke or dust;

vii. produce interference with radio, television, telephone or other electronic or communications device, where the interference is detectable on such an electronic or communications device located beyond the parcel line of the parcel on which the home occupation is located;

viii. involve the treatment or boarding of animals, such as a veterinary hospital or kennel;

ix. involve automotive or motorized vehicle repair except that the repair of vehicle parts such as transmissions, starters, motors and other parts that have been removed from a vehicle off-site and transported to the site for repair;

x. involve the parking of more than one piece of heavy industrial equipment exceeding five (5) tonnes gross weight; and

xi. be serviced by a vehicle exceeding five (5) tonnes gross vehicle weight.

5.10 HOME OCCUPATIONS

5.10.1 A minor home occupation is subject to the following regulations:

(a) A minor home occupation must be licensed by the Village under the Village's business licensing Bylaw;

(b) A minor home occupation is an accessory use that must only be conducted within a secondary suite or multiple dwelling housing unit;

(c) No persons except those residing in the secondary suite or multiple dwelling housing unit where the minor home occupation is being operated must work in the dwelling unit in which the minor home occupation is located;

(d) A minor home occupation must not:

i. occupy more than 25% of the floor area of the secondary suite or multiple dwelling housing unit or 25.0 m^2;

ii. be operated in a manner that routinely generates more than one client visit to the site from which the business is being operated per day;

iii. operate in a manner where clients are on the premises outside of the hours of 7:00 am to 10:00 pm;

iv. must not create a hazardous or dangerous condition for the neighbourhood or the environment;

v. generate noise from machinery outside the dwelling unit in which the home occupation is located;

vi. produce odour, smoke or dust;

vii. produce interference with radio, television, telephone or other electronic or communications device, where the interference is detectable on such an electronic or communications device located outside the dwelling unit in which the home occupation is located;

viii. involve the treatment or boarding of animals, such as a veterinary hospital or kennel;

ix. involve the parking of heavy industrial equipment; and

x. be serviced by a vehicle exceeding five (5) tonnes gross vehicle weight.

(e) A minor home occupation may include the following:

i. the office of an accountant, architect, clergy, dentist, tax consultant, engineer, financial advisor, lawyer, real estate agent; and

ii. the office, draftsperson, barber, beautician, naturopath, massage therapist, chiropractor, picture framer, tailor, dressmaker, music or dance teacher, photographer, writer or of persons engaged in home crafts or hobbies.

(f) No sign advertising of the minor home occupation is permitted;

(g) No exterior storage or outdoor display of materials associated with the minor home occupation is permitted;

5.10.2 Where permitted, a standard home occupation is subject to the following regulations:

(a) A standard home occupation must be licensed by the Village under the Village's business licensing Bylaw;

(b) A standard home occupation is an accessory use that must only be conducted within the principal single-detached dwelling and within up to one accessory building;

(c) No more than one person in addition to the residents of the principal residence where the standard home occupation is being operated must work on the parcel in which the standard home occupation is located;

(d) A standard home occupation must not:

i. occupy more than 25% of the floor area of the principal building or 90 m^2, whichever is less, and in no case will the combined area of the principal building used for the business and an accessory building used for the business exceed 90 m^2;

ii. be operated in a manner that routinely generates more than three client visits at any one time;

iii. operate in a manner where clients or non-resident employees are working on the premises outside of the hours of 7:00 am to 10:00 pm;

iv. create a hazardous or dangerous condition for the neighbourhood or the environment;

v. generate sound from machinery at the parcel line of the parcel on which the home occupation is located;

vi. produce odour, smoke or dust;

vii. produce interference with radio, television, telephone or other electronic or communications device, where the interference is detectable on such an electronic or communications device located beyond the parcel line of the parcel on which the home occupation is located;

viii. involve the treatment or boarding of animals, such as a veterinary hospital or kennel;

ix. involve the parking of heavy industrial equipment; and

x. be serviced by a vehicle exceeding five (5) tonnes gross vehicle weight.

(e) A standard home occupation must include one additional off-street parking space in addition to those required for the principal dwelling; REMOVED

(f) A standard home occupation may include the following:

i. the office of an accountant, architect, clergy, dentist, tax consultant, engineer, financial advisory, lawyer, physician, real estate agent;

ii. the office or studio of an artist, draftsperson, barber, beautician, naturopath, massage therapist, chiropractor, picture framer, tailor, dressmaker, music or dance teacher, photographer or writer;

iii. locksmiths and electronic instrument repair; and

iv. the operation of a daycare or pre-school for not more than 8 pre-school or school-aged children.

(g) A standard home occupation is permitted to have a sign in accordance with this Bylaw;

(h) No exterior storage of materials or outdoor display associated with the standard home occupation will be permitted;

(i) No exterior evidence of the home occupation will be visible from outside the parcel on which the home occupation is located, except for a permitted sign;

(j) Retail sales will not be permitted in a standard home occupation except for:

i. products incidental to a service being provided;

ii. mail order sales;

iii. telephone or internet sales, or other sales where the customer does not enter the premises to inspect or pick-up goods;

iv. direct distributorships where customers do not enter the premises to inspect, purchase or pick-up goods; and products produced on site.

(k) Without limiting the rest of Section 5.10.2, a standard home occupation use must not include:

i. the repair and painting of vehicles, trailers, boats, commercial equipment and industrial equipment;

ii. welding or machine shops; and

iii. spray painting or spray coating operations.

5.11 SHIPPING CONTAINERS

5.11.1 For the purposes of this Bylaw, shipping containers shall include semi-trailers or other large-scale storage units.

5.11.2 Shipping containers are prohibited in any residential zones.

5.11.3 A shipping container shall not be located within any required front or flankage yard setback.

5.11.4 Shipping containers shall not be stacked.

5.11.5 If used for more than a total of 60 days per calendar year, a shipping container shall be considered an accessory use and shall:

(a) Meet the standards for accessory uses in this Bylaw;

(b) Meet the dimensional requirements for accessory uses in the zone in which it is located;

(c) Be located to the rear of the principal building;

(d) Be placed on a secure and level foundation as determined by the Designated Officer; and

(e) There shall be no more than two (2) shipping containers.

5.11.6 If used for less than 60 days per calendar year, a shipping container shall be considered a temporary use and shall:

(a) Be located to the rear of the principal building wherever possible; and

(b) Meet the requirement for temporary uses and structures in this Bylaw.

5.12 DOMESTIC AGRICULTURE, BACKYARD BEEKEEPING & BACKYARD CHICKEN KEEPING

5.12.1 Domestic Agriculture

(a) A property owner must:

i. not generate offensive odours or create a nuisance via storage and composting related to the use.

limitation of 40% of parcel - REMOVED
ungulates probhibited under Domestic Agriculture definition

5.12.2 Backyard Beekeeping

(a) Backyard beekeeping is permitted in any zone, subject to the requirements of this section.

(b) A property owner must:

ii. Not locate a beehive within 3 m of any property line;

iii. Either contain a beehive within an area surrounded by a solid 1.8 m fence if the beehive is within 9.0 m of any property line; or situate the beehive a minimum of 2.4 m off the ground;

iv. Direct the beehive entrances away from neighboring properties unless environmental conditions such as wind or limited sun exposure make this unhealthy for the bees; and

v. Locate beehives in the rear yard of the property.

5.12.3 Backyard Chicken Keeping

(a) Chickens may be kept the areas where domestic agriculture is permitted, subject to the requirements of this section.

(b) A property must:

i. have at least one residential dwelling on it and that dwelling is either a Single Detached Dwelling or Two-Unit Dwelling;

ii. the owner of the chickens resides at the property where the chickens are kept;

iii. have no more than ten (10) hens (female chickens) and no roosters (male chickens) per property;

iv. not generate offensive odours or otherwise create a nuisance via the storage and composting of feces; and

v. store chicken feed securely to prevent attracting predators or vermin.

(c) A property must have a coop for the residential chickens that is built and maintained in accordance with good animal husbandry practices, and must meet the following specifications:

i. the coop must protect chickens from wind, precipitation, and predators;

ii. the coop must comply with the required setbacks for accessory buildings and structures;

iii. the coop must be maintained regularly to minimize odour and prevent attracting predators;

iv. coops must comply with all other bylaws, and regulations; and

v. if a complaint or an incident where residential chickens have not been adequately protected is brought forward to the Village, the owner will be required to remove the coop completely, or restructure the coop.

5.13 CANNABIS RETAIL STORE

5.13.1 Cannabis retail store uses are prohibited on a parcel if the entire parcel area is located within 100 m (in a straight line from closest parcel line to closest parcel line) of a school or a park.

5.13.2 The total number of licenced Cannabis Retail Stores within the boundaries of the Village of Warfield shall be two (2).

5.13.3 Operating hours shall be between 9 a.m. and 10 p.m.

PART 6 - DIMENSIONAL STANDARDS

6.1 SITE REGULATIONS

6.1.1 Subject to all other provisions of this Bylaw, on any parcel in any zone identified in Table 6-1, the dimensional standards of this section shall apply.

6.1.2 No land shall be used or occupied, and no structure shall be erected, altered, used or occupied herein for any use in the Zone in which such land or structure is located other than in accordance with the Dimensional Standards as listed in Table 6-1, with the exception of development lawfully established prior to the effective date of this Bylaw.

6.1.3 For the purposes of this section, the maximum accessory building area shall not apply to swimming pools, hot tubs, or seasonal non-winter structures including decks, screened porches, verandas, uncovered walks and wheelchair ramps.

6.2 DIMENSIONAL STANDARDS

6.2.1 The following standards apply to all development under the jurisdiction of this Bylaw:

(a) The owner has a continuing obligation to maintain the minimum yards and other open spaces required by this Bylaw.

(b) The minimum yards and other open spaces required by this Bylaw for one use may not serve to satisfy the requirements of this Bylaw for minimum yards and other open spaces for another use.

(c) Yards and other open space required for a use must be located on the same zoning parcel as the principal use.

(d) Accessory uses, buildings, or structures shall be developed in accordance with the requirements for Accessory Buildings on Table 6-1.

(e) Temporary uses, buildings, or structures shall be developed in accordance with the requirements for Principal Uses on Table 6-1.

(f) No use or structure permitted under this Bylaw shall be established, erected, or constructed unless the site on which it is located, in addition to complying with all other requirements of this Bylaw:

i. Abuts a public street;

ii. Abuts an unimproved street which, under an Agreement with the Village, is to be improved to serve that site; or

iii. Is deemed to abut a public street pursuant to the non-conformity provisions of this Bylaw.

(g) Building heights are to be calculated in accordance with Section 2.3.

6.3 TABLE ORGANIZATION

6.3.1 In Table 6-1, the cells in each row specify a dimensional standard for development for each zone, noted in the far left column, in relation to the requirement set out at the top of the column in which the cell is contained. Notes indicate special situations that affect the application of dimensional standards to specific zones.

6.3.2 Notes include:

(a) (A) For the first four dwelling units. The minimum parcel area shall increase 95 m^2 for each additional dwelling unit thereafter.

(b) (B) For each dwelling unit. For a Two-Unit Dwelling use, the minimum parcel area may be subdivided into two parcels, where each parcel contains a single unit, provided half of the minimum parcel area and minimum parcel width are met for each parcel.

(c) (C) Where permitted, principal buildings sharing a common (party) wall may have an interior side yard of 0 m along the common property line.

TABLE 6 – 1

ZONE	USE TYPE	MINIMUM						MAXIMUM	
		PARCEL AREA (m^2)	PARCEL WIDTH (m)	FRONT YARD (m)	SIDE YARD		REAR YARD (m)	HEIGHT	PARCEL COVERAGE
					INTERIOR (m)	FLANKAGE (m)			
R1 R1-BB R1-SS	*Principal Building*	600 m^2 (B)	16 m	6.0 m	1.5 m	3.0 m	3.0 m	2.5 storey (10 m)	50%
	Accessory Building	-	-	6.0 m	1.5 m	3.0 m	1.5 m	1 storey (5 m)	Included in 50%
R2 R2-BB R2-SS	*Principal Building*	2,000 m^2 (B)	16 m	6.0 m	1.5 m (C)	3.0 m	3.0 m	2.5 storey (10 m)	20%
	Accessory Building	-	-	6.0 m	1.5 m	3.0 m	3.0 m	1 storey (3.5 m)	Included in 20%
R3	*Principal Building*	900 m^2 (A)(B)	16 m	6.0 m	4.0 m (C)	5.0 m	6.0 m	3 storey (11 m)	50%
	Accessory Building	-	-	6.0 m	1.5 m	3.0 m	1.5 m	1 storey (5 m)	Included in 50%
RIH	*Principal Building*	400 m^2 (A)(B)	16 m	3.0 m	1.5 m (C)	3.0 m	3.0 m	2.5 storey (10 m)	60%
	Accessory Building	-	-	3.0 m	1.5 m	3.0 m	1.5 m	2.5 storey (10 m)	Included in 60%
C1	*Principal Building*	929 m^2	16 m	6.0 m	3.0 m (C)	4.5 m	3.0 m	2 storey (9 m)	60%
	Accessory Building	-	-	6.0 m	3.0 m	4.5 m	3.0 m	1 storey (5 m)	Included in 60%
C2	*Principal Building*	460 m^2	16 m	1.5 m	3.0 m (C)	5.0 m	3.0 m	3 storey (11 m)	75%
	Accessory Building	-	-	1.5 m	3.0 m	5.0 m	3.0 m	1 storey (5 m)	Included in 75%
ICF	*Principal Building*	929 m^2	16 m	6.0 m	3.0 m	4.5 m	3.0 m	3 storey (11 m)	60%
	Accessory Building	-	-	6.0 m	3.0 m	4.5 m	3.0 m	1 storey (5 m)	Included in 60%
REC	*Principal Building*	-	16 m	6.0 m	3.0 m	4.5 m	3.0 m	3 storey (11 m)	40%
	Accessory Building	-	-	6.0 m	3.0 m	4.5 m	3.0 m	1 storey (5 m)	Included in 40%
CD1	*Principal Building*	600 m^2	16 m	6.0 m	4.0 m (C)	5.0 m	6.0 m	3 storey (11 m)	50%
	Accessory Building	-	-	6.0 m	1.5 m	3.0 m	1.5 m	1 storey (5 m)	Included in 50%
CD2	*Principal Building*	-	16 m	6.0 m	4.0 m (C)	5.0 m	6.0 m	3 storey (11 m)	50%
	Accessory Building	-	-	6.0 m	1.5 m	3.0 m	1.5 m	1 storey (5 m)	Included in 50%

PART 7 - DEVELOPMENT PERMIT AREAS

7.1 DEVELOPMENT PERMITS

7.1.1 Development Permit Areas are tools identified under the *Local Government Act*. These tools provide a Village with the jurisdiction to regulate specific aspects of development using special designations, including:

(a) Protection of the natural environment, its ecosystems and biological diversity;

(b) Protection of development from hazardous conditions;

(c) Protection of farming;

(d) Revitalization of an area in which a commercial use is permitted;

(e) Establishment of objectives for the form and character of intensive residential development;

(f) Establishment of objectives for the form and character of commercial, industrial or multiple dwelling housing development;

(g) Establishment of objectives to promote energy conservation;

(h) Establishment of objectives to promote water conservation; or

(i) Establishment of objectives to promote the reduction of greenhouse gas emissions.

7.2 DEVELOPMENT PERMIT EXEMPTIONS

7.2.1 Development permits are not required for the following:

(a) Any subdivision creating less than three (3) legal parcels.

(b) Any development that creates less than three (3) dwelling units.

(c) internal alterations which do not affect the outer appearance of the building.

(d) the addition of landscaping or fences on the property.

(e) the replacement, upgrading or repair of roofing, except where it changes the shape, form or texture of the building;

(f) the replacement, upgrading or repair of minor building features, including a change in size of windows and doors that do not face streetlines if there is not a reduction in window area.

(g) painting the exterior of a building.

(h) addition(s) that total less than $20,000 of construction value including labour and materials.

(i) changes in terms of colour, material or form as approved in a previous permit to a façade, roof or signage.

7.3 COMPREHENSIVE COMMERCIAL (ANNABLE) DEVELOPMENT PERMIT AREA

7.3.1 The objectives of the Development Permit Area are to:

(a) To facilitate the orderly development of the area and to encourage coordination of the siting, form, and volume of commercial buildings and their areas for parking, storage, and landscaping.

(b) To control the interface between commercial and other uses in the area by implementing adequate buffering between the land uses and regulating the proportion of the structures.

(c) To screen and/or enhance the view of the uses along major highways and arterial streets, from residential areas, and to present an orderly image of the area.

7.3.2 The guidelines applicable to this Development Permit Area are to:

(a) Character of Buildings

i. All buildings, structures, renovations and additions shall be architecturally co-ordinated and planned in a comprehensive manner, giving consideration to the relationship between buildings and the street, efficiency of circulation systems, visual impact and design compatibility with surrounding development.

ii. The maximum height of a commercial building shall be three storeys. A mixed commercial / residential building may be up to four storeys in height subject to an appropriate site context. The residential portion of a mixed commercial/residential building should be set back from the street frontage to break down the building massing and enhance the amenity of the residential units.

iii. Planning of all buildings subject to development permits shall be made with due consideration to the relation between building height, parcel coverage, yard setbacks and in relation to the surrounding properties, streets and other features.

iv. Exterior storage, where permitted, shall be enclosed by an architecturally-integrated opaque or translucent screen having a height of not less than 2.0 metres.

(b) Siting and Access

i. Loading spaces shall not be permitted in front yards or side yards that face onto streets.

ii. Garbage and recycling bin areas should be located to permit access and pick-up directly from a lane or street. The bins should not be located in an area where pick-up vehicles must stop and empty the containers while parking on a sloped surface. Location of garbage or recycling bins in an underground structure is discouraged; it may only be permitted if access and pick-up is possible without interfering with other vehicular movements.

iii. Where lanes are not available, shared access to parking areas will be encouraged to minimize the number of driveways opening onto streets and to reduce conflicts between vehicular and pedestrian movements.

iv. Mixed use developments shall be designed to ensure appropriate separation between on-site commercial and residential vehicular movements.

(c) Parking

i. Where parking is provided at a street level locations, it shall not be encouraged within any front yard or side yard facing a street.

(d) Landscaping

i. Parking areas visible from streets and adjacent residential buildings should be screened by substantial landscaping. Interplanting of the parking areas with trees is required.

ii. Retention of mature trees to integrate into the overall landscaping is encouraged. Landscaped areas fronting onto streets shall use trees wherever possible.

iii. Solid fences in place of landscaping screens along borders shall not be permitted.

iv. Native trees and plants must be used for landscaping, where possible.

v. All vegetation used for landscaping shall be mature and of a quality acceptable to the Village. All plantings must comply with the standards of, or similar to, those endorsed by the B.C. Society of Landscape Architects (B.C.S.L.A.) and the B.C. Nursery Trades Association (B.C.N.T.A.), and which are specified in the British Columbia Landscape Standard.

vi. All materials, other than vegetation, used for landscaping shall be “non-skid” type and of durable quality.

(e) Signage

i. All signs and signage should be architecturally coordinated with the overall design of buildings and landscaping.

ii. Free-standing signs shall be incorporated into the design of the landscaped areas.

iii. Free-standing signs may be permitted only when all buildings in a development are set back at least 6 metres from any street.

(f) Safety and Security - all developments shall be designed for safety and security by incorporating the principles and guidelines of Crime Prevention Through Environmental Design (CPTED) including the below principles:

i. Access Control (guidance of people coming and going from the building or site by the placement of real and perceived barriers) including: minimizing the number of entrances and exits; installing signage, fencing, landscaping, lighting, vandal resistant materials, and hardware to improve control of access, using appropriate elevations and grading; improving access for police and security personnel, and implementing target-hardening measures after development.

ii. Surveillance (placement of features, uses, activities, and people to maximize visibility) including: ensuring unimpeded sightlines, reducing concealment opportunities, improving lighting and placement of windows, increasing pedestrian and street traffic, and installing alarms and cameras.

iii. Territoriality (design which promotes definition and ownership of space) including: use of appropriate entrances, exits, windows, glazing, landscaping, signage, fencing, art, colour, lighting, stairs, public furniture, pavement treatments, elevations and grades, land use mix, activity, traffic calming devices, alarms, and cameras.

iv. Maintenance (continued use of space for intended purpose and expression of ownership) including: regular cleaning, repair and maintenance of landscaping, and prompt repair of vandalism and removal of graffiti.

7.4 GENERAL COMMERCIAL (UPPER WARFIELD) DEVELOPMENT PERMIT AREA

7.4.1 The objectives of the Development Permit Area are to:

(a) To facilitate the orderly development of the area and to encourage coordination of the siting, form, and volume of commercial buildings and their areas for parking, storage, and landscaping.

(b) To control the interface between commercial and other uses in the area by implementing adequate buffering between the land uses and regulating the proportion of the structures.

(c) To screen and/or enhance the view of the uses along major highways and arterial streets, from residential areas, and to present an orderly image of the area.

7.4.2 The guidelines applicable to this Development Permit Area are to:

(a) Character of Buildings

i. All buildings, structures, renovations and additions shall be architecturally co-ordinated and planned in a comprehensive manner, giving consideration to the relationship between buildings and the street, efficiency of circulation systems, visual impact and design compatibility with surrounding development.

ii. The maximum height of a commercial building within a designated Commercial Location Specific Guideline Area shall be three storeys. A mixed commercial / residential building may be up to four storeys in height subject to an appropriate site context. The residential portion of a mixed commercial/residential building should be set back from the street frontage to break down the building massing and enhance the amenity of the residential units.

iii. Planning of all buildings subject to development permits shall be made with due consideration to the relation between building height, parcel coverage, yard setbacks and in relation to the surrounding properties, streets and other features.

iv. Exterior storage, where permitted, shall be enclosed by an architecturally-integrated opaque or translucent screen having a height of not less than 2.0 metres.

(b) Siting and Access

i. Loading spaces shall not be permitted in front yards or side yards that face onto streets.

ii. Garbage and recycling bins areas should be located to permit access and pick-up directly from a lane or street. The bins should not be located in an area where pick-up vehicles must stop and empty the containers while parking on a sloped surface. Location of garbage or recycling bins in an underground structure is discouraged; it may only be permitted if access and pick-up is possible without interfering with other vehicular movements.

iii. Where lanes are not available, shared access to parking areas will be encouraged to minimize the number of driveways opening onto streets and to reduce conflicts between vehicular and pedestrian movements.

iv. Mixed use developments shall be designed so as to ensure that appropriate separation between on-site commercial and residential vehicular movements exist.

(c) Parking

ii. Where parking is provided at a street level locations, it shall not be encouraged within any front yard or side yard facing a street.

(d) Landscaping

iii. Parking areas visible from streets and adjacent residential buildings should be screened by substantial landscaping. Interplanting of the parking areas with trees is required.

iv. Retention of mature trees to integrate into the overall landscaping is encouraged. Landscaped areas fronting onto streets shall use trees wherever possible.

v. Solid fences in place of landscaping screens along borders shall not be permitted.

vi. Native trees and plants must be used for landscaping, where possible.

vii. All vegetation used for landscaping shall be mature and of a quality acceptable to the Village. All plantings must comply with the standards of, or similar to, those endorsed by the B.C. Society of Landscape Architects (B.C.S.L.A.) and the B.C. Nursery Trades Association (B.C.N.T.A.), and which are specified in the British Columbia Landscape Standard.

viii. All materials, other than vegetation, used for landscaping shall be “non-skid” type and of durable quality.

(e) Signage

i. All signs and signage should be architecturally coordinated with the overall design of buildings and landscaping.

ii. Free-standing signs shall be incorporated into the design of the landscaped areas.

iii. Free-standing signs may be permitted only when all buildings in a development are set back at least 6 metres from any street.

(f) Safety and Security - all developments shall be designed for safety and security by incorporating the principles and guidelines of Crime Prevention Through Environmental Design (CPTED) including the below principles:

i. Access Control (guidance of people coming and going from the building or site by the placement of real and perceived barriers) including: minimizing the number of entrances and exits; installing signage, fencing, landscaping, lighting, vandal resistant materials, and hardware to improve control of access, using appropriate elevations and grading; improving access for police and security personnel, and implementing target-hardening measures after development.

ii. Surveillance (placement of features, uses, activities, and people to maximize visibility) including: ensuring unimpeded sightlines, reducing concealment opportunities, improving lighting and placement of windows, increasing pedestrian and street traffic, and installing alarms and cameras.

iii. Territoriality (design which promotes definition and ownership of space) including: use of appropriate entrances, exits, windows, glazing, landscaping, signage, fencing, art, colour, lighting, stairs, public furniture, pavement treatments, elevations and grades, land use mix, activity, traffic calming devices, alarms, and cameras.

iv. Maintenance (continued use of space for intended purpose and expression of ownership) including: regular cleaning, repair and maintenance of landscaping, and prompt repair of vandalism and removal of graffiti.

7.5 MULTIPLE UNIT RESIDENTIAL DEVELOPMENT PERMIT AREA

7.5.1 The objectives of the Development Permit Area are to:

(a) To facilitate the orderly development of the area and to encourage coordination of the siting, form, and volume of intensive residential buildings and their areas for parking, storage, and landscaping.

(b) To control the interface between intensive residential and other buildings and the interface between intensive residential and other land uses in the areas, by implementing adequate buffering between the land uses and regulating the proportion of the intensive residential and other land use structures.

7.5.2 The guidelines applicable to this Development Permit Area are to:

(a) Character of Buildings

i. All buildings, structures, and expansion or additions thereto shall be architecturally coordinated and should be planned in a comprehensive manner, giving consideration to the relationship between buildings, open areas and other features, efficiency of the circulation systems, visual impact and design compatibility with surrounding development.

ii. Planning of all buildings subject to development permits shall be made with due consideration to the relation between building height, parcel coverage, yard setbacks and in relation to surrounding properties, streets and other features.

iii. Buildings shall be designed with wall, roof, and ground plane materials that are durable, authentic and of consistently high quality. Simulated building materials should not be used unless made of recycled materials.

iv. Buildings of two to four-storeys in height should express the individuality of units through vertical expression of facades.

v. Main entrances to intensive residential buildings should be clearly identified in the streetscape. Entrance definition may be achieved by canopies, gateways, rows of tree plantings, lighting or special paving or entry walkways.

vi. Where townhouse and multiple unit developments face streets, regardless of form or density, ground floor units should have individual front doors that are directly accessible and visible from the street.

vii. Ground floor dwelling units located at or near grade on streets or public pathways may be raised a minimum of 0.6 metres to aid in the privacy of the dwelling units. Screening around private outdoor space should not be solid and should not exceed a height of 1.2 metres.

viii. Main entrances to intensive residential buildings should be clearly identified in the streetscape. Entrance definition may be achieved by canopies, gateways, rows of tree plantings, lighting or special paving or entry walkways.

ix. Where townhouse and multiple unit developments face streets, regardless of form or density, ground floor units should have individual front doors that are directly accessible and visible from the street.

x. Ground floor dwelling units located at or near grade on streets or public pathways may be raised a minimum of 0.6 metres to aid in the privacy of the dwelling units. Screening around private outdoor space should not be solid and should not exceed a height of 1.2 metres.

(b) Siting and Access

i. Houses, townhouses, row houses or multiple unit shall not back onto public roads. Any fencing along public roads must provide for direct pedestrian access to the residential units by the provision of appropriately designed gates.

ii. Articulation of the building facades through the use of variable setbacks on all front, rear and side yards is required.

iii. Reductions in the side yard requirements for building walls containing windows in habitable rooms will be discouraged.

iv. Garbage and recycling bin areas should be located to permit access and pick-up directly from a lane or street. The bins should not be located in an area where pick-up vehicles must stop and empty the containers while parked on a sloped surface. Location of garbage or recycling bins in an underground structure is discouraged; it may only be permitted if access and pick-up is possible without interfering with other vehicular movements.

(c) Landscaping

i. Parking areas visible from streets and adjacent residential buildings should be screened by substantial landscaping. Interplanting of the parking areas with trees is required.

ii. Retention of mature trees to integrate into the overall landscaping is encouraged. Landscaped areas fronting onto streets shall use trees whenever possible.

iii. Native trees and plants should be used for landscaping, where possible.

iv. All vegetation used for landscaping shall be mature and of a quality acceptable to the Village. All plantings must comply with the standards of, or similar to, those endorsed by the B.C. Society of Landscape Architects (B.C.S.L.A.) and the B.C. Nursery Trades Association (B.C.N.T.A.), and which are specified in the British Columbia Landscape Standard.

v. All materials, other than vegetation, used for landscaping shall be “non-skid” type and of durable quality.

(d) Safety and Security

i. All developments shall be designed for safety and security by incorporating the principles and guidelines of Crime Prevention Through Environmental Design (CPTED) including the below principles:

ii. Access Control (guidance of people coming and going from the building or site by the placement of real and perceived barriers) including: minimizing the number of entrances and exits; installing signage, fencing, landscaping, lighting, vandal resistant materials, and hardware to improve control of access, using appropriate elevations and grading; improving access for police and security personnel, and implementing target-hardening measures after development.

iii. Surveillance (placement of features, uses, activities, and people to maximize visibility) including: ensuring unimpeded sightlines, reducing concealment opportunities, improving lighting and placement of windows, increasing pedestrian and street traffic, and installing alarms and cameras.

iv. Territoriality (design which promotes definition and ownership of space) including: use of appropriate entrances, exits, windows, glazing, landscaping, signage, fencing, art, colour, lighting, stairs, public furniture, pavement treatments, elevations and grades, land use mix, activity, traffic calming devices, alarms, and cameras.

v. Maintenance (continued use of space for intended purpose and expression of ownership) including: regular cleaning and repair, maintenance of landscaping, and prompt repair of vandalism and removal of graffiti.

7.6 WILDFIRE HAZARD DEVELOPMENT PERMIT AREA

7.6.1 The objectives of the Development Permit Area are to:

(a) Ensure that development is managed in a way that:

i. minimizes the risk to property and people from wildfire hazards;

ii. promotes activities to reduce wildfire hazards while still addressing environmental issues; and

iii. minimizes the risk of fire to the Village of Warfield's forests.

(b) Proactively manage conditions affecting potential fire behaviour to enhance fire suppression and containment and minimize adverse impacts.

(c) Conserves the visual and ecological assets of the forest.

(d) Reduces the risk of post-fire landslides, debris flows and erosion.

7.6.2 The following guidelines are intended to reduce risk to new homes in the Wildfire Hazard Development Permit Area:

(a) Structures should be located as far away from any wildfire risk areas as possible or as far away as any existing permanent structure.

(b) Fire resistant materials should be used for roofs, decks, porches, exterior walls.

(c) Eaves and vent openings should be screened and spark arresters installed on chimneys.

(d) Building design and construction should be generally consistent with the current standards published by the National Fire Protection Association.

(e) Landscaping: A tree assessment and retention/restoration plan may be required from a qualified professional.

7.7 WATERCOURSE PROTECTION DEVELOPMENT PERMIT AREA

7.7.1 The objectives of the Development Permit Area are to:

(a) minimize the risk to people and property from creek hazards;

(b) encourage safety in the construction, location and manner of development;

(c) minimize development in high hazard areas due to debris flow, debris flood areas;

(d) mitigate the impacts of flooding within areas that are already developed;

(e) avoid increasing the hazard to, or vulnerability of, others on the floodplain;

(f) protect the natural riverine system by creating buffers that protect natural and sensitive features from development; and

(g) identify a riparian assessment protection area.

7.7.2 The following guidelines are intended to protect riparian areas in the Watercourse Protection Development Permit Area:

(a) An assessment by a qualified professional shall be made in order to protect natural and sensitive features and avoid hazardous conditions, and where appropriate, determine the development setback. The assessment must follow government regulations, such as Riparian Area Protection Regulation.

(b) Natural riverine and floodplain regimes should be preserved. Development should be sited so as to

i. allow normal watercourse processes (erosion and channel migration) and anticipated flooding to occur;

ii. where appropriate, maintain natural vegetation;

iii. protect natural watercourses, riparian corridors and floodplains from erosion, channel migration and flooding; and

iv. protect natural flora and fauna habitat, including nesting, denning and breeding sites.

(c) Development should:

i. be constructed in a location and manner that will maximize the safety of residents and property;

ii. be located in the least hazardous part of the site;

iii. be minimized in floodplain areas, or where development may impede a natural floodway;

iv. comply with flood construction requirements identified by a qualified professional in a preliminary assessment or detailed assessment report;

v. not increase the risk or hazard to, or vulnerability of, other properties or structures;

vi. not include habitable space below the flood construction level specified by the qualified professional except in accordance with recommendations made by a qualified professional and in compliance with these guidelines;

vii. in connection with renovations to any existing permanent structure, where reasonable, reduce flood hazard to the existing permanent structure by raising the habitable space to flood construction levels; and

viii. not include the installation of any mechanical equipment or electrical wiring below the flood construction level except in accordance with recommendations made by a qualified professional and in compliance with these guidelines.

(d) Structural and/or non-structural flood protection measures should be implemented to mitigate the impacts of flooding within areas already developed.

(e) Vegetation should be maintained and/or restored along all watercourse banks, valley floors and floodplains and within the required 15 m setback from top of bank to minimize erosion.

(f) Potential debris flow and debris flood hazard areas and potential flood hazard areas should remain free of development, or, if that is not possible, then:

i. mitigation should be undertaken to reduce risk to an acceptable level (risk for both the subject property and any adjacent or nearby lands should be addressed); and

ii. conditions (for example, conditions relating to the permitted uses, density or scale of building) should be imposed as necessary to reduce potential hazard to acceptable levels, both as determined by a qualified professional in a preliminary assessment or detailed assessment report.

(g) Storm sewer connections should be installed and maintained in accordance with the Village's Sewer Bylaw to reduce possible erosion of watercourse banks.

(h) Proposed flood construction levels should be clearly defined by a qualified professional, preferably in Geodetic Survey of Canada datum.

7.8 STEEP SLOPES DEVELOPMENT PERMIT AREA

7.8.1 The objectives of the Development Permit Area are to:

(a) To minimize the risk to people and property from slope hazard;

(b) To develop safely and minimize the impacts on or near steeply sloped lands, including the potential run out area below steep slopes;

(c) To reduce slope hazards and landslide risk to people and property by carefully managing development and construction practices on or near steeply sloped lands;

(d) To avoid alteration of steeply sloped lands that may cause increased instability of the land or adjacent areas;

(e) To encourage ongoing maintenance and monitoring of steep slopes.

7.8.2 The following guidelines are intended to reduce risk to new and existing development in the Steep Slopes Development Permit Area:

(a) Development will not be permitted on sites with continuous grades of 30% or greater. These sites should be kept or restored to their natural state and a no-build, no disturb restrictive covenant be required as a condition of the development permit approval.

(b) Development applications within the Steep Slopes Development Permit Area must be accompanied by a geotechnical report prepared by a professional engineer. The report must include:

i. A topographic and geotechnical description of the site;

ii. A description, with mapped location, of the proposed development;

iii. An assessment of the hazards present, their nature frequency, and potential impact on the development and surroundings;

iv. Proposed mitigation work to prevent the hazardous condition;

v. Other recommendations as appropriate to the site and hazard; and

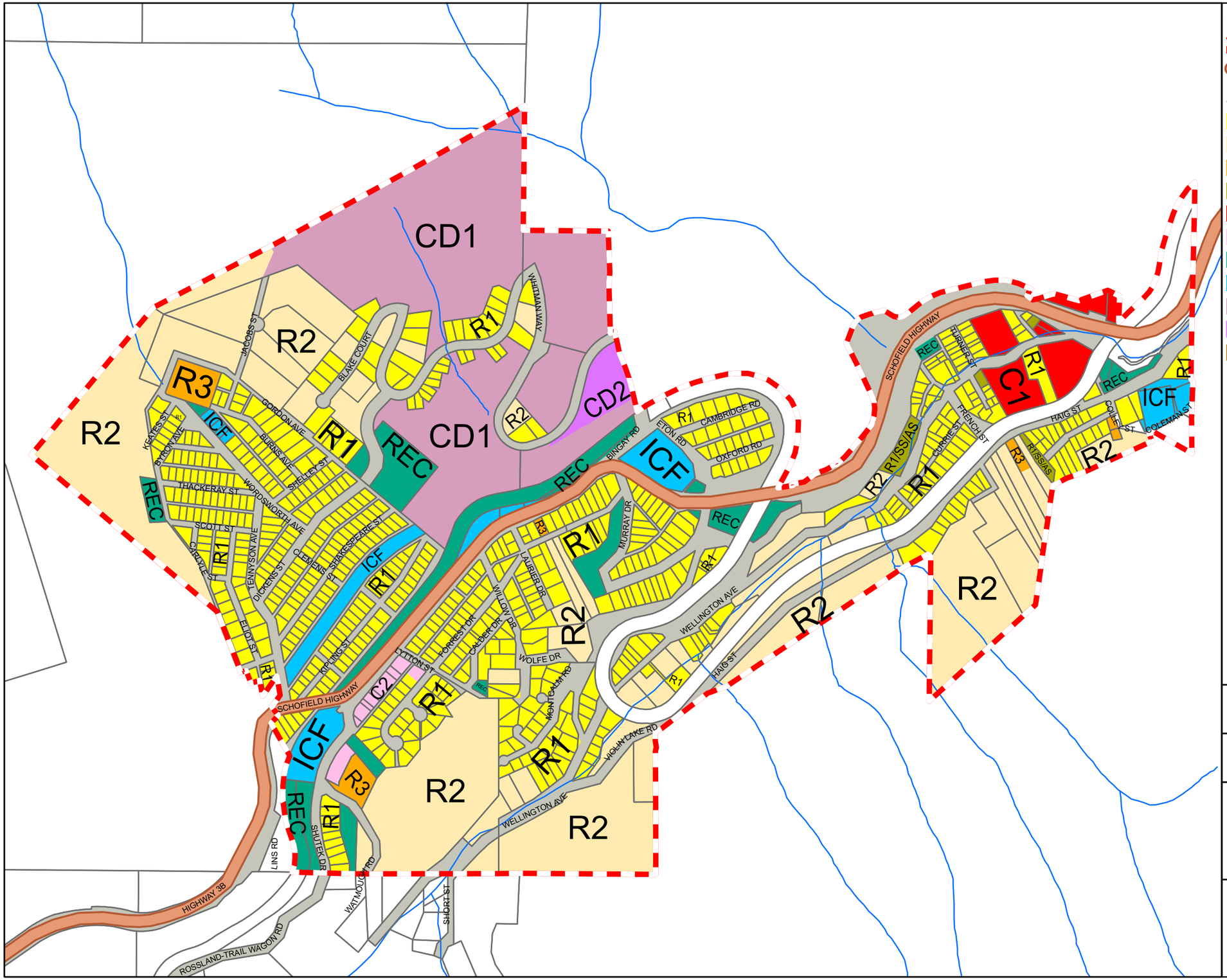
vi. Confirmation from the certified professional that the development and site is safe for the intended use.

(c) No unnecessary disturbance of the steep slope shall be permitted. Site development shall preserve natural vegetation on steep slopes and retain the natural terrain, topography of the site, and minimize cutting into the slopes.

(d) Prior to construction commencing, the installation of temporary fencing or flagged stakes marking any areas to be avoided due to hazardous conditions, is required.

(e) The geotechnical report will form part of the Development Permit terms and conditions and may include registration of a Section 219 Covenant, prepared at the applicant's expense and to the satisfaction of the Village of Warfield.

SCHEDULE A: ZONING MAP



Legend

- Village of Warfield Boundary
- Schofield Highway

Zoning

- R1 — Single Unit Residential
- R2 — Large Lot Residential
- R3 — Multiple Unit Residential
- R1/SS/AS — Residential/Secondary Suite/Accessory Suite
- C1 — Comprehensive Commercial
- C2 — General Commercial
- REC — Parks and Recreation
- ICF — Institutional and Community Facilities
- CD1 — Comprehensive Development 1
- CD2 — Comprehensive Development 2
- RIH — Residential Infill Housing

Source: Gov't of BC Terrain Resource Information Management (TRIM) base data ; Regional District of Kootenay Boundary.

ZONING MAP

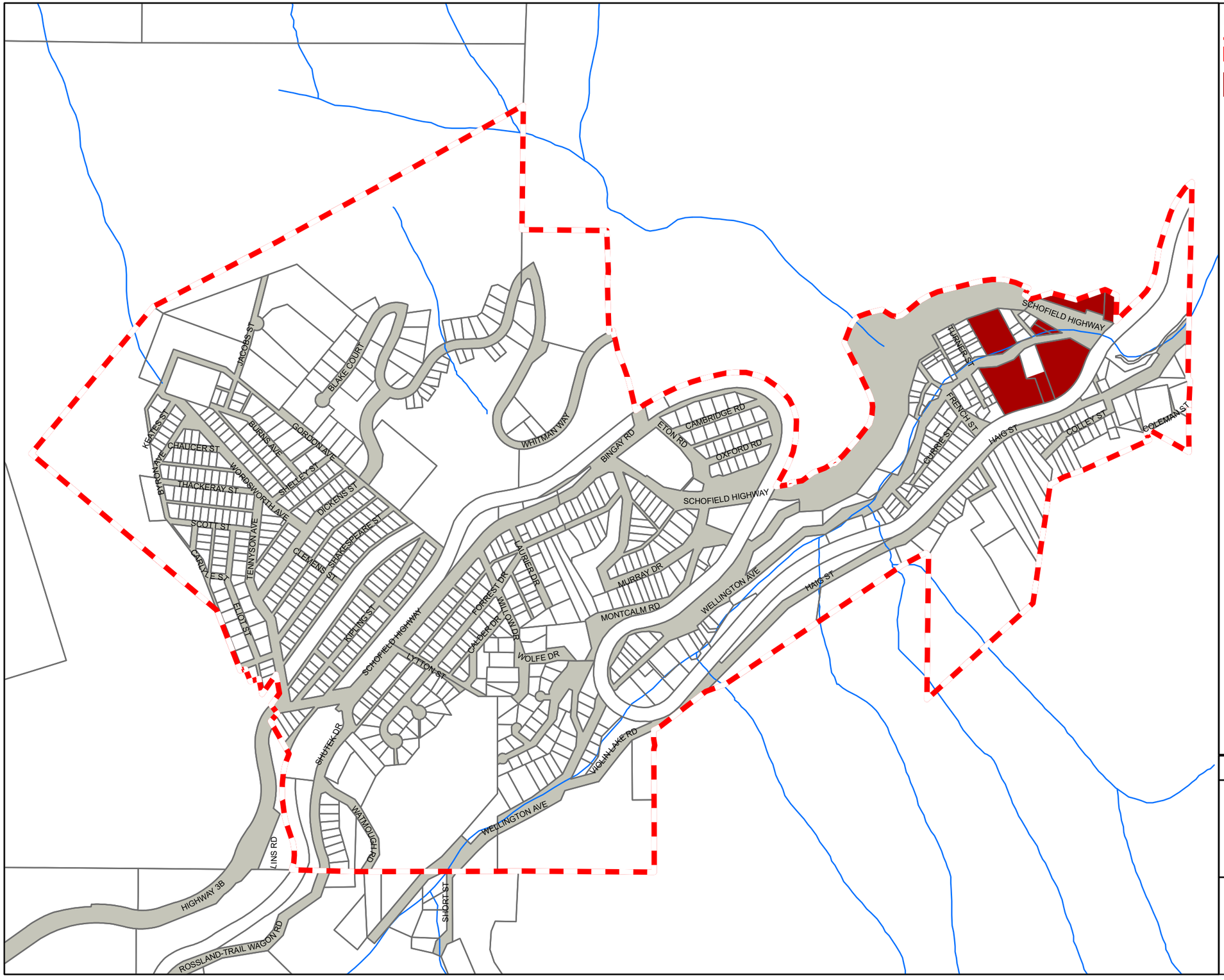
VILLAGE OF WARFIELD ZONING BYLAW # 896

Village of Warfield

0 75 150 225 300 m

June 2021

SCHEDULE B: DEVELOPMENT PERMIT AREA MAPS



Legend

- Village of Warfield Boundary
- Comprehensive Commercial (Annable) Development Permit Area

Source: Gov't of BC Terrain Resource Information Management (TRIM) base data ; Regional District of Kootenay Boundary.

COMPREHENSIVE COMMERCIAL (ANNABLE) DEVELOPMENT PERMIT AREA

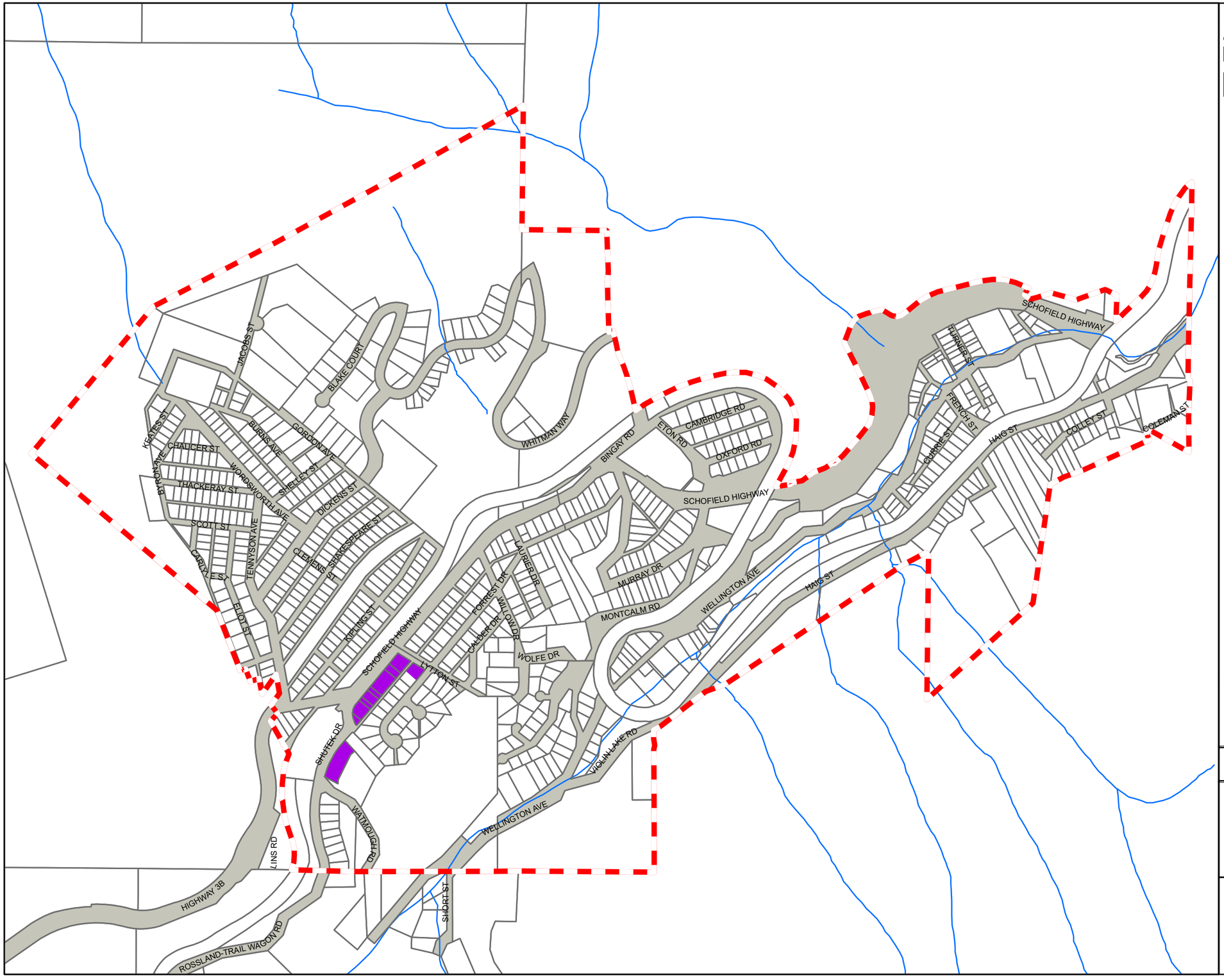
VILLAGE OF WARFIELD ZONING BYLAW

Village of Warfield

wsp

0 75 150 225 300 m

June 2021



Legend

- Village of Warfield Boundary
- Commercial Core (Upper Warfield) Development Permit Area

Source: Gov't of BC Terrain Resource Information Management (TRIM) base data ; Regional District of Kootenay Boundary.

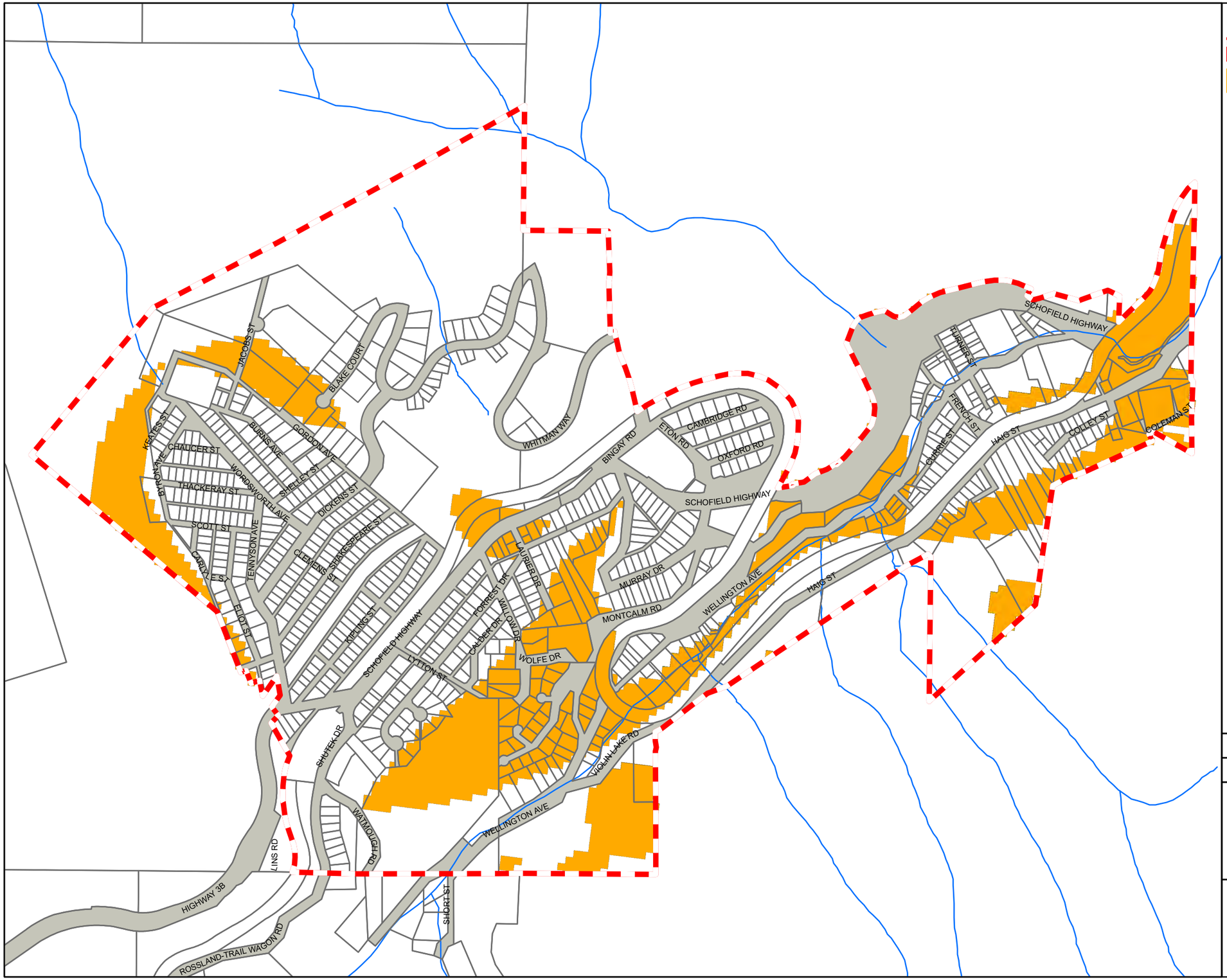
COMMERCIAL CORE (UPPER WARFIELD) DEVELOPMENT PERMIT AREA

VILLAGE OF WARFIELD ZONING BYLAW

Village of Warfield

0 75 150 225 300 m

June 2021



Legend

- Village of Warfield Boundary
- Wildfire Development Permit Area

Source: Gov't of BC Terrain Resource Information Management (TRIM) base data ; Regional District of Kootenay Boundary.

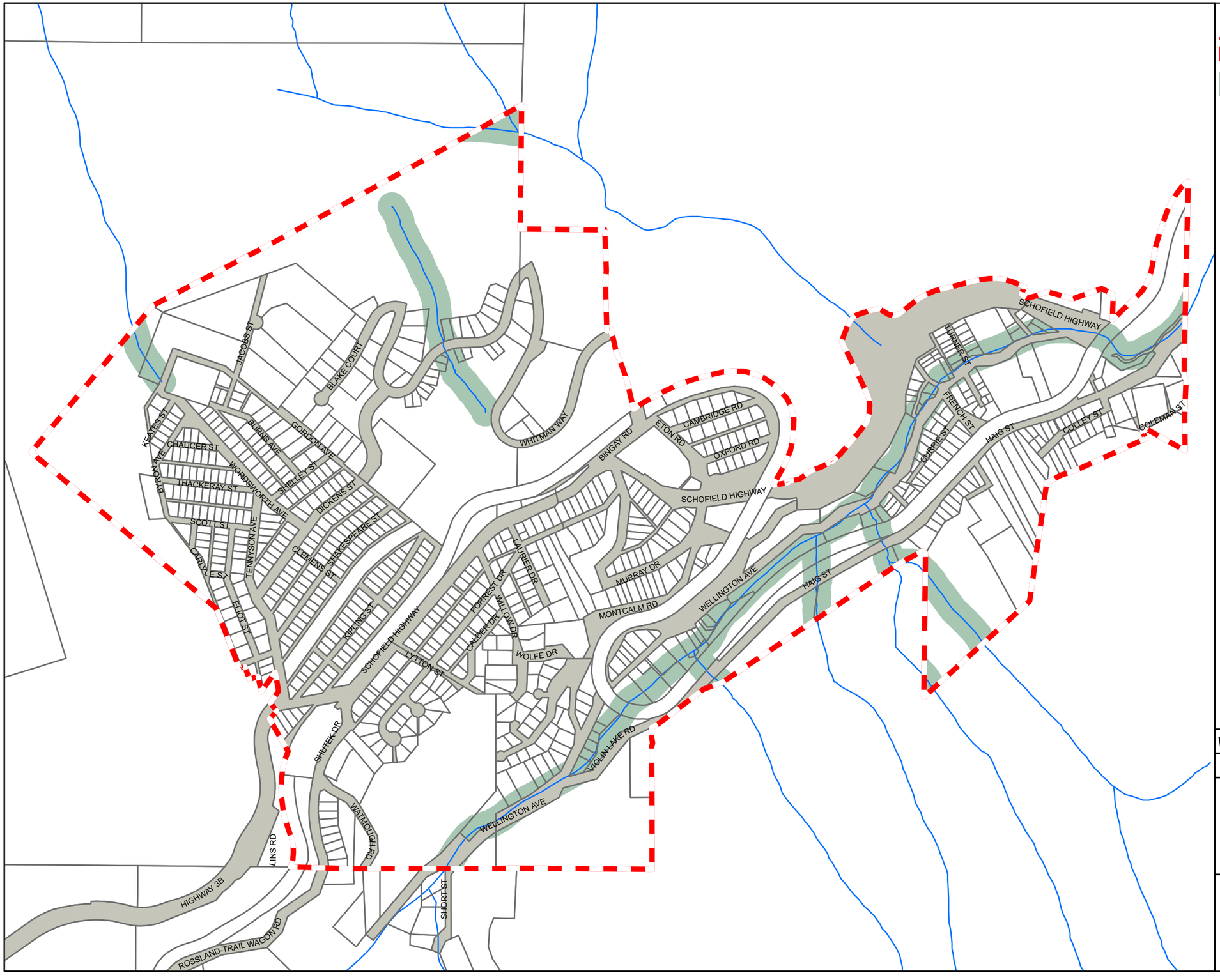
WILDFIRE DEVELOPMENT PERMIT AREA

VILLAGE OF WARFIELD ZONING BYLAW

Village of Warfield

0 75 150 225 300 m

June 2021



Legend

- Village of Warfield Boundary
- Watercourse Protection Development Permit Area

Source: Gov't of BC Terrain Resource Information Management (TRIM) base data ; Regional District of Kootenay Boundary.

WATERCOURSE PROTECTION DEVELOPMENT PERMIT AREA

VILLAGE OF WARFIELD ZONING BYLAW

Village of Warfield

wsp

0 75 150 225 300 m

June 2021

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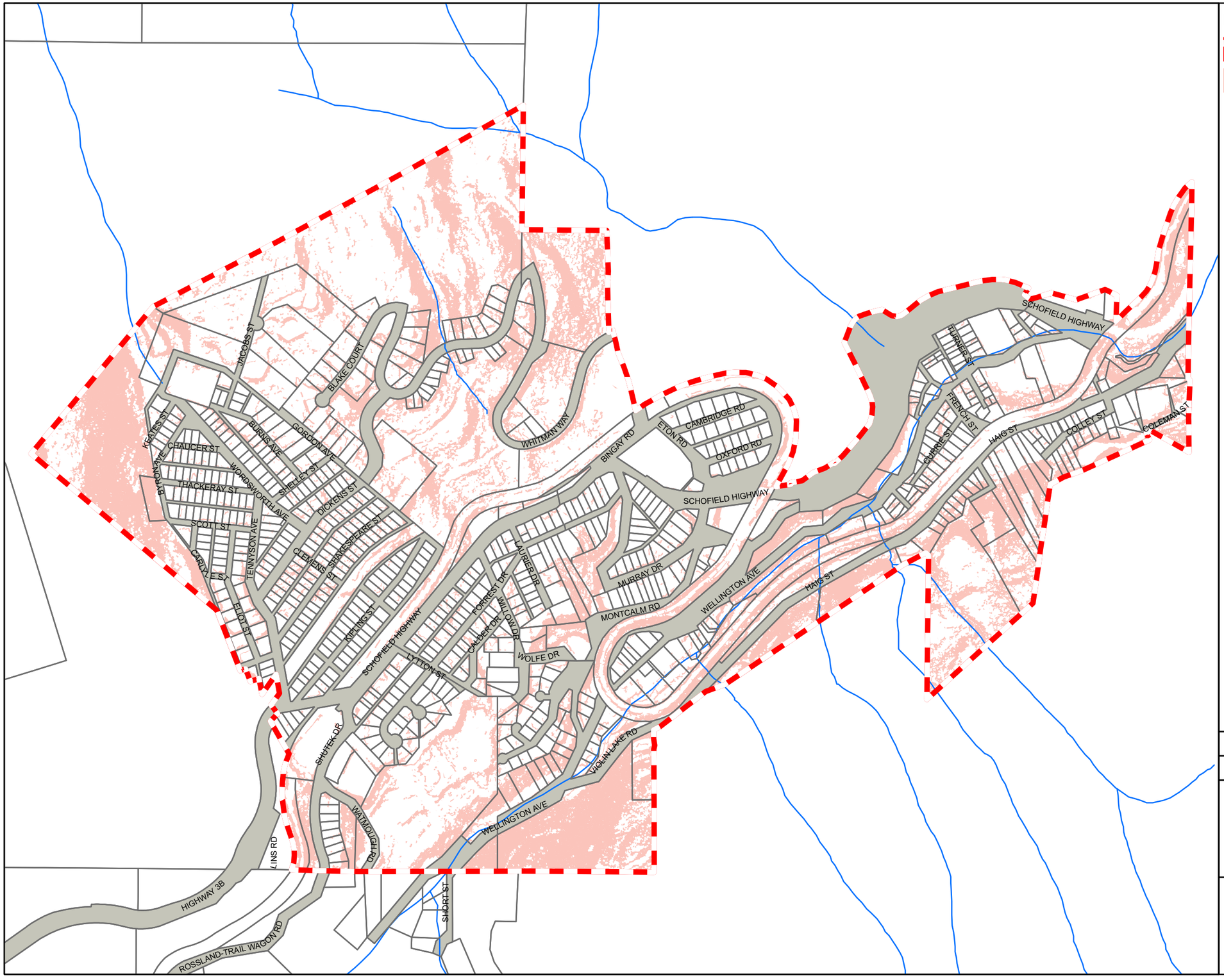

Legend

- Village of Warfield Boundary
- Steep Slopes Development Permit Area

Source: Gov't of BC Terrain Resource Information Management (TRIM) base data ; Regional District of Kootenay Boundary.

STEEP SLOPES DEVELOPMENT PERMIT AREA

VILLAGE OF WARFIELD ZONING BYLAW

Village of Warfield

0 75 150 225 300 m

June 2021