

Table of Proposed Zoning Bylaw Changes

Item Being Changed	Existing Bylaw	Draft Bylaw	Comments
Definition Added: Active Floodplain		means an area of <i>land</i> that supports floodplain plant species and is: <ul style="list-style-type: none"> a. adjacent to a <i>watercourse</i> that may be subject to temporary, frequent or seasonal inundation, or within a boundary that is indicated by the visible <i>high water mark</i> .	Added to support RAR regulation.
Definition added: Basement		means that portion of a <i>building</i> that is below the first storey.	added definition to clarify when referring to exclusion of 'basement' areas in calculation of GFA. Also added 'below grade floor area' – which may be redundant and need to only keep one.
Definition added: Breezeway		means a structural connection between an <i>accessory building or structure</i> and a <i>principal building</i> . For the purposes of this Bylaw, a <i>breezeway</i> does not create a single <i>building or structure</i> out of the two <i>buildings or structures</i> it connects.	to provide clarity and explicitly note the 'construction' of a 'breezeway' does not create one building or structure out of the two it connects.
Definition added: Commercial		means a <i>use</i> providing for an occupation, employment or enterprise that is carried on for gain or monetary profit by any person.	to be consistent in providing <i>use</i> definitions such as residential, assemble, civic, etc

Definition added: Community Garden		means the non- <i>commercial use</i> of <i>land</i> for the public growing of flowers, native and ornamental plants, edible berries, fruits and vegetables.	to permit the use in P1 zone
Definition added: Grade, average		is measured around the perimeter of the building or structure at or directly above or below the outermost projection of the exterior walls or the posts of carports (see section 5.5).	
Definition added: Grade, finished		means the lowest ground elevation existing after construction, as established on a legal survey by a registered British Columbia Land Surveyor, as measured at each of the four outermost exterior corners of the <i>building or structure</i> , or projections thereof	to identify 'finished grade' after, not prior, to construction to aid in establishing 'grade' definition
Definition added: Grade, natural		means the elevation of the ground surface existing prior to any disturbance, alteration, excavation or filling, as determined by a registered British Columbia Land Surveyor, but excludes localized depressions in all cases.	
Definition added: Height, for the purpose of measuring wall		means the vertical distance measured from <i>finished grade</i> to the highest point of the vertical wall component.	(for the purposes of measuring wall 'height'): to determine 'wall height' with a different method of calculating 'height' than that for a 'building' or structure'. Measures

			'height' from where 'wall' meets 'finished grade' to top of 'wall'.
Definition added: Industrial		means a <i>use</i> by a public authority for the intended benefit of the public.	to be consistent in providing <i>use</i> definitions such as residential, assemble, civic, etc
Definition added: Landscaping		means any combination of trees, bushes, shrubs, plants, flowers, lawns, bark mulch, decorative boulders, planters, foundations, sculptures, decorative fences and the like, arranged and/or maintained to change, modify, or enhance the appearance of a <i>parcel</i> . The terms <i>landscape</i> and <i>landscaped</i> have a corresponding meaning to <i>landscaping</i> .	to align with the new section added to the Zoning Bylaw and provide clarity to what the 'landscaping' consists of
Definition added: Marijuana, Marijuana Dispensary, Medical Marijuana, and Medical Marijuana Research and Development		<p>Marijuana: means all parts of the genus <i>cannabis</i> whether growing or not and the seed or clone of such plants.</p> <p>Marijuana Dispensary: means a business or service which is used for dispensing, selling, or distributing <i>marijuana</i>, and is not licensed or regulated by applicable federal or provincial law pertaining to <i>medical marijuana</i>.</p> <p>Medical Marijuana: means <i>marijuana</i> that is possessed, produced, grown, cultivated from seed or clone to a plant for harvest, stored, packaged, or</p>	to identify the plant and its potential uses for the purposes of prohibiting in all 'zones'

		<p>warehoused, or any combination of these things, pursuant to authorization under applicable federal or provincial law.</p> <p>Medical Marijuana Research and Development: means the <i>use</i> of <i>land, buildings or structures</i> for the systematic research, testing, data collection and manipulation, or technical or scientific development of <i>medical marijuana</i>, and may include a research laboratory, but does not include <i>medical marijuana production</i>.</p>	
Definition added: Patio, sunken		<p>means a surfaced, open space of land below <i>grade</i> adjacent to a <i>dwelling unit</i> which is used as an extension to the interior of the home for private or semi-private entertainment or leisure activities.</p>	<p>created to prohibit in RCH-1 zone (Countryside)</p>
Definition added: Recreational Vehicle		<p>means a vehicle that is designed to provide temporary living accommodation for travel, vacation or recreational <i>use</i>, and may be self propelled, towed, or transported and may include, but not be limited to, motor homes, campers, travel trailers, tent trailers, but does not include a <i>manufactured home</i>.</p>	<p>to identify vehicle type used in Bylaw as it relates to storage regulations</p>

Definition added: Screening		means a continuous <i>fence</i> , wall, compact evergreen hedge or combination thereof, supplemented with landscape planting.	to align with the new Screening Bylaw section and to identify what is included in the term
Definition added: Solar Energy Device		means a device designed to collect, store and distribute solar energy.	required to differentiate from other 'sustainable building technologies'
Definition added: Sustainable Building Technologies		means structural or technological elements designed to decrease the carbon footprint of a <i>building</i> or <i>structure</i> . Such features shall include <i>solar energy devices</i> , roof mounted micro wind turbines, infrastructure needed to access and maintain a green roof and the like.	created as a catch all for all devices referenced in the Renewable Energy section of the General Regulations. Included is 'solar energy devices', which also has to be clearly defined to distinguish them having less restrictive regulations, especially pertaining to height exemptions and roof coverage limitations
Definition added: Swimming Pool		means any <i>structure</i> or construction, intended primarily for recreation that is, or is capable of being, filled with water to a depth of 0.6 m or more. For the purpose of this definition, a hot tub shall not be considered a <i>swimming pool</i> .	to establish proper definition to align with newly created Swimming Pool section.
Definition added: Top-of-Bank		means : <ul style="list-style-type: none"> a. the point closest to the boundary of the <i>active floodplain</i> of a stream where a break in the slope of the land occurs such that the <i>grade</i> 	created to align with ESC Bylaw

		<p>beyond the break is flatter than 3:1 at any point for a minimum distance of 15 metres measured perpendicularly from the break, and</p> <p>for a floodplain area not contained in a ravine, the edge of the <i>active floodplain</i> of a stream where the slope of the <i>land</i> beyond the edge is flatter than 3:1 at any point for a minimum distance of 15 metres measured perpendicularly from the edge.</p>	
Definition added: Yard, Front, Rear and Side:		<p>Yard, Front: means that portion of a <i>parcel</i> between the <i>front parcel line</i> and a line extending along the front face of a <i>principal building</i> to the <i>side parcel lines</i>.</p> <p>Yard, Rear: means that portion of a <i>lot</i>, between the <i>rear parcel line</i> and a line extending along the rear face of a <i>principal building</i> to the <i>side parcel lines</i>.</p> <p>Yard, Side: means that portion of a <i>parcel</i> extending from the <i>front yard</i> to the <i>rear yard</i>, between the <i>side parcel line</i> and a line extending along the side face of a <i>principal building</i>.</p>	added to determine how 'yards' are created on a 'parcel' with 'parcel lines' and faces of building.

Definition Revised: Accessory Building	means a building or structure located on a parcel, the use of which building or structure is incidental and ancillary to the principal permitted use of the land, buildings or structures located on the same parcel	means a <i>building or structure</i> located on a <i>parcel</i> , the <i>use</i> of which is incidental and ancillary to the principal <i>permitted use</i> of the <i>land, buildings or structures</i> located on the same <i>parcel</i> .	included previously unregulated structures such as, flagpoles, swimming pools, propane tanks, satellite dishes and receivers, telecommunication antenna, and wind turbines
Definition Revised: Accessory Suite			changed to Secondary Suite
Definition Revised: Below Grade Floor Area			changed 'space' to 'area' to be more consistent with language – 'gross floor area', GFA
Definition Revised: Development	means a change in the use of any land, building or structure and shall include the carrying out of any building, engineering, construction or other operation in, on, over or under land or water, or the construction, addition or alteration of any building or structure;	means a change in the <i>use</i> of any <i>land, building or structure</i> and shall include the carrying out of any <i>building, engineering, construction or other operation</i> in, on, over or under <i>land or water</i> , or the construction, addition or alteration of any <i>building or structure</i> .	to provide clarity and align with RAR definition
Definition Revised: Floor Area or Gross Floor Area:	means the total of the gross horizontal area of each floor of a building as measured from the outermost perimeter of the building, but excludes for the purpose of a one-family residential, two-family residential dwelling or accessory building, any portion of a floor used for parking purposes;	means the total of the gross horizontal area of each floor of a <i>building</i> as measured from the outermost perimeter wall of the <i>building</i> and includes <i>below grade floor area</i> . The area of a <i>garage</i> will be included in the calculation of <i>floor area</i> , except for up to 90 m ² of <i>garage</i> located within <i>principal building or accessory building</i> that does not contain a <i>secondary suite</i> .	to clarify that 'below grade floor area' (or 'basement' depending on what term to keep) and parking areas are included with some exemptions.

<p>Definition Revised: Height (of a building or structure)</p>	<p>(of a building or structure) means the vertical distance from Grade to the highest point of the roof surface of a flat roof to the deck line of a mansard roof, and to the mean level between the eaves and the ridge of a gable, hip, gambrel or other sloping roof, and in the case of a structure without a roof, to the highest point of the structure;</p>	<p>means the vertical height of a <i>building</i> or <i>structure</i> (see section 5.6).</p>	<p>More detail on how height is calculated is now provided in the regulatory section of the Zoning Bylaw.</p>
<p>Definition Revised: Manufactured Home:</p>	<p>means a dwelling unit designed to be moved from time to time, which arrives at the site where it is to be occupied complete and ready for occupancy except for placing on foundation supports, connection of utilities, and some incidental assembly, and complies with the Manufactured Home Standards Regulations of the Manufactured Home Act, but specifically excludes recreational vehicles;</p>	<p>means:</p> <ul style="list-style-type: none"> a. a <i>one-family dwelling</i> constructed in a factory to CSA A277 standards, transported to a <i>parcel</i> and placed on a permanent foundation complying with the B.C. Building Code, or b. a <i>manufactured dwelling unit</i> constructed to CSA Z240 standards, transported on its own chassis and placed on a temporary foundation, and complies with the Manufactured Home Standards Regulations of the <i>Manufactured Home Act</i>, <p>and does not include a <i>recreational vehicle</i>.</p>	<p>revised definition to explicitly include both mobile homes and modular homes</p>

Definition Revised: One-family Dwelling	means a residential use in a building which is used for only one dwelling unit, and may contain an Accessory Suite, and includes a double-wide manufactured home;	means a <i>building</i> which is used for only one <i>dwelling unit</i> , but may contain a <i>secondary suite</i> .	removed reference to 'double wide manufactured home' as it implies permitting 'double wide mobile homes' anywhere that permits a 'one-family dwelling'
Definition Revised: Parcel Size	lot size means the same as site area	means the total horizontal area within the boundaries of a <i>parcel</i> .	renamed from 'lot size' and provided clarity as to what it actually is. Previous definition stated 'lot size' meant the same as site area and bylaw provided no defined term for site area. Clarified to mean the horizontal area within the boundaries of a 'parcel'
Definition Revised: Remainder Parcel	means the parcel of land that is the residual portion of a larger parcel of land that has or is proposed to be subdivided, and has the potential of being further subdivided into two or more parcels in accordance with the minimum lot size requirements of the applicable zone;	means the <i>parcel of land</i> that is the residual portion of a larger <i>parent parcel of land</i> that has or is proposed to be subdivided, and has the potential of being further subdivided into two or more <i>parcels</i> in accordance with the minimum <i>parcel size</i> requirements of the applicable <i>zone</i> .	clarified language to identify remainder of the parent parcel
Definition Revised: School:	includes public schools and independent schools;	means a <i>school</i> as defined by the <i>School Act</i> .	Changed to ensure consistency with provincial legislation.
Definition Revised: Setback	means the minimum horizontal distance measured from the respective lot line or natural boundary to the nearest portion of a building or structure;	means the minimum permitted horizontal distance measured from the respective <i>parcel line</i> , <i>natural boundary</i> or <i>top-of-bank</i> to the nearest portion of a <i>building or structure</i> .	revised language to include top-of-bank as a feature requiring a separation distance from a building or structure

Definition Revised: Subdivision	means the division of land into two (2) or more parcels, whether by plan, apt description, words, or otherwise;	means the division of <i>land</i> into two (2) or more <i>parcels</i> , or the consolidation of two or more <i>parcels</i> into one, or the adjustment of a <i>parcel line</i> whether by plan, apt description, words, or otherwise.	revised to incorporate language from BC government website
Definition Revised: Top-of-Bank:	means the natural boundary of a watercourse, or if the distance from the high water mark to the toe of the slope is less than 15 metres, then it is the first significant and regular break in slope which is a minimum of 15 metres wide.	means : <ul style="list-style-type: none"> a. the point closest to the boundary of the <i>active floodplain</i> of a stream where a break in the slope of the land occurs such that the <i>grade</i> beyond the break is flatter than 3:1 at any point for a minimum distance of 15 metres measured perpendicularly from the break, and b. for a floodplain area not contained in a ravine, the edge of the <i>active floodplain</i> of a stream where the slope of the <i>land</i> beyond the edge is flatter than 3:1 at any point for a minimum distance of 15 metres measured erpendicularly from the edge. 	Revised to better align with RAR regulation.

Definition Deleted: Building Setback	means the minimum horizontal distance from any portion of a building or structure to a designated lot line;	Deleted	redundant with the existing term 'setback' – potential delete. But may need both definitions to identify 'setback' area for 'natural boundary' and 'top of bank'
Definition Deleted: Alter	means any change to a <i>building</i> or <i>structure</i> that would result in an increase in floor area.	Deleted	No longer used in bylaw
Definition Deleted: Cellar	means a space between two floors of a <i>building</i> , the elevation of the lower of which is at least 1.5 metres below grade;	Deleted	No longer used in bylaw
Definition Deleted: Grade	(as applying to the determination of building height) means the lowest of the average levels of finished ground adjoining each exterior wall of a building, except that localized depressions such as for vehicle or pedestrian entrances need not be considered in the determination of average levels of finished ground	Deleted	More specific definitions for average, finished and natural grade added.
Definition Deleted: Minimum Site Area	means the smallest contiguous portion of a parcel that is required by law for the development of one permitted use;	Deleted	not used in revised Bylaw
Regulation Change: Fencing	Fences shall not exceed a height of 1.8 metres in the front yard or a height of 2.4 metres to the rear of the front face of a building;	(1) <i>Fences</i> shall not exceed a <i>height</i> of 1.6 metres in the <i>front yard</i> or a <i>height</i> of 1.8 metres in the <i>rear</i> or <i>side yards</i> ;	Size of fences in front yards is reduced to 1.6 metres and reduced to 1.8 metres in all other locations. Setback required from retaining walls. Restrictions on

		<p>(2) Where a <i>fence</i>, wall or similar <i>structure</i> is located on top of a <i>retaining wall</i>, the <i>height</i> of the <i>fence</i> shall include the <i>height</i> of the <i>retaining wall</i>, except that where their combined <i>height</i> exceeds 1.8 metres, the <i>fence</i>, wall or similar <i>structure</i> by itself may have a <i>height</i> of not more than 1.0 metre.</p> <p>Barbed wire and razor wire <i>fences</i> are prohibited in all <i>zones</i> except when expressly provided for in this Bylaw, or for an <i>industrial</i>, <i>civic institutional</i>, or <i>commercial use</i>.</p>	materials used for fencing also added.
Regulation Change: Highest Building Face		See section 5.4 of Draft Zoning Bylaw for text and graphics. Corresponding definition for highest building face added in definition section.	Part of the new proposed approach to regulating building and structure heights
Regulation Change: Average Grade Calculation for Building and Structure Height		See section 5.5 of Draft Zoning Bylaw for text and graphics	Part of the new proposed approach to regulating building and structure heights
Regulation Change: Building and Structure Height		See section 5.6 of Draft Zoning Bylaw for text and graphics	Part of the new proposed approach to regulating building and structure heights
Regulation Change: Height Exemptions		See section 5.7 for text	Changes to allow for sustainable building technologies.

Regulation Change: Keeping of Animals		Deleted	Regulation is redundant and regulated through the Animal Control Bylaw
Regulation Change: Landscaping		See section 5.14 of proposed bylaw	Added requirements for Landscaping to help mitigate impacts of development and retaining walls
Regulation Change: Retaining Walls		See section 5.12 for text and graphics. Corresponding definition for grade line added in definition section.	Increased the required horizontal separation requirement between retaining wall systems to 3.6 metres and introduced grade line concept
Regulation Change: Screening		See Section 5.13 of proposed bylaw	Added requirements for screening to help mitigate impacts of development
Regulation Change: Storage or Parking of Vehicles, Trailers, Boats and Equipment		See Section 5.15	Section added to clarify and address issues with regard to the storage of items.
Regulation Change: Signs		See section 5.16	Greater specificity on sign regulation provided. Increased permitted for sale signs area from 0.4m ² to 0.6m ² to reflect actual size most commonly used.
Regulation Change: Sport Courts		(1) Shall not be constructed or located within any required <i>front yard</i> or <i>exterior side yard</i> or within any <i>accessory building or structure setback</i> requirement for that <i>zone</i> .	Regulation added to clarify location of sport courts and reduce impact on neighbours.

Regulation Change: Swimming Pools		<p>(1) <i>Swimming pools</i> and hot tubs shall not be constructed or located within any required <i>front</i> or <i>exterior side yard</i> or located within 3.5 metres of any other <i>parcel line</i>, unless expressly provided for in this Bylaw.</p> <p>(2) <i>Swimming pools</i> shall be enclosed in a <i>structure</i> or surrounded by a <i>fence</i> with a <i>height</i> of no less than 1.5 metres, provided that the <i>fence</i> does not obstruct visibility through it.</p>	Regulation added to clarify location of swimming pools and reduce impact on neighbours.
Regulation Change: Subdivision		<p>Added clarification on how parcel width is determined.</p> <p>Added limitation on panhandle parcels that only 50% of the area of the access strip will be included in determining minimum parcel size.</p>	
Regulation Change: Secondary Suite		<p>For parcels less than 4047 m², a <i>secondary suite</i> within an <i>accessory building</i> shall not have a <i>floor area</i> that exceeds 100 m². For parcels equal to or larger than 4047 m², a <i>secondary suite</i> within an <i>accessory building</i> shall not</p>	Added the ability on larger parcels to have larger secondary suites in an accessory building.

		have a <i>floor area</i> that exceeds 120 m ²	
Regulation Change: Renewable Energy		See section 5.19	Regulation added to allow for renewable energy technologies to be used.
Regulation Change: Watershed Protection		See section 5.22	Regulation updated to reflect latest requirements relating to Agricultural Buildings.
Compact Housing 1 – RCH-1			<p>Setbacks – Principal Buildings: Increased interior side setback to 2.2 m (from 1.2 m) for anything above the first storey, increased exterior side setbacks to 4 m (from 3 m), and increased rear setback to 2 m (from 1.5 m). Setbacks – Accessory Buildings: changed to reflect changes in principal building setbacks.</p> <p>FAR: reduced to 0.6 (from 0.7).</p> <p>Basements prohibited in areas without stormwater management infrastructure and permitted where it has been installed.</p>
Compact Housing 2 – RCH 2			Removed additional development capacity should the community sewage disposal field no longer be required. This was done to ensure consistency with the OCP in terms of permitted density and that there will be no municipal sewer systems.

<p>Comprehensive Development Zones</p>			<ul style="list-style-type: none"> • Minimum parcel size based on APC voting – 1,012 m² (1/4 acre). • Maximum size (FAR) based on APC voting results and the adopted Bella Terra amending bylaw. APC voting was unclear as the voting resulted in a range acceptable. Created a table expressing that range with varying parcel sizes and with an interpretation of the APC voting. • Maximum height based on discussions with staff (APC voted to have maximum RS-1 height apply to CD's). • Setbacks are minimum established in RS-1 as per APC voting. • Maximum parcel coverage established using APC voting results.
<p>Residential 1 – RS1</p>		<p>Increased maximum amount of floor area permitted for accessory buildings from 100 to 152 m²</p>	<p>This reflects the changes to calculation of floor area.</p>
<p>Residential 1 – RS1</p>		<p>Provisions for relaxed setback in rear and side yards for small accessory building (less than 10m²) and in ground swimming pools to have a setback of 3.5 m</p>	

		Provisions for relaxed setback in rear and side yards for 1 accessory building to 1 m for lots smaller than 1200 m2.	This change was made to address the unique constraints that the RS-1 zone placed on parcels in the Birch Wynd neighbourhood where many lots are much smaller than others in the RS-1 zone.
Residential 1 – RS1	Maximum Number of Buildings permitted (a) May be increased to two One-Family Residential dwellings, provided that the lot size is greater than 0.8 ha.	deleted	Only 1 one family residence permitted per parcel. Should a second one family residence be desired than a subdivision should be pursued, as exception only applied to lands with subdivision potential.
Residential 2 – RS2		deleted	Not used in the Village
Residential 3 – RS3		deleted	No longer used in the Village