

WESTBANK FIRST NATION
LAND USE LAW NO. 2007-01

SCHEDULE "B" – ZONING REGULATION

1.1 INTRODUCTION

Westbank First Nation has developed Zoning Regulations for Westbank Lands. The various land uses are depicted for IR#9 and IR#10, which provide specific regulations and permitted uses for each of the zones as well as the Existing and Proposed Land Use maps shown in Figures 9.1 & 9.2.

1.2 ADMINISTRATION

1.2.1 Application

This Zoning Regulation applies to all land, buildings and structures including the surface of water within the boundaries included within Tsinstikeptum IR#9 and IR#10 of the Westbank First Nation. It includes all lands held by Certificate of Possession (CP), community lands held by Westbank First Nation, and all other interests held on Westbank First Nation lands, as per the *Land Code*.

1.2.2 Compliance

Land, including air space and the surface of water, shall not be used and buildings and structures shall not be constructed, altered, located or used except as specifically permitted in this Zoning Regulation.

1.2.3 Severability

If any section, subsection, sentence, clause or phrase of this Zoning Regulation 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.

1.2.4 Inspection

The Bylaw Officer or other officer of WFN who may be appointed by the Council, is hereby authorized to enter, at all reasonable times, any day of the week, on any property that is subject to regulations under this Zoning Regulation to ascertain whether the provisions of this policy are being covered.

1.2.5 Metric Measurement

All regulation measurements shall be made in metric. The imperial equivalents are provided for convenience only and have no force or effect.

1.3 DEFINITIONS

ACCESSORY USE, BUILDING OR STRUCTURE means a use, detached building, or structure that is subordinate, customarily incidental, and exclusively devoted to the principal use, building, or structure located on the same parcel.

APARTMENT HOUSING means a single building other than a townhouse containing three or more dwelling units and a common entrance.

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

BALCONY means an extension of a floor projecting from the wall of a Building and enclosed by a parapet or railing.

BED AND BREAKFAST means temporary tourist accommodation which is incidental, subordinate and contained within a Single Family Dwelling intended primarily for the accommodation of the traveling public, and may include the provision of breakfast to the guests.

BUILDING means any Structure used or intended for supporting or sheltering any Use or occupancy.

BUSINESS PARK INDUSTRIAL ESTABLISHMENT means a use providing for indoor light manufacturing or high technology industry or business.

CANADIAN STANDARD ASSOCIATION A277 means an approved procedure for the Certification of factory built manufactured homes and provides for certification and auditing of the plant quality program, and in-plant inspection and certification of the product built. (In the manufactured housing industry, CSA Certification forms the basis for acceptance by local inspection authorities responsible for the enforcement of building codes.)

CANADIAN STANDARD ASSOCIATION Z240 means a factory built mobile home certified by the Canadian Standards Association as conforming in all respects to the latest (1992) CAN/CSA Z240 MH Series of Standards and which is complete structurally with the entire plumbing, electrical and heating system installed. Earlier CSA Standards may be accepted by the Authority having jurisdiction. Factory built mobile homes constructed in 1979 or later included drywall interiors.

CIVIC USE means a use providing for public functions or services, such as a school, college, hospital, community centre, library, or gallery.

CLINIC means a public or private building used for medical, dental, physio-therapeutic, chiropractic or other human health treatment by one or more practitioners.

COMMERCIAL LODGING means a Building used for the temporary accommodation for the traveling public, including hotels, motels and other commercial resort operations and may contain accessory assembly, commerce, entertainment, indoor recreation, Restaurant Uses and premises licensed for on-site consumption of alcoholic beverages.

COMMUNITY CENTRE means any tract of land or buildings or any part of any buildings used for community activities, whether used for commercial purposes or not, and the control of which is vested in the municipality, a local board or agent thereof.

CONGREGATE HOUSING means housing in multiple unit form which provides all of the following:

- living and sleeping units;
- meal preparation facilities;
- laundry services and room cleaning;
- a minimum of 100 m² of seating area for common dining facilities;
- a minimum of 160 m² of floor area for common community and assembly halls;
- a minimum of 6.0 m² of outdoor amenity space and a minimum of 6.0 m² of indoor amenity space per living and sleeping unit where a minimum of 40% of the total required amenity space is provided in the form of outdoor amenity space and a minimum of 40% of the total required amenity space is provided in the form of indoor amenity space;

CONSERVATION AREA means land that is preserved and protected for its unique value to itself, the surrounding area and the community as a whole. Typical examples may include land left in a natural or semi-natural state for the purpose of conserving plant life and providing sanctuary, habitat and breeding grounds for wildlife.

CONVENIENCE STORE means a retail outlet selling small grocery items, personal hygiene products and similar daily personal necessities.

COUNCIL means the Chief and members of the Council of the Westbank First Nation.

COVERAGE means the percentage of the Parcel Area covered by the area of all Buildings but shall exclude balconies, bay windows, canopies and sun shades, cornices, eaves and gutters, roof overhangs, fire escapes, sills, steps, open and enclosed terraces at grade or similar projections.

CUSTOM WORKSHOP, TRADE OR SERVICE means businesses which produce or service specialized goods or provide specialized services, but it does not include businesses which primarily sell mass produced goods at retail.

DAYCARE FACILITY means any type of facility licensed under the Community Child Care Facility Act that provides group daycare programs for nine (9) or more children.

DEVELOPMENT means:

- .1 the carrying on of any construction or excavation or their operation, in, on, over, or under land or water; or
- .2 the making of any change in the use or intensity of use of any land, water, Building or premises.

DUPLEX means any Building divided into two Dwelling Units, each of which is occupied or intended to be occupied as a permanent home or residence of one Family.

DWELLING OR DWELLING UNIT means a self-contained set of Habitable Rooms containing not more than one kitchen facility, and not less than one bathroom with a water closet, wash basin and bath or shower.

ENTERTAINMENT OR RECREATION ESTABLISHMENT, INDOOR means a use that provides facilities for sports, recreation, and entertainment conducted indoors.

ENTERTAINMENT OR RECREATION ESTABLISHMENT, OUTDOOR means a use that provides facilities for sports, recreation, and entertainment conducted outdoors, excluding a golf course, but including a driving range.

EXTERIOR SIDE PARCEL LINE means a Parcel Line, other than a Front or Rear Parcel Line, which is common to the parcel and a Highway other than a Lane or walkway.

FAMILY means:

- .1 an individual, or two or more persons related by blood, marriage, common law marriage, adoption, or foster parenthood sharing one Dwelling Unit; or
- .2 not more than four (4) unrelated persons sharing one Dwelling Unit.

FENCE means a constructed barrier of any material or combination of materials erected to enclose or screen areas of land and includes arbour, archway, gate, hedges, pagoda, screen, trellis and wall.

FLOOR AREA means the total floor area of all floors in a Building measured to the extreme outer limits of the Building including all areas giving access thereto such as corridors, hallways, landings, foyers, staircases, stairwells, enclosed Balconies, enclosed mezzanines, enclosed porches, enclosed verandas, and Accessory Buildings except those used for parking.

FOURPLEX means any Building divided into four Dwelling Units, each of which is occupied or intended to be occupied as a permanent home or residence of one Family.

FRONT PARCEL LINE means the shortest Parcel Line common to a parcel and a highway other than a Lane.

GARAGE means a detached Accessory Building or a portion of a Principal Building used solely for the parking or temporary storage of private motor vehicles and in which there are no facilities for repairing or serving such vehicles.

GENERAL COMMERCIAL ESTABLISHMENT means a use that provides retail sale of goods or services, or office space.

GOLF COURSE OR DRIVING RANGE means a public or private area operated for the purpose of playing golf or developing golfing techniques, but excludes miniature golf courses.

GRADE is determined in two steps:

- .1 for each exterior wall, measure the average elevation of the finished ground adjoining the wall;
- .2 from the average elevation figures for all the walls, choose the lowest elevation figure to represent the Grade.

GROUP HOME, MAJOR means a care facility licensed under the *Community Care Facility Act* to provide room and board for more than 6 residents with physical, mental, social or behavioural problems that require professional care, guidance and supervision. This use does not include *temporary shelter services*.

GROUP HOME, MINOR means the use of one dwelling unit as a care facility licensed under the *Community Care Facility Act* for a residence for no more than 10 persons, not more than 6 of whom are residents with physical, mental, social or behavioural problems that require professional care, guidance and supervision. The character of the use is that the occupants live together as a single housekeeper group and use a common *kitchen*. This use does not include boarding or lodging houses or *temporary shelter services*.

HABITABLE ROOM means a room designed for living, sleeping, eating or food preparation, including a living room, dining room, bedroom or kitchen.

HEIGHT means the vertical distance from the Grade to the highest point of the roof surface of a flat roof, the deck line of a mansard roof, and to the beam height level between the eaves and ridge of a gable, hip or gambrel roof.

HIGHWAY COMMERCIAL USE means a use that provides retail sale of goods or services and necessitates access by motor vehicle.

HOME OCCUPATION means Personal Service Establishments, professional offices, studios or galleries operated by the owner-occupier, carried out in a home, where the occupation or profession is accessory to the Use of a Dwelling for residential purposes. Notwithstanding the Personal Service Establishments definition contained in this section, Home Occupation will not include medical or dental clinics, barber shops or beauty shops.

HOTEL OR MOTEL means a building or group of buildings providing sleeping accommodation for the transient public based on rental periods of less than one month.

INTERIOR SIDE PARCEL LINE means a Parcel Line other than a rear or Front Parcel Line, which is not common to a highway other than a Lane or walkway.

LANDSCAPE SCREEN means a solid barrier formed by a row of shrubs, trees or by a wooden Fence or masonry wall or by a combination of these.

LANE means a highway which provides only secondary access to a parcel located at the side or rear of the parcel.

LIGHT INDUSTRY means a use providing for indoor manufacturing, processing, assembling, fabricating, storing, transporting, distributing, testing, servicing, or repairing of goods or things, and which is not offensive by reason of smoke, noise, vibration, dirt, glare, odour, or electrical interference. Outdoor storage, sales, and service, and repair of commercial vehicles, recreational vehicles, and boats is also permitted within this use.

MANUFACTURED HOME OR MANUFACTURED HOUSING means a Single Family Dwelling built in an enclosed factory environment in one or more sections, intended to be occupied in a place other than where it is manufactured, and is not self-propelled.

MANUFACTURED HOME PARK means land used or occupied by any person for the purposes of providing pads for the accommodation of two or more Mobile Homes and for imposing a charge or rent for the use of such space.

MARINA means a commercial or government establishment or premise, containing docking or mooring facilities where boats and other water vessels and their accessories are berthed, stored, serviced, repaired, constructed or kept for sale or for rent.

MEMBER means a person whose name appears on the Westbank First Nation Membership List.

MOBILE HOME means a transportable, single or multiple-section Single Family Dwelling conforming to Canadian Standard Association Z240 MH Series at the time of manufacture.

MULTIPLE FAMILY DWELLING means a Building on a parcel, containing three or more Dwelling Units, each of which is occupied or intended to be occupied as the permanent home or residence of one Family.

NATURAL BOUNDARY means the visible high-water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the lake, river, stream or other body of water, a character distinct from that of the banks thereof in respect to vegetation, as well as in respect to the nature of the soil itself.

OFFICE means a building or part thereof, designed, intended or used for the practice of a profession, the carrying on of a business, the conduct of public administration, 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, which is suitable and used for the growth and maintenance of grass, flowers, bushes and other landscaping and may include any surface pedestrian walk, patio, pool or similar area, but does not include any driveway, ramp or parking area.

PARCEL AREA means the total horizontal area within the Parcel Lines.

PARCEL LINE means any boundary of a parcel.

PARCEL WIDTH means the horizontal distance between the two side Parcel Lines measured at the minimum setback from the Front Parcel Line.

PARKING AREA means an open area of land, other than a street, used for the parking of vehicles and may include Parking Spaces.

PARKING SPACE means a space within a Building or Parking Area, for the parking of one vehicle, excluding driveways, aisles, ramps, columns, office and work areas.

PERSONAL SERVICE ESTABLISHMENT means a business providing a service to an individual, such as a clinic, barber shop or salon, dry cleaner, postal service, or household repair service.

PLACE OF ASSEMBLY means a use providing for assembly of persons such as in a place of worship, auditorium, educational facility such as a daycare or private school, funeral establishment, or temporary shelter.

PRINCIPAL BUILDING means the Building, which contains the Principal Use of the parcel and shall include attached garages or carports, but does not include an Accessory Building.

PRINCIPAL USE means the main purpose for which land, Buildings or Structures are ordinarily used.

PUBLIC UTILITY means a building or space used in conjunction with the supply of local utility services including a water or sewage pumping station, a water storage reservoir, a gas regulator building, a hydro substation, a telephone building and corridors for the pipe or wire systems connected with the supply of these services.

REAR PARCEL LINE means the Parcel Line which lies the most opposite to and is not connected to the Front Parcel Line.

RESERVE OR RESERVES means those lands, title of which is vested in the Crown in the Right of Canada, which is or has been set aside for the use and benefit of the Westbank First Nation and which has not been unconditionally surrendered.

RESORT HOUSING ESTABLISHMENT means apartments, townhouses, or cabins providing sleeping accommodation for visitors based on rental periods of less than one month. Resort housing may include accessory facilities such as restaurants, convention rooms, recreational facilities, and personal service establishments for the convenience of guests.

RESTAURANT means an eating establishment where food is sold and served to the public.

RETAIL STORE means a Building where goods, ware, merchandise, substances, articles or things are offered or kept for sale to the general public, including storage of limited quantities of such goods, wares, merchandise, substances, articles or things, sufficient only to service the retail use, but shall exclude second hand stores, pawn shops and Junk Shops.

SERVICE STATION means premises used principally for the retail sale of motor fuels, lubricating oils and motor vehicle accessories and the servicing of passenger and light trucks, and may include the auxiliary retail sale of other products, but shall not include any wholesale sales, automotive frame repairs, body repairs, or painting, heavy equipment or heavy truck repair.

SETBACK means the required minimum or maximum distance between a Building, Structure or Use and each of the respective Parcel Lines.

SINGLE FAMILY DWELLING means any detached Building consisting of one Dwelling Unit which is used or intended to be used as the permanent home or residence of one Family.

SPECIAL CARE FACILITY means an institution or residential facility where care and attention is furnished, with or without charge on account of age, infirmity, physical or mental defect, or other disability which requires care and which is designated as a community care facility under the *Community Care Facility Act*.

STRUCTURE means any construction fixed to, supported by or sunk into land or water including a Manufactured Home or Mobile Home, but does not include concrete, asphalt, brick or tile surfaced areas.

TEMPORARY BUILDING means a Building that does not have its exterior walls supported on continuous concrete or masonry foundations or walls but shall not include Manufactured Housing.

TOURIST ACCOMMODATION USE means a dwelling unit that provides short term occupancy for periods of less than one month.

TRIPLEX means any Building divided into three Dwelling Units, each of which is occupied or intended to be occupied as a permanent home or residence of one Family.

USE means the purpose for which any parcel, tract of land, Building or Structure is designed, arranged or intended or for which it is occupied or maintained.

UTILITY SERVICE FACILITY means premises for utility infrastructure purposes. Typical uses include but are not limited to public works yards, sewage and water treatment plants, electrical substations, and works yards.

WATERCOURSE means any natural or man made depression with well defined banks and a bed 0.6 m or more below the surrounding land serving to give direction to a current of water at least six (6) months of the year or having a drainage area of two (2) km² or more upstream of the point of consideration.

WATERFRONT COMMERCIAL ESTABLISHMENT means a retail store or eating and drinking establishment associated with waterfront activities.

WFN means the Westbank First Nation.

ZONING DESIGNATION means the zoning designation as set out in the Zoning Maps.

1.4 GENERAL DEVELOPMENT REGULATIONS

1.4.1 *Applicability of General Regulations*

Except as expressly excluded, Section 1.4 applies to all Designations established under this Zoning Regulation.

1.4.2 *Uses Permitted in all Designations*

The following uses are permitted in all Designations:

- a) Parks
- b) Public Utility facilities for local transmission of water, sewage, electrical power, telephone, natural gas, cable television and other similar services (but not including sewage treatment plants, electrical substations, storage yards, works yards, maintenance buildings or offices)
- c) Highways
- d) Transit corridors and stations
- e) Mail boxes
- f) Railway tracks
- g) The temporary use of a building as a polling station for government elections or referenda, providing that the time period of use does not exceed 60 days
- h) Temporary construction and project sales offices provided that the use is removed within 30 days of the completion of the project
- i) Storage of construction materials on a site for which construction has been authorized by the authority having jurisdiction, provided they are removed within 30 days of completion of the project.

Emergency and protective services such as premises used by fire protection, police, ambulance, or other such services as a base of operations are permitted in all zones provided that:

- a) Any buildings or structures are, as far as possible, in substantial compliance with the applicable zone requirements of this bylaw;
- b) Any building erected or used under this provision shall be of a character and maintained in general harmony with buildings of this type permitted in the applicable zone; and,
- c) Adequate off street parking and loading facilities are provided.

1.4.3 *Number of Principal Buildings on a Parcel*

Not more than one Principal Building shall be permitted on any parcel.

1.4.4 *Wrecked Vehicles and Construction Materials*

Outdoor storage of more than two wrecked or disused vehicles or construction materials is not permitted except in the Light Industrial (LI) designation.

1.4.5 *Minimum Setback from Watercourses*

No grazing of livestock and no building, mobile home or unit, manufactured home or structure or any part thereof shall be constructed, reconstructed, moved, extended or located within 15 metres of the natural boundary of any watercourse or any structure for flood protection or seepage control or of any dyke right-of-way. The minimum setback may be increased for commercial and/or industrial land uses.

1.4.6 *Wildlife and Fish Recognition*

Designated wildlife crossings, wildlife protection studies and fish habitat areas must be referenced and consulted with the community as part of environmental impact assessments. The completed report must be presented to the Council and the community prior to any approval of development.

1.4.7 *Archaeological and Cultural Study*

Prior to development, a study must be completed by a registered Archeologist to identify archaeological and/or cultural features. The terms of reference for the archaeological and cultural study shall be developed by Westbank First Nation. Any literature or previous studies on the site must be reviewed. Once the literature review is undertaken, the Archeologist must include at least one WFN member or designated employee on site as an observer.

All development work must stop upon discovery of any significant archaeological or cultural findings. Artifacts and artifact features are not to be removed from their place. The artifact(s) must be documented, mapped, and registered with the Archaeology Branch, which ensures the proper protection of the sites and any permit applications that may arise from the findings will go to the Council first.

1.4.8 *Height Exceptions*

Any of the following Structures may exceed the maximum Height regulations, provided that no such Structure shall cover more than 20% of the parcel, or if located on a Building, not more than 10% of the roof area of the Principal Building:

- a) dome, cupola;
- b) public monument;
- c) water tanks;
- d) chimney;
- e) spire, steeple, belfry;
- f) radio and television tower or antenna;
- g) flag or lighting pole, flood light;
- h) transmission tower;
- i) hose and fire alarm tower;
- j) mechanical appurtenance on roof tops, including satellite dishes or other telecommunications apparatus for domestic or commercial purposes.

1.4.9 *Setback Exceptions*

Unless authorized by Council in writing, no Building or Structure other than the following shall be located in the area of the Setback required in this section:

- a) signs;
- b) fences;
- c) steps, provided they are not closer than 1 m from any Side Parcel Line;
- d) a patio, terrace, porch, Balcony or canopy provided they are not closer than 2 m from any Parcel Line;
- e) gutters, eaves, cornices, sills, bay windows or chimneys provided they are not closer than 1 m from any Parcel Line;
- f) arbors, trellises, fish ponds, ornaments, flag poles or similar landscape features, provided they are not closer than 1 m from any Parcel Line;
- g) a Parking Space or loading space;
- h) Landscape Screens.

1.4.10 *Interior Side Parcel Line Setback Exception of Bare Land Strata Parcel*

The Interior Side Parcel Line Setback requirements of this section shall not apply to strata parcels where there is a common wall shared by two or more Dwellings.

1.4.11 *Minimum Parcel Size and Minimum Parcel Width Exception*

The minimum parcel size and minimum Parcel Width regulations for new subdivisions do not apply to parks, public uses or Public Utilities.

1.4.12 *Home Occupation*

Where expressly permitted within a Designation, a Home Occupation shall comply with the following regulations:

- a) no excessive outdoor storage of material associated with the Home Occupation is permitted;
- b) a maximum of one (1) sign per parcel is permitted when advertising a Home Occupation. It shall be made of wood and be the same colour as the dwelling and shall not exceed 0.2 m² in area nor be illuminated.
- c) the Home Occupation shall be carried out wholly within a Dwelling or if a residential designation, within a Dwelling or Accessory Building;
- d) unless authorized by the Council, no retail or wholesale sales shall be permitted except for:
 - i. products incidental to a service being provided;
 - ii. mail order sales;
 - iii. telephone sales or sales where the customer does not enter the premises to inspect or pick-up goods;
 - iv. direct distributions where customers do not enter the premises to inspect, purchase or pick up goods; and
 - v. products produced on the site.

- e) the Home Occupation shall not occupy more than a combined 50 m² (538 ft²) of the Dwelling and Accessory Building or 25% of the gross Floor Area of the Dwelling, whichever is less.
- f) unless authorized in writing by the Council, a home occupation may not include:
 - i. stables, kennels or animal breeding operations;
 - ii. restaurants;
 - iii. parking or storage of commercial, industrial or construction equipment and material;
 - iv. vehicle or equipment repair and maintenance;
 - v. metal fabricating; or
 - vi. uses that produce toxic or noxious matter, noise, vibrations, smoke, dust, odour, litter, heat, glare, radiation, fire hazard, or electrical interference other than normally associated with a dwelling.
- g) Unless authorized in writing by the Council, a home occupation may not include:
 - i. A maximum of one commercial vehicle used for the home occupation is permitted on the parcel unless completely enclosed in a building; and
 - ii. The Home Occupation must comply with Westbank First Nation Business License Bylaw.

1.4.13 *Bed and Breakfast*

Where expressly permitted in a Designation, a Bed and Breakfast shall comply with the following regulations.

- a) a Bed and Breakfast shall be entirely contained within the Dwelling;
- b) one additional Parking Space shall be provided for each let room;
- c) a maximum of one sign shall be permitted per parcel advertising a Bed and Breakfast and shall not exceed 0.2 m² in area and shall not be illuminated;
- d) no food shall be served in the Bed and Breakfast, other than breakfast, which may only be served to registered overnight guests; and
- e) a Bed and Breakfast must comply with any Westbank First Nation Business License Bylaw.

1.4.14 *Secondary Suites*

A secondary suite is subject to the following regulations:

- a) A secondary suite is added to the list of permitted uses in the SFL and SFM Designations, if the Designation has an "s" notation shown on Figures 9.1 or 9.2, as part of the Designation identification. The "s" notation shall be shown on Figures 9.1 and 9.2 as follows: SFLs and SFMs. An "s" Designation on a parcel shall be established by redesignating the subject parcel to the "s" version of the Designation. The regulations set out for the "s" version of the Designation will be the same as the regulations for the version without the "s", except for the addition of *secondary suite* as a permitted use.
- b) The secondary suite shall have its own separate cooking, sleeping and bathing facilities.
- c) The secondary suite shall have direct access to the outside without passing through any part of the principal dwelling unit.
- d) The secondary suite shall be located within a single detached house, or accessory building.
- e) No more than one secondary suite is permitted within a single detached house or accessory building.

- f) The secondary suite shall not exceed the lesser of 90 square metres (969 square feet) or 40% of the gross floor area of the principal building.
- g) A secondary suite is not permitted in conjunction with a bed and breakfast use, and a bed and breakfast is not permitted within a secondary suite.
- h) A home based business is not permitted within a secondary suite.
- i) One parking space per secondary suite is required in addition to those required for the principal dwelling.

1.4.15 *Temporary Building*

The following conditions shall apply to Temporary Buildings.

- a) A Temporary Building or Temporary Structure shall not be used as a Dwelling except in the case of a trailer when located in a commercial or industrial designation on a short term or temporary basis while the Principal Building is being constructed.
- b) A Temporary Building or Temporary Structure may be erected for construction purposes on a parcel being developed for a period not to exceed the duration of the such construction.

1.4.16 *Single Family Residential Development for WFN Member use on CP Held Land*

Notwithstanding the permitted uses and regulations provided in this Section, a WFN Member who holds a Certificate of Possession on a parcel is permitted to construct one single family residential dwelling for use by themselves or their family members, regardless of the Zoning Designation.

1.5 **PARKING REGULATIONS**

All Designations shall be subject to the provisions for off-street parking and off-street loading as follows:

1.5.1 *Application of Regulations*

Space for the off-street parking of motor vehicles in respect of a permitted use shall be provided and maintained in accordance with the regulations of this section.

Definitions outlined in Schedule A apply to this schedule.

1.5.2 *Number*

- a) The number of off-street Parking Spaces for motor vehicles required for any Use is calculated according to Table 1 of this Schedule in which Column I classifies the types of uses and Column II sets out the number of required off-street Parking Spaces that are to be provided for each use in Column I.
- b) In respect of a Use permitted under this section which is not specifically referred to in Column I of Table 1, the number of off-street Parking Spaces is calculated on the basis of the requirements for a similar use that is listed in Table 1.
- c) Where the calculation of the required off-street Parking Spaces results in a fraction, one Parking Space shall be provided in respect of the fraction.
- d) Where seating accommodation is used as a unit of measurement, and such accommodation consists of benches, pews, booths, and the like, each 0.5 m of width of such searing accommodation shall be counted as one seat.

- e) Where more than one use is located on a parcel, the total number of Parking Spaces to be required shall be the sum total of the requirements for each use.
- f) Where more than one use is located in a Building, the total number of Parking Spaces to be required may recognize the mix of uses and determine the number of spaces required based on the various portions of the Building dedicated to each Use.
- g) Where more than one standard may apply to a Use, the standard requiring the greatest number of Parking Spaces shall be used.

1.5.3 Location

- a) Except for uses in the Commercial Designations, off-street Parking Spaces shall be located on the same parcel as the Use they serve.
- b) In Commercial Designations, off-street Parking Spaces may be located on another parcel within 125 m of the Building or use the spaces under the condition that legal assurances are established to ensure that the parcel is used only for parking serving the Building or Use.
- c) In Commercial Designations, off-street Parking Spaces may be provided for collectively if the total number of spaces provided is not less than the sum of the separate requirements for each Use and provided that all regulations governing location of Parking Spaces in relation to Use are adhered to.

1.5.4 Standard

- a) Each off-street Parking Space required in this Section shall not be less than 2.7 m in width, 5.5 m in length and 2.2 m in Height.
- b) Adequate provision shall be made for individual entry or exit by vehicles to all Parking Spaces at all times by means of unobstructed maneuvering aisles, having widths not less than:
 - 7.4 metres – where Parking Spaces are located at 90 degrees to the maneuvering aisle providing access to the space;
 - 5.2 metres – where Parking Spaces are located at 60 degrees to the maneuvering aisle providing access to the space; or
 - 3.7 metres – where the Parking Spaces are located at 45 degrees or less to the maneuvering aisle providing access to the space.
- c) All Parking Areas with 4 or more Parking Spaces shall be hard surfaced with asphalt, concrete, brick or similar pavement so as to provide a surface that is durable and dust-free and shall be graded and drained so as to properly dispose of all surface water.

1.5.5 Siting

- a) No off-street Parking Space shall be located within 2 m of the Front Parcel Line, except in a Commercial or Industrial Designation.
- b) In a Commercial or Industrial Designation, Parking Spaces may be located in the Front Yard provided that the Parking Areas shall be separated from an adjoining street or from a directly abutting parcel in a Residential Designation by a fully landscaped strip of not less than 2 m in width.
- c) No off-street Parking Spaces shall be located in the front yard of an Industrial Designation which abuts a parcel in a Residential Designation or is separated by a street or land therefrom.
- d) Parking Spaces in Residential Designations shall be wholly provided on the same parcel as the Building required to be served.

1.5.6 Handicapped Parking

Parking for handicapped persons shall be provided in accordance with the British Columbia Building Code.

**TABLE 1
REQUIRED OFF-STREET PARKING SPACES**

COLUMN 1 Use	COLUMN II Required Number of Spaces
RESIDENTIAL	
Single Family Dwelling	2 per dwelling
Duplex	2 per dwelling unit
Triplex / Fourplex	1.5 per dwelling unit
Townhouse	1.5 per dwelling unit
Apartment Building <ul style="list-style-type: none"> • Less than three bedrooms • Three or more bedrooms • Visitor parking (in addition to) 	1 per dwelling unit 1.5 per dwelling unit 10% of required parking spaces for dwelling units
Secondary Suite	1 per suite in addition to spaces required for the principal dwelling unit
Bed and Breakfast	1 per guest room in addition to spaces required for the principal dwelling unit
Congregate housing	0.5 per sleeping unit
Group Home, major and minor	0.75 per sleeping unit
COMMERCIAL	
Restaurant / Pub	1 per 4 seats of capacity
Hotels and motels	1 per sleeping unit plus requirements of other uses
Office	1 per 40 sq.m. of Gross Floor Area
Gasoline service station / car wash	4 spaces in addition to spaces required for vehicle fuelling
Golf Course	6 per hole, plus parking required for other uses
Golf Driving Range	1 per tee
Mini-Storage Facility	1 per 100 sq.m. of Gross Floor Area
Equipment sales and rental / automobile sales and repairs	1 per 2 employees plus 1 per 100 sq.m. of Gross Floor Area
Theatre	1 per 10 seats
All other commercial uses not listed: <ul style="list-style-type: none"> • GFA less than 2,000 sq.m. • GFA between 2,000 – 20,000 sq.m. • GFA greater than 20,000 sq.m. 	2 per 100 sq.m. of Gross Floor Area 3 per 100 sq.m. of Gross Floor Area 4 per 100 sq.m. of Gross Floor Area

**TABLE 1 (continued)
REQUIRED OFF-STREET PARKING SPACES**

COLUMN 1 Use	COLUMN II Required Number of Spaces
INSTITUTIONAL	
Religious Assembly	1 per 10 seats
Elementary / Middle School	2 per classroom
Secondary School	5 per classroom
College or University	10 per classroom
Care Centres	1 per 10 patrons, plus 1 per 2 employees, with a minimum of 4 spaces
Health Services	5 per 100 sq.m. of Gross Floor Area
Community Centre / Community Hall / Community Recreation Services	1 per 5 seats/persons of full capacity or 2.5 per 100 sq.m. of Gross Floor Area, whichever is greater
Emergency and Protective Services	2.5 per 100 sq.m. of Gross Floor Area (excluding parking garages)
Cemetery	1 per 200 graves
All other institutional uses not listed:	2.5 per 100 sq.m. of Gross Floor Area
INDUSTRIAL	
Contractor / Public Works Yard	1 per 2 employees
Heavy Equipment sales, rental and repair	1 per 2 employees plus 1 per 100 sq.m. of Gross Floor Area
All other industrial uses not listed:	1.5 per 100 sq.m. of Gross Floor Area

1.6 ESTABLISHMENT OF ZONING DESIGNATIONS

The area within the boundaries of IR#9 and IR#10 of the Westbank First Nation shall be divided into the following Zoning Designations identified and described below:

ZONING DESIGNATION	DESCRIPTION
SFL *	Single Family Residential Low Density
SFM *	Single Family Residential Medium Density
SFH	Single Family Residential High Density
MFL	Multi Family Residential Low Density
MFM	Multi Family Residential Medium Density
MFH	Multi Family Residential High Density
MH	Mobile Home Park
RC	Retail Commercial
HC	Highway Commercial
WC	Waterfront Commercial
REC	Recreation Commercial
BP	Business Park
LI	Light Industrial
INST	Institutional
OS	Open Space/Environmentally Sensitive Area
GC	Golf Course
PUD	Planned Unit Development Area
H	Holding

** Note: These zoning designations would allow for a secondary suite, following redesignation to add the appropriate "s" designation.*

The location of each Zoning Designation may be referred to in the Existing and Proposed Landuse Maps (Figures 9.1 and 9.2).

SFL – SINGLE FAMILY RESIDENTIAL LOW DENSITY

Permitted Uses

The following Uses and no others shall be permitted in the SFL Designation:

- .1 Single family dwelling;
- .2 Secondary suites, upon redesignation to "SFL-S";
- .3 Bed and breakfast;
- .4 Home occupation; and
- .5 Accessory use, building or structure.

Regulations

COLUMN 1		COLUMN 2
.1	Minimum Parcel Size	700 m ²
.2	Minimum Parcel Frontage	18.0 m
.3	Maximum Lot Coverage	35% of the parcel area
.4	Minimum Setback	
	• Front Parcel Line	4.5 m
	• Exterior Side Parcel Line	4.5 m
	• Interior Side Parcel Line	1.5 m
.4	• Rear Parcel Line	3.0 m
.5	Maximum Height of Principal Buildings	9.0 m (to a maximum of 2.5 storeys)
.6	Maximum Height of Accessory Buildings	5.0 m
.7	Minimum Setback of Accessory Buildings from Principal Building	1.0 m
.8	Maximum Accessory Building Floor Area per Dwelling Unit	70 m ²

Conditions of Use for Manufactured Housing

All Manufactured Housing must meet Canadian Standards Association A277 (modular) standards, and all construction must also comply with the BC Building Code.

SFM – SINGLE FAMILY RESIDENTIAL MEDIUM DENSITY

Permitted Uses

The following Uses and no others shall be permitted in the SFM Designation:

- .1 Single family dwelling;
- .2 Secondary suites, upon redesignation to "SFM-S";
- .3 Home occupation; and
- .4 Accessory use, building or structure.

Regulations

COLUMN 1		COLUMN 2
.1	Minimum Parcel Size	525 m ²
.2	Minimum Parcel Frontage	16.0 m
.3	Maximum Lot Coverage	40% of the parcel area
.4	Minimum Setback	
	• Front Parcel Line	4.5 m
	• Exterior Side Parcel Line	4.5 m
	• Interior Side Parcel Line	1.5 m
.4	• Rear Parcel Line	3.0 m
.5	Maximum Height of Principal Buildings	9.0 m (to a maximum of 2.5 storeys)
.6	Maximum Height of Accessory Buildings	5.0 m
.7	Minimum Setback of Accessory Buildings from Principal Building	1.0 m
.8	Maximum Accessory Building Floor Area per Dwelling Unit	70 m ²

Conditions of Use for Manufactured Housing

All Manufactured Housing must meet Canadian Standards Association A277 (modular) standards, and all construction must also comply with the BC Building Code.

SFH – SINGLE FAMILY RESIDENTIAL HIGH DENSITY

Permitted Uses

The following Uses and no others shall be permitted in the SFH Designation:

- .1 Single family dwelling;
- .2 Strata single family dwelling;
- .3 Home occupation; and
- .4 Accessory use, building or structure.

Regulations

COLUMN 1		COLUMN 2
.1	Minimum Parcel Size	
	• Strata Single Family Dwelling – site	2,500 m ²
	• Single Family Dwelling	325 m ²
.2	Minimum Parcel Frontage	
	• Strata Single Family Dwelling – site	40.0 m
	• Single Family Dwelling	12.0 m
.3	Maximum Lot Coverage	50% of the parcel area
.4	Minimum Setback	
	• Strata Site - Front Parcel Line	4.5 m
	• Strata Site - Rear Parcel Line	3.0 m
	• Strata Lot – Front Parcel Line	4.5 m
	• Strata Lot – Side Parcel Line	1.5 m
• Strata Lot – Rear Parcel Line	3.0 m	
.5	Maximum Height of Principal Buildings	9.0 m (to a maximum of 2.5 storeys)
.6	Maximum Height of Accessory Buildings	5.0 m
.7	Minimum Setback of Accessory Buildings from Principal Building	1.0 m
.8	Maximum Accessory Building Floor Area per Dwelling Unit	70 m ²

Conditions of Use for Manufactured Housing

All Manufactured Housing must meet Canadian Standards Association A277 (modular) standards, and all construction must also comply with the BC Building Code.

MFL – MULTI FAMILY RESIDENTIAL LOW DENSITY

Permitted Uses

The following Uses and no others shall be permitted in the MFL Designation:

- .1 Single dwelling;
- .2 Bed and breakfast (as part of Single Family Dwelling only);
- .3 Duplex housing;
- .4 Triplex housing;
- .5 Fourplex housing;
- .6 Townhome housing;
- .7 Home occupation; and
- .8 Accessory use, building or structure.

Regulations

COLUMN 1		COLUMN 2
.1	Minimum Parcel Size	700 m ²
.2	Minimum Parcel Frontage	20.0 m
.3	Maximum Lot Coverage	40% of the parcel area
.4	Maximum Density	30 dwelling units per hectare
.5	Minimum Setback	
	• Front Parcel Line	4.5 m
	• Exterior Side Parcel Line	4.5 m
	• Interior Side Parcel Line	1.5 m
.6	• Rear Parcel Line	3.0 m
	Maximum Height of Principal Buildings	9.0 m (to a maximum of 2.5 storeys)
.7	Maximum Height of Accessory Buildings	5.0 m
.8	Minimum Setback of Accessory Buildings from Principal Building	1.0 m
.9	Maximum Accessory Building Floor Area per Dwelling Unit	70 m ²

Conditions of Use for Manufactured Housing

All Manufactured Housing must meet Canadian Standards Association A277 (modular) standards, and all construction must also comply with the BC Building Code.

MFM – MULTI FAMILY RESIDENTIAL MEDIUM DENSITY

Permitted Uses

The following Uses and no others shall be permitted in the MFM Designation:

- .1 Duplex housing;
- .2 Triplex housing;
- .3 Fourplex housing;
- .4 Townhome housing;
- .5 Apartment housing;
- .6 Congregate housing;
- .7 Group home, minor;
- .8 Home occupation; and
- .9 Accessory use, building or structure.

Regulations

COLUMN 1		COLUMN 2
.1	Minimum Parcel Size	1600 m ²
.2	Minimum Parcel Frontage	30.0 m
.3	Maximum Lot Coverage	40% of the parcel area
.4	Maximum Density	60 dwelling units per hectare
.5	Minimum Setback	
	• Front Parcel Line	4.5 m
	• Exterior Side Parcel Line	4.5 m
	• Interior Side Parcel Line	3.0 m
.6	• Rear Parcel Line	7.5 m
	Maximum Height of Principal Buildings	15.0 m (to a maximum of 4 storeys)
.7	Maximum Height of Accessory Buildings	5.0 m
.8	Minimum Setback of Accessory Buildings from Principal Building	1.0 m
.9	Maximum Accessory Building Floor Area per Dwelling Unit	70 m ²

MFH – MULTI FAMILY RESIDENTIAL HIGH DENSITY

Permitted Uses

The following Uses and no others shall be permitted in the MFH Designation:

- .1 Duplex housing;
- .2 Triplex housing;
- .3 Fourplex housing;
- .4 Townhome housing;
- .5 Apartment housing;
- .6 Congregate housing;
- .7 Group home, minor;
- .8 Home occupation; and
- .9 Accessory use, building or structure.

Regulations

COLUMN 1		COLUMN 2
.1	Minimum Parcel Size	1600 m ²
.2	Minimum Parcel Frontage	30.0 m
.3	Maximum Lot Coverage	50% of the parcel area
.4	Maximum Density	120 dwelling units per hectare
.5	Minimum Setback	
	• Front Parcel Line	6.0 m
	• Exterior Side Parcel Line	6.0 m
	• Interior Side Parcel Line	6.0 m
.6	• Rear Parcel Line	9.0 m
	Maximum Height of Principal Buildings	30.0 m (to a maximum of 8 storeys, subject to adequate fire protection being provided)
.7	Maximum Height of Accessory Buildings	5.0 m
.8	Minimum Setback of Accessory Buildings from Principal Building	1.0 m
.9	Maximum Accessory Building Floor Area per Dwelling Unit	70 m ²

MH – MOBILE HOME PARK

Permitted Uses

The following Uses and no others shall be permitted in the MH Designation:

- .1 Manufactured home park;
- .2 Home occupation; and
- .3 Accessory use, building or structure.

Regulations

COLUMN 1		COLUMN 2
.1	Minimum Parcel Size of:	
	• Manufactured Home Park	2.0 ha
	• Manufactured home space	270 m ²
.2	Minimum Parcel Frontage of Manufactured Home Park	40.0 m
.3	Maximum Lot Coverage	50% of the parcel area
.4	Maximum Density	20 dwelling units per hectare
.5	Minimum Setback from:	
	• The Front Boundary of the Manufactured Home Space	4.0 m
	• The Side Boundary of the Manufactured Home Space	1.5 m
	• The Corner Side Boundary of the Manufactured Home Space	3.0 m
	• The Rear Boundary of the Manufactured Home Space	1.5 m
.6	Minimum Setback from a Highway	4.5 m
.7	Minimum Setback from Parcels in another Designation	4.5 m
.8	Maximum Height of Principal Buildings	5.0 m
.9	Maximum Height of Accessory Buildings	4.0 m
.10	Minimum Setback of Accessory Buildings from Principal Building	1.0 m
.11	Maximum Accessory Building Floor Area per Dwelling Unit	70 m ²
.12	Minimum area set aside for private open space and/or amenity space	5% of site area

Conditions of Use for Manufactured Housing

All Manufactured Housing must meet Canadian Standard Association Z240 or A277 standards, and if it is a Mobile Home it must contain skirting covering the base of the Manufactured Housing.

RC – RETAIL COMMERCIAL

Permitted Uses

The following uses and no others shall be permitted in the RC Designation:

- .1 Apartment housing – above street level;
- .2 Entertainment or recreation establishment, indoor;
- .3 General commercial establishment, not to exceed a maximum GFA of 4,650 square metres per tenancy;
- .4 Hotel or motel;
- .5 Office;
- .6 Personal service establishment;
- .7 Place of assembly; and
- .8 Accessory use, building or structure.

Regulations

COLUMN 1		COLUMN 2
.1	Minimum Parcel Size	400 m ²
.2	Minimum Parcel Frontage	20.0 m
.3	Maximum Lot Coverage	100% of the parcel area
.4	Maximum Density	1.0 FAR (Floor Area Ratio)
.5	Minimum Setback	
	• Front Parcel Line	0.0 m
	• Exterior Side Parcel Line	0.0 m
	• Interior Side Parcel Line	0.0 m
.6	Maximum Height of Principal Buildings	15.0 m (to a maximum of 4 storeys)
	Maximum Height of Accessory Buildings	5.0 m
.8	Minimum Setback of Accessory Buildings from Principal Building	1.0 m
.9	Maximum Accessory Building Floor Area per Dwelling Unit	70 m ²

Conditions of Use for Service Stations

Service Stations are permitted in the in the RC Zone, subject to the following conditions.

- .1 Screening that is not less than 1 m in height shall be provided and properly maintained along any boundary of the parcel which abuts a parcel in a Residential Designation.
- .2 All servicing equipment, other than that normally carried on a pump island, shall be entirely enclosed within a building.
- .3 The entire surface area shall be paved with a surface of asphalt or concrete, and any unpaved areas of the parcel shall be suitably landscaped, maintained and separated from the paved areas by a curb or other barrier.
- .4 No car wash shall be permitted.
- .5 Where the parcel abuts another parcel in a Residential Designation or is separated by a street or lane therefrom, exterior lighting shall be designed to defect away from adjacent properties.

Screening of Storage

All outside commercial storage, including the storage of garbage, shall be completely contained within a Landscape Screen of not less than 2 m in Height. The maximum Height for Fences shall not apply to all outside commercial storage, including the storage of garbage.

HC – HIGHWAY COMMERCIAL

Permitted Uses

The following uses and no others are permitted in the HC Designation:

- .1 Highway commercial use;
- .2 Entertainment or recreation establishment, indoor;
- .3 Personal service establishment;
- .4 Hotel or motel; and
- .5 Accessory use, building or structure.

Regulations

COLUMN 1		COLUMN 2
.1	Minimum Parcel Size	500 m ²
.2	Minimum Parcel Frontage	20.0 m
.3	Maximum Lot Coverage	65% of the parcel area
.4	Maximum Density	.6 FAR (Floor Area Ratio)
.5	Minimum Setback	
	• Front Parcel Line	4.5 m
	• Side Parcel Line (abutting a commercial or industrial use)	0.0 m
	• Side Parcel Line (not abutting a commercial or industrial use)	4.5 m
.5	• Rear Parcel Line	3.0 m
.6	Maximum Height of Principal Buildings	15.0 m (to a maximum of 4 storeys)
.7	Maximum Height of Accessory Buildings	5.0 m
.8	Minimum Setback of Accessory Buildings from Principal Building	1.0 m
.9	Maximum Accessory Building Floor Area per Dwelling Unit	70 m ²

Conditions of Use for Service Stations

Service Stations are permitted in the HC Zone, subject to the following conditions.

- .1 Screening that is not less than 1 m in height shall be provided and properly maintained along any boundary of the parcel which abuts a parcel in a Residential Designation.
- .2 All servicing equipment, other than that normally carried on a pump island, shall be entirely enclosed within a building.
- .3 The entire surface area shall be paved with a surface of asphalt or concrete, and any unpaved areas of the parcel shall be suitably landscaped, maintained and separated from the paved areas by a curb or other barrier.
- .4 Where the parcel abuts another parcel in a Residential Designation or is separated by a street or lane therefrom, exterior lighting shall be designed to defect away from adjacent properties.

Screening for Storage

All outside commercial storage, including the storage of garbage, shall be completely contained within a landscape screen of not less than 2 m in height.

WC – WATERFRONT COMMERCIAL

Permitted Uses

The following uses and no others shall be permitted in the WC Designation:

- .1 Entertainment or recreation establishment, indoor;
- .2 Entertainment or recreation establishment, outdoor;
- .3 Hotel or motel;
- .4 Personal service establishment;
- .5 Resort housing establishment;
- .6 Waterfront commercial establishment, not to exceed a maximum GFA of 1,500 square metres per tenancy; and
- .7 Accessory use, building or structure.

Regulations

COLUMN 1		COLUMN 2
.1	Minimum Parcel Size	1000 m ²
.2	Minimum Parcel Frontage	20.0 m
.3	Maximum Lot Coverage	40% of the parcel area
.4	Maximum Density	0.6 FAR (Floor Area Ratio)
.5	Minimum Setback	
	• Front Parcel Line	6.0 m
	• Exterior Side Parcel Line	6.0 m
	• Interior Side Parcel Line	6.0 m
.6	Maximum Height of Principal Buildings	15.0 m (to a maximum of 4 storeys)
	Maximum Height of Accessory Buildings	5.0 m
.8	Minimum Setback of Accessory Buildings from Principal Building	1.0 m
.9	Maximum Accessory Building Floor Area per Dwelling Unit	70 m ²

Screening of Storage

All outside commercial storage, including the storage of garbage, shall be completely contained within a Landscape Screen of not less than 2 m in Height. The maximum Height for Fences shall not apply to all outside commercial storage, including the storage of garbage.

REC – RECREATION COMMERCIAL

Permitted Uses

The following uses and no others shall be permitted in the REC Designation:

- .1 Entertainment or recreation establishment, indoor;
- .2 Entertainment or recreation establishment, outdoor; and
- .3 Accessory use, building or structure, including a dwelling unit for an owner/operator or caretaker, or a restaurant.

Regulations

COLUMN 1		COLUMN 2
.1	Minimum Parcel Size	1000 m ²
.2	Minimum Parcel Frontage	20.0 m
.3	Maximum Lot Coverage	40% of the parcel area
.4	Maximum Density	0.6 FAR (Floor Area Ratio)
.5	Minimum Setback	
	• Front Parcel Line	6.0 m
	• Exterior Side Parcel Line	4.5 m
	• Interior Side Parcel Line	3.0 m
.5	• Rear Parcel Line	3.0 m
.6	Maximum Height of Principal Buildings	15.0 m
.7	Maximum Height of Accessory Buildings	5.0 m
.8	Minimum Setback of Accessory Buildings from Principal Building	1.0 m
.9	Maximum Accessory Building Floor Area per Dwelling Unit	70 m ²

Screening of Storage

All outside commercial storage, including the storage of garbage, shall be completely contained within a Landscape Screen of not less than 2 m in Height. The maximum Height for Fences shall not apply to all outside commercial storage, including the storage of garbage.

BP – BUSINESS PARK

Permitted Uses

The following uses and no others are permitted in the BP Designation:

- .1 Business park industrial establishment;
- .2 Entertainment or recreation establishment, indoor;
- .3 Office; and
- .4 Accessory use, building or structure, including retail sales accessory to other uses in the BP designation.

Regulations

COLUMN 1		COLUMN 2
.1	Minimum Parcel Size	400 m ²
.2	Minimum Parcel Frontage	20.0 m
.3	Maximum Lot Coverage	70%
.4	Minimum Setback from:	
	• Front Parcel Line	6.0 m
	• Interior Side Parcel Line	3.0 m
	• Exterior Side Parcel Line	4.5 m
.5	Minimum Setback from all Parcel Lines adjacent to Residential Designations	30 m
	Maximum Height of Principal Buildings	12.0 m

Screening for Storage

- .1 Any part of the parcel that is used or intended to be used as an outside storage area shall be enclosed by screening consisting of a solid 2.5 m fence or wall, which shall be uniformly painted or well maintained.
- .2 The fence or wall shall not be used for advertising or display purposes.
- .3 The maximum Height for Fences shall not apply to any part of the parcel that is used or intended to be used as an outside storage area.

General Conditions of Use

Nothing shall be done which is or will become an annoyance or nuisance in the surrounding areas by reason of unsightliness, the emission of odours, liquid effluents, dust, fumes, smoke, vibration, noise or glare.

LI – LIGHT INDUSTRIAL

Permitted Uses

The following uses and no others are permitted in the LI Designation:

- .1 Custom workshop, trade or service;
- .2 Light industry;
- .3 Utility service facility; and
- .4 Accessory use, building or structure, including retail sales accessory to other uses in the LI designation.

Regulations

COLUMN 1		COLUMN 2
.1	Minimum Parcel Size	400 m ²
.2	Minimum Parcel Frontage	12.0 m
.3	Maximum Lot Coverage	50%
.4	Minimum Setback from:	
	• Front Parcel Line	4.5 m
	• Interior Side Parcel Line	3.0 m
	• Exterior Side Parcel Line	4.5 m
.5	Minimum Setback from all Parcel Lines adjacent to Residential Designations	30 m
	Maximum Height of Principal Buildings	12.0 m

Screening for Storage

- .1 Any part of the parcel that is used or intended to be used as an outside storage area shall be enclosed by screening consisting of a solid 2.5 m fence or wall, which shall be uniformly painted or well maintained.
- .2 The fence or wall shall not be used for advertising or display purposes.
- .3 The maximum Height for Fences shall not apply to any part of the parcel that is used or intended to be used as an outside storage area.

General Conditions of Use

Nothing shall be done which is or will become an annoyance or nuisance in the surrounding areas by reason of unsightliness, the emission of odours, liquid effluents, dust, fumes, smoke, vibration, noise or glare.

INST – PUBLIC USE & INSTITUTIONAL

Permitted Uses

The following uses and no others are permitted in the INST Designation:

- .1 Cemetery;
- .2 Civic use;
- .3 Group home, major;
- .4 Place of assembly; and
- .5 Accessory use, building or structure.

Regulations

COLUMN 1		COLUMN 2
.1	Minimum Parcel Size	700 m ²
.2	Minimum Parcel Frontage	18.0 m
.3	Maximum Lot Coverage	50%
.4	Minimum Setback from:	
	• Front Parcel Line	4.5 m
	• Interior Side Parcel Line	3.0 m
	• Exterior Side Parcel Line	4.5 m
.5	• Rear Parcel Line	3.0 m
	Maximum Height of Principal Buildings	12.0 m

OS – OPEN SPACE

Permitted Uses

The following uses and no others are permitted in the OS Designation:

- .1 Conservation area; and
- .2 Accessory use, building or structure, including a dwelling unit for a caretaker, a gift or snack shop, and an interpretive centre.

Regulations

COLUMN 1		COLUMN 2
.1	Minimum Parcel Size	N/A
.2	Minimum Parcel Frontage	N/A
.3	Maximum Lot Coverage	30%
.4	Minimum Setback of Buildings from:	
	• Front Parcel Line	4.5 m
	• Interior Side Parcel Line	3.0 m
	• Exterior Side Parcel Line	4.5 m
.5	• Rear Parcel Line	3.0 m
	Maximum Height of Principal Buildings	9.0 m

GC – GOLF COURSE

Permitted Uses

The following uses and no others are permitted in the GC Designation:

- .1 Golf course or driving range; and
- .2 Accessory use, building or structure, including a club house, retail store, restaurant, and dwelling unit for owner/operator or caretaker

Regulations

COLUMN 1		COLUMN 2
.1	Minimum Parcel Size	N/A
.2	Minimum Parcel Frontage	N/A
.3	Maximum Lot Coverage	50% of the parcel area
.4	Minimum Setback of Buildings from:	
	• Front Parcel Line	4.5 m
	• Interior Side Parcel Line	3.0 m
	• Exterior Side Parcel Line	4.5 m
	• Rear Parcel Line	3.0 m
.5	Maximum Height of Principal Buildings	9.0 m

PUD – PLANNED UNIT DEVELOPMENT AREA

Purpose

The purpose of the Planned Unit Development zone is to provide a designation which will allow for the construction of a comprehensive development on a specific site where the circumstances are such that a single zone would be inappropriate or inadequate.

Planned Unit Developments are typically large-scale mixed use projects which take several years to build. They are not usually subject to standard height, area (lot size) and setback controls, therefore, much greater variations in the location and grouping of buildings are allowed and the requirement for public and/or community open space can be increased beyond what may be required under any single conventional zone.

To develop within the Planned Unit Development zone a developer will be required to present a development plan which includes a description of uses, site coverage, floor area, height, setbacks, parking, servicing and other considerations. With this information WFN staff, through consultation with the developer, will create a series of Planned Unit Development zoning criteria which are specific to the particular project. These criteria must be approved by resolution of WFN Council before any development can occur.

PUD1 – PLANNED UNIT DEVELOPMENT 1

Permitted Uses

The following uses and no others shall be permitted in the PUD1 Designation:*

- .1 Manufactured Home Park;
- .2 Tourist accommodation use;
- .3 Home occupation; and
- .4 Accessory use, building or structure.

* No building or structure or any part thereof shall be constructed, reconstructed, moved, extended or located within 15 metres of the natural boundary of Keefe Creek.

Regulations

COLUMN 1		COLUMN 2
.1	Minimum parcel size of: <ul style="list-style-type: none"> • Manufactured home park • Manufactured home space 	2.0 ha 200 m ²
.2	Minimum parcel frontage of manufactured home park	40 m
.3	Minimum frontage of manufactured home space	10 m
.4	Maximum lot coverage	50% of parcel the area
.5	Maximum density	30 units/ha
.6	Minimum setback from: <ul style="list-style-type: none"> • Front boundary of home space • Side boundary of home space • Corner side boundary of home space • Rear boundary of manufactured home space 	4.0 m 1.5 m 3.0 m 1.5 m
.7	Minimum setback from a highway	4.5 m
.8	Minimum setback from parcels in another designation	4.5 m
.9	Maximum height of principal buildings	9.0 m (to a maximum of 2 storeys)
.10	Maximum height of accessory buildings	4.0 m
.11	Minimum setback of accessory buildings from principal building	1.0 m
.12	Maximum accessory building floor area per dwelling unit	70 m ²

Conditions of Use for Manufactured Housing

All Manufactured Housing must meet Canadian Standard Association Z240 or A277 standards, and if it is a Mobile Home it must contain skirting covering the base of the Manufactured Housing.

H – HOLDING

Purpose

The purpose is to provide a designation which will hold land for development until a detailed planning process is completed and the following general requirements are fulfilled:

- i. Water supply, sanitary sewers, stormwater management facilities, and parks are sufficient for the development.
- ii. Transportation facilities are adequate and appropriate for the development.
- iii. Studies relating to traffic, soil, environmental and archaeological features and constraints, and development design features have been completed to WFN's satisfaction.

Where a Holding Zone is in place, WFN will not amend the Zoning Regulation to another Zoning Designation until such time that the above matters have been addressed to the satisfaction of Council.

Permitted Uses

The following uses and no others are permitted in the H Designation:

- .1 Uses permitted in Section 1.4, General Development Regulations;
- .2 Existing uses, buildings, and structures lawfully permitted on the date the WFN Land Use Law was enacted; and
- .3 Home occupation in an existing detached dwelling.



