
VILLAGE OF TELKWA ZONING BYLAW NO. 633, 2013

A BYLAW TO REGULATE THE USE OF LAND, BUILDINGS, AND STRUCTURES AND THE PROVISION OF PARKING, SCREENING, AND LANDSCAPING

The Council of the Village of Telkwa, in open meeting assembled, enacts as follows:

Adoption of Regulations

The document entitled "Telkwa Zoning Bylaw", annexed hereto and marked as Schedules A (Zoning Bylaw Text and Map), as per the Local Government Act.

1Repeal "Telkwa Zoning Bylaw No. 614, 2011" and all amendments are repealed.

2Citation This Bylaw may be cited for all purposes as "Telkwa Zoning Bylaw 633, 2013".

READ A FIRST TIME this 24th day of June, 2013

READ A SECOND TIME this 24th day of June, 2013

PUBLIC HEARING held this 15th day of July, 2013

READ A THIRD TIME this 26th day of August, 2013

VILLAGE OF TELKWA MAYOR & COUNCIL APPROVAL this 26th day of August, 2013.

ADOPTED this 26th day of August, 2013.

CARMAN GRAF
MAYOR
OFFICER

KIM MARTINSEN
CHIEF ADMINISTRATIVE

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1.0 PART A - INTRODUCTION

1.1 Title

This bylaw may be cited as the "Village of Telkwa Zoning Bylaw"

1.2 Purpose

In this Bylaw the Village of Telkwa regulates the use of land and structures to guide sustainable and resilient development and to preserve the amenities of Telkwa for the benefit of the community as a whole.

1.3 Measurements

All dimensions and other measurements in this bylaw are expressed in the standard International Units (Metric) System.

1.4 Application

No land, water surface, building or structure shall be used or occupied, and no building, structure, or part thereof shall be erected, constructed, moved, altered or enlarged, unless in conformity with this Bylaw, except as otherwise provided for in this Bylaw or in the *Local Government Act*.

2.0 PART B - DEFINITIONS

2.1 Terminology Definitions

"Accessory Building" in relation to a use, building or structure means incidental, secondary and exclusively devoted to a principal use, building or structure expressly permitted by this Bylaw on the same lot or, if the accessory use, building or structure is located on the common property in a bare land strata plan, on a strata lot in that strata plan and specifically excluding heat pumps and other mechanical equipment, gas meters and propane tanks that are permanently affixed to a building or structure by way of plumbing or other duct work.

"Affordable Housing" means a continuum of housing units that provide Telkwa with a diverse housing stock and a baseline of housing costs that does not exceed 30% of the gross household's income. Examples of Affordable Housing include:

- Secondary suites;
- Live-work studio;
- Non-market ownership;
- Non-market rental;
- Moderate supportive needs housing; or
- High supportive needs housing.

"Agriculture" means a use providing for growing, rearing, producing and harvesting of agricultural products; includes the storage and sale on an individual farm of the products harvested, reared, or produced on that farm and the storage of farm machinery and implements used on that farm; specifically excludes Intensive Agriculture and all manufacturing, processing, storage and repairs not specifically included in this definition.

"Agriculture, Residential" means the keeping of no more than (4) chickens on a residential property for the purpose of personal consumption.

"Agriculture, Intensive" means the use of land, buildings and structures by a commercial enterprise or an institution for the confinement of poultry, livestock or fur bearing animals, or the growing of mushrooms.

"Aircraft Sales/Rentals/Charters/Repairs/Maintenance and Construction" means the premise for the retail sale or rental of new or used aircraft together with secondary repairs and maintenance services, construction and sales of parts and accessories.

"Airport" means the premise designed, prepared, equipped or set aside as a transportation facility for the arrival, departure, movement and servicing of aircraft, and includes any ancillary buildings, structures, installations and equipment. This further includes aircraft and airport related manufacturing and services.

"Amenity" means any feature that provides comfort, convenience, or pleasure.

"Airport Terminal and Navigational Facilities" means the buildings and structures providing services to passengers embarking and disembarking from aircraft, providing for the loading and unloading of luggage and cargo and providing for the navigation of aircraft on the ground and in the air. The airport terminal may also include, but is not limited to, general retail, primary food establishments, and primary liquor establishments.

"Amenity Space" means an outdoor and indoor space provided in a development and specifically designed for use for cultural, social, and recreation activities and, except as specifically permitted in the zone, not used for commercial purposes. Such spaces may include community meeting space, day cares, urban plazas, sports, and

fitness facilities, cultural facilities, artist studios, workshops, tennis courts, outdoor swimming pool, garden patches, and children's play structures.

“Animal-proof waste enclosure” means a structure that has four enclosed sides, a roof, door(s) and a self-latching device, of a design and strength sufficient to prevent access by animals.

“Apartment Housing” means any physical arrangement of attached dwelling units for all types of occupants (including special needs care) intended to be occupied by separate households for full time residential occupancy, which does not conform to the definition of any other residential use class.

"Approving Officer" means the Approving Officer for the Village of Telkwa appointed pursuant to the Land Title Act.

“Bed and Breakfast” means the accessory use of up to a maximum of three bedrooms in a single family dwelling for tourist accommodation on a nightly basis.

“Brownfield Site” A brownfield is an abandoned, vacant, derelict or underutilized commercial or industrial property where past actions have resulted in actual or perceived contamination and where there is an active potential for redevelopment.

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

“Building Footprint” means the horizontal area within the vertical projection of the outermost walls of a building or structure.

"Building Inspector" means the Building Inspector of the Village of Telkwa.

"Camp" or "Camping" shall mean the act of using or occupying land for the purpose of locating, erecting or using a Vehicle or Trailer, or a Tent, shed, or other similar structure for the provision of sleeping accommodation and includes sleeping overnight or any portion thereof in the open air;

"Campground" means land that has been planned, improved, or occupied for the seasonal short term use of tents, and camper vehicles, and is not used as year round storage or accommodation for residential use. Typical uses include Recreational Vehicle Sites, campsites and tenting grounds. This use may include accessory facilities for eating and assembly purposes, washrooms and bathing facilities, entrance kiosk, spectator and convenience retail with a maximum gross floor area of 100 m².

“Car wash” is a facility used to clean the exterior and, in some cases, the interior of motor vehicles.

“Climbing Gym” means the sport or activity of climbing, especially by means of specialized techniques and equipment.

“Commercial Use” means an occupation, employment or enterprise that is carried on for gain or monetary profit by any person.

"Community Care Facility" means a facility licensed pursuant to the *Community Care and Assisted Living Act* and may include assisted living and supported care.

"Community Garden" is a piece of land gardened by a group of people for the purpose of providing a garden experience/education to residents of Telkwa. Often they are offered for the purpose of food production and may be developed to support food security.

"Corner Lot" means a lot at the intersection or junction of two or more highways which has both a front lot line and an exterior side lot line.

"Density" means a measure of the intensity of development to the area of the site, including the number of units on a site measured in units/area or floor area ratio, as the case may be.

"Density Bonus" means the exchange of cash or amenity for an increase in density.

"Duplex" means a fee simple or strata residential use in a building which is divided into two dwelling units which are either placed one above the other or side by side sharing a common wall dividing habitable space, each unit of which may be occupied by one family.

"Dwelling Unit" means a suite or rooms operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities, but excluding all accommodations for the travelling public other than bed and breakfast operations.

"Educational Services" means development that involves public assembly for education, training or instruction, which is publicly supported and includes the administration offices required for the provision of such services on the same site. Typical uses include, but are not limited to, public schools, community colleges, universities, and technical and vocational schools and their administrative offices and student housing.

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

"Engineer" means a member of the Association of Professional Engineers and Geoscientists of British Columbia.

"Entertainment Facility and Theatre" means a building or part of a building devoted to showing motion pictures or dramatic, musical or live performances.

"Extended Medical Treatment Services" means a facility providing room, board, and surgical or other medical treatment for the sick, injured or infirm including out-patient services and secondary staff residences. Typical uses include, but are not limited to, hospitals, nursing homes with health care for dependent residents, mental care asylums, sanatoria, and detoxification centres.

"Day Care" means a facility that provides personal care, supervision, social or educational training or physical or mental rehabilitative therapy, with or without charge, to no more than eight children, which may or may not be licensed pursuant to the *Community Care and Assisted Living Act*, and specifically does not include a pre-school or school.

"Floor Area" means the sum of the horizontal areas of each storey of the building measured from the exterior faces of the exterior walls. The floor area measurement is exclusive of areas of basement areas used exclusively for storage or service to the building, attics, attached garages, carports, breezeways, porches, balconies, exit stairways, corridors, and terraces. In the case of multiple dwelling housing, public corridors, common amenity

spaces, and building mechanical systems are also excluded. In the case of congregate housing, communal dining and kitchen facilities are excluded.

"Floor Area Ratio" (FAR) means the figure obtained when the Gross Floor Area of all the buildings on a lot is divided by the area of the lot, except that the following are not included as floor area for the purpose of computing floor area ratio:

- (a) Any portion of a storey used for parking purposes, unless such parking is a principal use;
- (b) Any portion of a basement or cellar containing heating, laundry, recreational or storage facilities;
- (c) Swimming pools and open sun decks; and
- (d) Any portion of a penthouse containing elevator or ventilating machinery.

"Food Services" means a business that, in return for consideration, serves prepared food to the public for consumption on or off the premises, including a coffee shop, delicatessen, restaurant or drive-through restaurant, specifically excluding a liquor establishment.

"Front Building Line" means the line parallel to the front lot line, passing through the point of the building nearest the front lot line, and in the case of a panhandle lot means the lot line or lines nearest the abutting highway, but not forming a boundary of the access strip.

"Garage or Carport" means a detached accessory building or a portion of a principal building whose principal use is for the parking or temporary storage of motor.

"Garden Suite" means an accessory detached dwelling unit in addition to the principal Single Family Residential Use Unit/Guest House. A Garden Suite has cooking facilities, food preparation, sleeping and sanitary facilities which are separate from those of the principal dwelling located on the subject property.

"Greenhouses and Plant Nursery" means a development used primarily for the raising, storage and sale of produce and related materials, which includes, but are not limited to, bulbs, seed, tools, soil, fertilizers, flowers, plants and seedlings.

"Gross Floor Area" means the total area of all floors enclosed by the inside edge of the exterior walls of a building including without limitation, stairways, elevator shafts, storage and mechanical rooms.

"Guest House" means a dwelling in which no more than six but not less than three guest rooms are rented, with or without meals being provided, to a maximum of fifteen persons, other than members of the immediate family, tenant, or owner.

"Guest Room" means not more than one habitable room that is used for temporary accommodation of paying guests which may include a bathroom.

"Guide and Tour Services" means a business primarily arranging and operating custom wilderness adventure and recreational tours and associated guide services, but does not include travel agencies or retail stores.

"Health and Wellness Services" means a development used for the provision of physical or mental health services on an out-patient basis. Services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative or counselling nature. Typical uses include, but are not limited to, medical and dental offices, chiropractors, spa facilities, massage therapists and acupuncture clinics, health clinics, and counselling services.

"Height" means the vertical distance from the average finished ground level at the perimeter of a building or structure 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.

"Heritage Residential Dwelling" means a Single Family Residential Use unit and/or duplex dwelling units that use materials and an architectural design scheme to provide the village centre with heritage designed streetscape.

"Highway" includes a street, road, lane, bridge, viaduct and any other way open to the use of the public, but do not include a private right of way on private property.

"High Technology Research and Product Design" means the research and/or design, but not manufacturing or distribution, of products used in the fields of computer software and programming, electronics, telecommunications, aeronautics, precision engineering, robotics, biochemistry, health care and related industries.

"Home Occupation" means an occupation, profession or craft conducted by an occupant for consideration which is clearly incidental and accessory to the use of the dwelling unit for residential purposes.

"Hostel" means a building used as a temporary place of lodging containing one or more dormitories and includes common areas for washing, cooking, dining and socializing, bathroom, kitchen, dining and social facilities.

"Hotel" means providing rooms or suites for temporary sleeping accommodation where the rooms have access to an enclosed common interior corridor and may be equipped with individual kitchen facilities. This use may include accessory food and beverage services, conference facilities spectator entertainment, patron participation, spa facilities, minor indoor and outdoor recreation, and personal services for the convenience of guests.

"Indoor Recreation" means a use wholly enclosed within a building providing for members of the public to engage in recreational activities as participants rather than spectators.

"Industrial Use" means a use providing for the processing, fabrication, assembling, storing, transportation, distributing, wholesaling, testing, servicing, repairing, wrecking, or salvaging of goods, materials, or things, and including the selling of heavy industrial equipment and retail uses incidental to the principal industrial use; includes the operation of truck terminals, docks, and railways, but specifically excludes the primary processing of wood, metals, or chemicals.

"Landscape Architect" means a landscape architect registered in British Columbia under the *Architects' (Landscape) Act*.

"Landscape Professional" means a landscape architect, arborist, landscape designer, or contractor with local knowledge and experience in implementing landscape plans.

"Landscaping" means the planting and maintenance of lawns, shrubs and trees, and the addition of fences, benches, walks, drives, or other structures and materials used in landscape architecture, and includes the retention of existing trees and plants where appropriate, for the purpose of enhancing the natural environment.

"Liquor Store" means premises licensed pursuant to the Liquor Control and Licensing Act where the principal use is the retail sale of bottled or canned alcoholic beverages.

"Live/Work Studio" means a commercial use combined with an accessory residential dwelling unit in such a manner that the residential and commercial uses constitute a single occupancy of the premises.

"Lot" means any parcel, block or other area in which land is held or into which it is subdivided whether under the *Land Title Act* or the *Bare Land Strata Regulations under the Condominium Act*.

"Lot Area" means the total area of land comprising the lot, but excluding any panhandle area.

"Lot Coverage" means the sum of the areas of the building footprints of every building or structure on the lot, expressed as a percentage of the lot area, and in the case of a building or structure with no walls the building footprint shall be the horizontal area within the drip line of the roof.

"Lot Frontage" means the length of that lot boundary which abuts a highway, or access route in bare land strata, and for this purpose "highway" does not include a walkway or emergency access route.

"Lot Line" means the boundary of a lot:

- (a) **"Front Lot Line"** means the lot line that is common to the lot and an abutting highway or access route in a bare land strata plan, and where there are two or more such lot lines the shortest is deemed the front lot line, and in the case of a panhandle lot means the lot line or lines nearest the abutting highway, but not forming a boundary of the access strip;
- (b) **"Rear Lot Line"** means the lot line that is opposite the front lot line in the case of a lot having four sides, and where the rear portion of a lot is bounded by intersecting side lot lines the point of intersection is deemed the rear lot line;
- (c) **"Exterior Side Lot Line"** means a lot line that is not a front or rear lot line and that is common to the lot and an abutting highway or access route in a bare land strata plan; and
- (d) **"Interior Side Lot Line"** means a lot line that is not a front, rear or exterior side lot line.

"Lot Width" means the width of a lot measured in compliance with this Bylaw.

"Mobile Home" means a manufactured home built to the current edition of the Canada/CSA-Z240 Standard "Mobile Homes".

"Modular/Manufactured Dwelling Unit" means any factory built or manufactured housing, transportable dwelling for the use of single, double or multi-family dwellings and built to the current edition of the Canada/CSA A277 Standard with a relation of width to length of 1 to 3 (or less).

"Manufactured Home Park" means a development for manufactured homes not having a registered plan of individual lots. Spaces, or spaces with individual manufactured homes already sited on them, may be rented for residential occupation. This does not include the situation where an additional agricultural dwelling is located on a lot where the principal dwelling is a manufactured home.

"Motel" means a building or buildings providing accommodation for the travelling public only, each unit of which has its own sanitary facilities including water closet and wash basin, in respect of which a guest register is required to be kept pursuant to the Hotel Guest Registration Act.

"Multi-unit Residential" means a building or buildings containing three or more dwelling units on a parcel and includes row housing, cluster housing, village houses, and apartment uses.

"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 body of the lake, river, stream, or body of water a character distinct from that of the banks thereof and in the case of a lot having a surveyed high water mark, means the high water mark.

"Non-conforming Use" means any lawful use existing at the time of the adoption of this Bylaw which does not conform to all the provisions of this Bylaw for the zone in which such building or use is located.

"Office" means the operation of governmental and crown corporation offices, business, medical, and professional offices, not for profit organization offices, neighbourhood police stations without prisoner holding facilities, libraries and health centres.

"Panhandle Lot" means any lot, with any of the building sitting situated directly behind another lot so that it gains frontage through the use of a relatively narrow strip of land which is an integral part of the lot.

"Park" means land for public use or intended for outdoor recreational purposes, and includes archaeological, historical, or natural sites.

"Personal Services Establishment" means commercial uses of a building in which services are provided to the body or the clothing of a person including health-related services.

"Principal" in relation to a use, building or structure means the main or primary use, building or structure, as the case may be, conducted or constructed on a lot.

"Public Amenity Use" means a building and associated facilities used by the public upon payment of an admission fee or free of charge for cultural, social, or recreational activities.

"Public Exhibit" means the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films; or a development for the collection, preservation and exhibition of works or objects of historical, scientific, natural, archival, or artistic value. Typical uses include libraries, museums, art galleries, botanical gardens, arboreta, and archaeological and cultural exhibits. This use may include accessory retail, spectator entertainment and patron participation entertainment.

"Public Utility" means a use providing for public utility facilities for water, sewer, electrical, telephone, gas, municipal energy systems and similar services where such use is established by one of the levels of government, a Crown Corporation or by a company regulated by a government commission.

"Public Use" means any use intended to be conducted in a facility or upon land which is owned by and operated for public use by school districts, municipal, provincial, First Nation or federal governments.

"Recycling Facilities" means facilities for the recovery, composting, storage and shipping of discarded consumer materials excluding vehicles.

"Recreation Services" means facilities within an enclosed building for sports, active recreation and performing and cultural arts. Typical uses include athletic clubs, health and fitness clubs, swimming pools, bowling alleys, karate club, dance studios and racquet clubs.

"Religious Assembly" means the assembly of persons for religious worship, services, or rites, and may include accessory food and beverage service, administration, educational, social, recreational, charitable or philanthropic activities, spectator entertainment, patron participation entertainment, and a residence for a caretaker or head of congregation. Typical uses include chapel, church, convent, monastery, mosque, parish hall, rectory, seminary, synagogue, and temple.

"Residential Building" means a one-family dwelling, duplex dwelling, three-family, four-family, and five-family dwellings attached housing or apartment.

"Residential Use" means a use which pertains clearly to the accommodation and home life of a person or family.

"Resort Condominium" means a development, which provides resort and seasonal accommodation for transient motorist, tourist and/or vacationers.

"Restaurant" means an eating establishment where food is sold to the public for immediate consumption within the premises or delivered to other premises, but excludes drive-in and drive-through restaurants and fast food outlets.

"Retail Store" means a building where goods, wares, merchandise, substances, articles, tourism-related services and products are offered or kept for sale at retail, and includes storage on or about the store premises of limited quantities sufficient only to service such stores.

"Retail, Large": Retail commercial building exceeding 750m² in gross floor area.

"Riparian Area" are areas adjacent to streams, lakes, oceans and wetlands. These areas support a unique mixture of vegetation and habitat. Riparian areas are involved in the following actions:

- Filter contaminants from surface runoff and prevent erosion;
- Sedimentation control;
- Shade surface waters and maintain cool water temperatures;
- Flood protection;
- Provide fish and animal habitat and corridors; and
- An important food source for fish, invertebrates and animals.

"Secondary Suite" means an additional dwelling unit that is completely located within a one-family dwelling which contains only one other dwelling unit.

"Indoor Storage" means a building where storage space is rented to tenants, usually on a monthly basis. An indoor storage business provides rooms, lockers, containers in which tenants can store and access their goods. Indoor storage tenants include businesses and individuals.

"Service Stations" means development used for the servicing, washing, and the sale of gasoline, other petroleum products, and a limited range of vehicle parts and accessories.

"Setback" means the shortest distance from a lot line to a structure or building.

"Siting Envelope" means the portion of a lot on which a residential building can be sited according to the setback requirements of this Bylaw; and for the purposes of calculating the area of a siting envelope any area used or required to be used for a septic field (including back up fields) must be excluded.

"Sight Triangle" means the area formed by a triangle in the angle formed by the right-of-way boundaries or boundaries produced on two points in those boundaries, 6 m from the point of intersection, as shown cross-hatched in the drawing following.

"Sign" means any device or medium including its supporting structure visible from any highway or lot other than the one on which it is located and which is used to attract attention for advertising, information or identification purposes.

"Single Unit Residential Use" means a residential use in a detached building which is limited to only one or more rooms designed, occupied or intended for living, sleeping and food preparation, for use including occupancy by one or more persons as an independent and separate residence in which cooking, sleeping and sanitary facilities are provided for the exclusive use of such person or persons.

"Storage" where buildings are either used as a warehouse to store goods or as rental space to tenants, usually on a monthly basis. Rental space usually provides rooms, lockers, containers, and/or outdoor space in which tenants can store and access their goods.

"Structure" means anything constructed, erected or placed, the use of which requires location on the ground or attachment to something having location on the ground, including any satellite dish antenna, but excluding any fence, retaining wall, underground sewage disposal facility, paved, or concrete surface and any heat pump and other mechanical equipment, gas meter and/or propane tank that is permanently affixed to a building or structure by way of plumbing or other duct work.

"Tent" shall mean a portable and collapsible shelter made from canvas, cloth, synthetic or similar materials and supported by a pole, poles, or ropes, and includes a structure formed by a pliable membrane that achieves and maintains its shape and support by internal air pressure.

"Townhouse" means a type of medium-density housing, usually but not necessarily terraced (row housing) or semi-detached. A modern town house is often one with a small footprint on multiple floors.

"Triplex/4-plex" means a fee simple or strata residential use in a building which is divided into multiple dwelling units which are either placed one above the other and side by side sharing a common wall dividing habitable space, each unit of which may be occupied by one family.

"Use" means the purpose or function to which land, the surface of water, buildings, or structures are designed, intended to be put, or put.

"Vendor" (mobile vendor) means a person(s) who offers for sale merchandise or services, whether on foot, bicycle, vehicle or any other means of transportation or with any type of receptacle, including but not limited to carts, tables, and wagons, other than a delivery vehicle owned and operated by a licensed retailer or wholesaler within the municipality. Vendor also includes hawkers, hucksters and peddlers who carry on business by the offering for sale of goods, wares, or other merchandise directly to or from the public.

"Veterinarian" means any building in which animals are medically treated or hospitalized.

"Zone" means a zone established in this Bylaw.

3.0 PART C - ADMINISTRATION

3.1 Application

The provisions of this Bylaw apply to the Village of Telkwa shown on Schedule "B" (Zoning Map) which forms part of this Bylaw.

3.2 Requirements for Compliance

Land or the surface of water in the Village of Telkwa may not be used, land may not be subdivided, buildings and structures on land or on the surface of water may not be constructed, altered, located or used, and signs may not be erected or located on any land except as specifically permitted by this Bylaw or the Village of Telkwa Sign Bylaw.

All siting measurements must be made on a horizontal plane from the natural boundary, lot line or other feature specified in this Bylaw to the nearest portion of the building, structure or use in question.

3.3 Violation

Every person commits an offence under this Bylaw, who, being an owner or occupier of land or of the surface of water in the Village of Telkwa:

1. Violates any property that is subject to regulation under this Bylaw, for the purpose of the provisions of this Bylaw;
2. Causes or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw;
3. Neglects or omits to do anything required under this Bylaw;
4. Carries out, causes or permits to be carried out any development of land or the surface of water in a manner prohibited by or contrary to any of the provisions of this Bylaw; and
5. Fails to comply with an order, direction or notice given under this Bylaw; or prevents or obstructs or attempts to prevent or obstruct a person authorized from entering on the property.

3.4 Administration and Enforcement

The Village of Telkwa CAO or any other person designated by him or her to administer this Bylaw is authorized to enter, at any reasonable time, upon any property that is subject to regulation under this Bylaw for the purpose of determining whether the regulations are being observed.

No person may obstruct the CAO or any other designated person engaged in the administration or enforcement of this Bylaw.

3.5 Penalty

1. Every person who commits an offence against this Bylaw is liable, upon summary conviction, to a fine and penalty not exceeding \$10,000 and the costs of prosecution.
2. Each day during which an offence against this Bylaw is continued is deemed to constitute a new and separate offence.
3. The penalties imposed will be in addition to and not in substitution for any other penalty or remedy imposed by this Bylaw.

3.6 Non-compliance with Siting, Size and Shape Requirements

A building existing at the time of adoption of this Bylaw that fails to comply with the requirements relating to siting, size and shape must not be altered or extended unless such alterations or extensions are in accordance in all respects with the requirements of this Bylaw.

3.7 Non-Conforming Uses

The regulations governing non-conforming uses are set forth in the *Local Government Act*.

The lawful use of any land, building or structure existing at the time of the adoption of this Bylaw may be continued (subject to the provisions of the *Local Government Act*), although such use does not conform to the provisions of this Bylaw.

3.8 Board of Variance Application

The Board of Variance duly established under a bylaw of the Village of Telkwa will hear and determine any application permitted by the *Local Government Act*.

3.9 Severability

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

3.10 Effective Date of Bylaw

This Bylaw will come into force and take effect upon the final adoption thereof.

3.11 Land Use Zones

The locations of zones established by this bylaw are shown on the Official Zoning Map of the Village of Telkwa accompanying and forming part of this bylaw as Part “G”.

Where boundaries of zones are shown along surveyed lines, the boundaries shall be the lot lines. Where a zone boundary is shown following street, lane, or water bodies, the centre line of such street, lane, or water body shall be the zone boundary.

For the purpose of this Bylaw, the Village of Telkwa is hereby divided into the following zones:

3.12 Zone Directory

	ALR (Agricultural Land Reserve)
Residential Zones	
	R1 Residential
	R2 Residential
	R3 Multi-Unit Residential
	R4 Residential Home-Based Business
	R5 Residential
	R6 Rural Residential
	R7 Guest House
	R8 Mobile Residential
Commercial Zones	
	C1 Commercial Downtown
	C2 Service Commercial
Industrial Zones	
	I1 Industrial
	I2 Creative Trade and Business
	I3 Airport Industrial
Comprehensive Development	
	CD-1 (Tyhee)
	CD-2 (Hubert Road)
	CD-3 (Aldermere)
	CD-4 (Highway #16)
	CD-5 (Birch Street)
	CD-6 (Chestnut)
	P1 Community Services
	P2 Public Utility
	P3 Protected Ecological Area
	P4 Public Park and Recreation

The requirements of each zone as set out in this Bylaw shall be applied to areas designated on the Zoning Map with the corresponding alphanumeric symbols.

4.0 PART D - ZONES

The simple act of stating community goals and objectives never assures their realization. Rather, it is necessary to utilize a variety of methods to confirm that aspirations of the community are consciously being worked towards.

4.1 RESIDENTIAL – R1

This zone is intended for Single Unit Residential Use with the provision for secondary or garden suites.

4.1.1 Permitted Land Uses

Permitted Uses	Minimum Lot Size
Single Unit Residential Use	1000 m ² ①
Suite (garden suite or secondary suite [only with single detached dwellings])	
Accessory Buildings	N/A
Home Occupation	

- ① Minimum building lot size may be decreased to 750 m² based on a density bonusing amenity of \$1250.00 per lot and 500 m² based on a density bonusing amenity of \$2000.00 per lot in new subdivisions.

4.1.2 Building and Structure Specifications

	Single Unit Residential Use	Garden Suite	Secondary Suite	Accessory Buildings
Maximum Number of dwelling per lot	1	1 Garden Suite or 1 Secondary Suite		1 - 2 (including garden suite)
Minimum Unit Size		50 m ²	40 m ²	
Maximum floor area	350 m ²	70 m ²	60 m ²	N/A
Floor Area Ratio (FAR)	0.35	N/A	N/A	N/A
Maximum Height	10 m	8 m	N/A	6 m
Maximum Lot Coverage	30%			
Minimum Lot Frontage	15 m ②	N/A	N/A	N/A

- ② Excluding pan-handle and Cul de sac lots.

4.1.3 Minimum Building Setbacks

Use/Structure	Front Lot Line	Rear Lot Line	Exterior Lot Line	Interior Lot Line	From Principal Building
Principal Building	5 m	5 m	2.0 m	1.5 m	N/A
Garden Suite ③	7.5 m	2.0 m	2.0 m	2.0 m	4.0 m
Accessory Buildings and Structures ③	7.5 m	1.5 m	2.0 m	1.5 m	N/A

- ③ Accessory buildings and structures and Garden Suites shall be located to the rear of the Single Unit Dwelling (with the exception of corner lots which may locate an accessory building between the exterior lot line and the principal dwelling).

4.1.4 Additional Requirements

- Garden suites are permitted within Single Unit Residential Uses subject to Section 6.8 of this Bylaw.
- Secondary suites are permitted within Single Unit Residential Uses subject to Section 6.12 of this Bylaw.
- Refer to the general regulations on accessory buildings and structures in Section 6.10 of this Bylaw.
- Refer to the general regulations on home occupations and bed and breakfast in Section 6.13 & 6.14 of this Bylaw.
- Refer to the general regulations on waste management in Section 6.15 of this Bylaw.

4.2 RESIDENTIAL– R2

To provide for medium density residential development including options for infill, mixed housing typologies and affordable residential dwelling units.

4.2.1 Land Use Permitted

Permitted Use	Minimum Lot Size
Duplex (Strata or Fee Simple)	2000 m ² ②
Triplex (Strata or Fee Simple)	2000 m ² ③
4plex (Strata or Fee Simple)	2000 m ² ④
Single Unit Residential Use	1000 m ² ①
Affordable Housing	1000 m ² ①
Suite (garden suite or secondary suite [only with single detached dwellings])	1000 m ² ①
Home Occupation (exclusive to Single Unit Residential Use and duplex uses)	N/A

- ① Minimum building lot size may be decreased to 300 m² based on a density bonusing amenity of \$2000.00 per lot.
- ② Minimum building lot size may be decreased to 600 m² lot/unit based on a density bonusing amenity of \$2000.00 per lot/unit.
- ③ Minimum building lot size may be decreased to 900 m² lot/unit based on a density bonusing amenity of \$1500.00 per lot/unit.
- ④ Minimum building lot size may be decreased to 1200 m² lot/unit based on a density bonusing amenity of \$1000.00 per lot/unit.

4.2.2 Building, Structure and Lot Specifications

	Single Unit Residential Use	Garden Suite	Secondary Suite	Duplex	Triplex / 4plex	Accessory Building
Maximum Number of dwellings per lot	1	1 Garden Suite or 1 Secondary Suite		N/A	N/A	1-2(including garden suite)
Minimum unit size	N/A	50 m ²	40 m ²	60 m ² /unit	50 m ² /unit	N/A
Maximum Floor Area	350 m ²	70 m ²	60 m ²	N/A	N/A	50 m ²
Floor Area Ratio (FAR)	0.35	N/A	N/A	0.60	0.80	N/A
Maximum Height	10 m	8 m	N/A	10 m	12 m	6 m
Maximum Lot Coverage	45%	N/A	N/A	60%	80%	N/A
Minimum Lot Frontage	15 m ⑤	N/A	N/A	15 m ⑤	20 m ⑤	N/A

- ⑤ Excluding pan-handle and Cul de sac lots.

4.2.3 Minimum Building Setbacks

Uses/Structures	Front Lot Line	Rear Lot Line	Exterior Lot Line	Interior Lot Line	From Principal Building	Between fee simple common wall
Principal Residential Dwelling	4.5 m	3.0 m	2.0 m	1.2 m	N/A	N/A
Garden suite ^⑥	N/A	1.5 m	1.5 m	1.2 m	4.0 m	N/A
Duplex / Triplex and 4plex	4.5 m	5.0 m	3.0 m	1.5 m	N/A	0 m
Accessory Buildings and Structures ^⑥	5.0 m	1.5 m	1.5 m	1.2 m	N/A	N/A

- ⑥ Accessory buildings and structures and Garden Suites shall be located to the rear of the Single Unit Dwelling (with the exception of corner lots which may locate an accessory building between the exterior lot line and the principal dwelling).

4.2.4 Additional Requirements

- Garden suites are permitted within Single Unit Residential Uses subject to Section 6.8 of this Bylaw.
- Secondary suites are permitted within Single Unit Residential Uses subject to Section 6.12 of this Bylaw.
- Refer to the general regulations on accessory buildings and structures in Section 6.10 of this Bylaw.
- Refer to the general regulations on home occupations and bed and breakfast in Section 6.13 & 6.14 of this Bylaw.
- Refer to the general regulations on waste management in Section 6.15 of this Bylaw.

4.3 MULTI-UNIT RESIDENTIAL – R3

To provide for multi-dwelling residential accommodation located near community amenities and services.

4.3.1 Permitted Land Uses

Permitted Uses	Minimum Lot Size
Apartment	4000 m ²
Neighbourhood Commercial Preferred uses: <ul style="list-style-type: none"> - Convenience store - Coffee stand - Home occupation - Mobile food stand - Post office Public art gallery	2000 m ² 2000 m ²
Townhouse	
Affordable Housing	1000 m ²
Single Unit Residential	750 m ²
Duplex/Triplex/4plex	500 m ²

4.3.2 Building and Structure Specifications

	Single Unit Residential	Duplex/Triplex/4plex	Townhouse	Apartment	Accessory Building
Density	1 Unit	2-3-4 units	40 units/ha	60 units/ha	N/A
Minimum unit size	N/A	50 m ²	40 m ² /unit	40 m ² /unit	N/A
Floor Area Ratio (FAR)	N/A	0.35	0.35	0.6	N/A
Maximum Height	10 m	12 m	12 m	14 m	6 m
Maximum Lot Coverage	45%	35%	45%	30%	N/A
Minimum Lot Frontage	15 m ❶	15 m ❶	15 m ❶	18 m ❶	N/A

❶ Excluding Pan Handle and Cul de Sac lots

4.3.3 Minimum Building Setbacks

Use/Structure	Front Lot Line	Rear Lot Line	Exterior Lot Line	Interior Lot Line	From Principal Building
Principal Residential Dwelling ②	4.5 m	3.0 m	2.0 m	1.2 m	N/A
Accessory Buildings and Structures ②	5.0 m	2.0 m	2.0 m	2.0 m	4.0 m
Triplex/4plex Townhouse Apartment	5.0 m	7.5 m	2.0 m	2.0 m	N/A

- ② Accessory buildings and structures shall be located to the rear of the Single Unit Dwelling (with the exception of corner lots which may locate an accessory building between the exterior lot line and the principal dwelling).

4.3.4 Additional Requirements

- Refer to the general regulations on accessory buildings and structures in Section 6.10 of this Bylaw.
- Refer to the general regulations on home occupations and bed and breakfast in Section 6.13 & 6.14 of this Bylaw.
- Refer to the general regulations on waste management in Section 6.15 of this Bylaw.

4.4 RESIDENTIAL HOME-BASED BUSINESS– R4

This zone is intended for principal residential use and the provision for small businesses on larger lots.

4.4.1 Permitted Land Uses

Permitted Uses	Minimum Lot Size
Accessory Buildings	2000 m ²
Agriculture	
Art Gallery	
B&B (Bed & Breakfast)	
Day Care Facilities	
Farmstand	
Home Occupation	
Single Unit Residential Use	
Suite (garden suite or secondary suite [only with single detached dwellings])	

4.4.2 Building and Structure Specifications

	Single Unit Residential Use	Garden Suite	Secondary Suite	Accessory Building
Maximum number of dwellings per lot	1	1 Garden Suite or 1 Secondary Suite		1-2(including garden suite)
Minimum unit size	N/A	50 m ²	40 m ²	N/A
Maximum Unit Size	N/A	70 m ²	60 m ²	N/A
Floor Area Ratio (FAR)	0.2	N/A	N/A	N/A
Maximum Height	10 m	8 m	N/A	6 m
Maximum Lot Coverage	25%	N/A	N/A	N/A
Minimum Lot Frontage	15 m ❶	N/A	N/A	N/A

❶ Excluding Pan Handle and Cul de Sac lots

4.4.3 Minimum Building Setbacks

Use/Structure	Front Lot Line	Rear Lot Line	Exterior Lot Line	Interior Lot Line
Principal Building	5 m	5 m	2.0 m	1.5 m
Garden Suite ^②	7.5 m	2.0 m	2.0 m	2.0 m
Accessory Buildings and Structures ^②	7.5 m	1.5 m	2.0 m	1.5 m

- ② Accessory buildings and structures and Garden Suites shall be located to the rear of the Single Unit Dwelling (with the exception of corner lots which may locate an accessory building between the exterior lot line and the principal dwelling).

4.4.4 Additional Requirements

- Garden suites are permitted within Single Unit Residential Uses subject to Section 6.8 of this Bylaw.
- Secondary suites are permitted within Single Unit Residential Uses subject to Section 6.12 of this Bylaw
- Refer to the general regulations on accessory buildings and structures in Section 6.10 of this Bylaw.
- Refer to the general regulations on home occupations and bed and breakfast in Section 6.13 & 6.14 of this Bylaw.
- Refer to the general regulations on waste management in Section 6.15 of this Bylaw.

4.5 Residential – R5

This zone is intended to provide for Single Unit Residential Use residences on small lots.

4.5.1 Permitted Land Uses

Permitted Uses	Minimum Lot Size
Accessory Buildings	400 m ²
Home Occupation	
Single Unit Residential Use	
Suite (garden suite or secondary suite [only with single detached dwellings])	

4.5.2 Building and Structure Specifications

	Single Unit Residential Use	Garden Suite	Secondary Suite	Accessory Building
Maximum number of dwellings per lot	1	1 Garden Suite or 1 Secondary Suite		1
Minimum size	N/A	50 m ²	40 m ²	N/A
Maximum size	N/A	70 m ²	60 m ²	N/A
Floor Area ratio (FAR)	0.60	N/A	N/A	N/A
Maximum Height	10 m	8 m	N/A	4 m
Maximum Lot Coverage	50%	N/A	N/A	N/A
Minimum Lot Frontage	10 m ^①	N/A	N/A	N/A

^① Excluding Pan Handle and Cul de Sac lots

4.5.3 Minimum Building Setbacks

Use/Structure	Front Lot Line	Rear Lot Line	Exterior Lot Line	Interior Lot Line
Principal Building	5 m	3 m	1.5 m	1.5 m
Garden Suite ^②	N/A	2.0 m	2.0 m	2.0 m
Accessory Buildings and Structures ^②	7.5 m	1.5 m	1.5 m	4.5 m

^② Accessory buildings and structures and Garden Suites shall be located to the rear of the Single Unit Dwelling (with the exception of corner lots which may locate an accessory building between the exterior lot line and the principal dwelling).

4.5.4 Additional Requirements

- a) Garden suites are permitted within Single Unit Residential Uses subject to Section 6.8 of this Bylaw.
- b) Secondary suites are permitted within Single Unit Residential Uses subject to Section 6.12 of this Bylaw.
- c) Refer to the general regulations on accessory buildings and structures in Section 6.10 of this Bylaw.
- d) Refer to the general regulations on home occupations and bed and breakfast in Section 6.13 & 6.14 of this Bylaw.
- e) Refer to the general regulations on waste management in Section 6.15 of this Bylaw.

4.6 RURAL RESIDENTIAL – R6

This zone is intended for Single Unit Residential Use with the provision for large lots and protected open-space.

4.6.1 Permitted Land Uses

Permitted Uses	Minimum Lot Size
Accessory Buildings	4000 m ²
Home Occupation	
Single Unit Residential Use	
Suite (garden suite or secondary suite [only with single detached dwellings])	

4.6.2 Building and Structure Specifications

	Single Family Residential Use	Garden Suite	Secondary Suite	Accessory Buildings
Maximum Number of Single Unit Dwelling Units	1	1 Garden Suite or 1 Secondary Suite		1-2(including garden suite)
Minimum unit size	N/A	50 m ²	40 m ²	N/A
Maximum Unit Size	N/A	70 m ²	60 m ²	N/A
Floor Area ratio (FAR)	0.45	N/A	N/A	N/A
Maximum Height	10 m	8 m	N/A	8 m
Maximum Lot Coverage	30%			
Minimum Lot Frontage	15 m ❶	N/A	N/A	N/A

❶ Excluding Pan Handle and Cul de Sac lots

4.6.3 Minimum Building Setbacks

Use/Structure	Front Lot Line	Rear Lot Line	Exterior Lot Line	Interior Lot Line
Principal Building	7.5 m	7.5 m	5 m	5 m
Garden Suite❷	N/A	2.0 m	2.0 m	2.0 m
Accessory Buildings and Structures ❷	8 m	2 m	3m	3 m

❷ Accessory buildings and structures and Garden Suites shall be located to the rear of the Single Unit Dwelling (with the exception of corner lots which may locate an accessory building between the exterior lot line and the principal dwelling).

4.6.4 Additional Requirements

- a) Garden suites are permitted within Single Unit Residential Uses subject to Section 6.8 of this Bylaw.
- b) Secondary suites are permitted within Single Unit Residential Uses subject to Section 6.12 of this Bylaw
- c) Refer to the general regulations on accessory buildings and structures in Section 6.10 of this Bylaw.
- d) Refer to the general regulations on home occupations and bed and breakfast in Section 6.13 & 6.14 of this Bylaw.
- e) Refer to the general regulations on waste management in Section 6.15 of this Bylaw.

4.7 GUEST HOUSE – R7

This zone is intended to provide land for small-scale suite development and Guest House accommodation for transient tourists, vacationers, and seasonal workers.

4.7.1 Permitted Land Uses

Permitted Uses	Minimum Lot Size
Accessory Buildings	2000 m ²
Garden Suite	
Home Occupation	
Single Unit Residential Use (Guest House) ❶	

❶ Lots fronting the river shall be required to dedicate a public right-of-way at time of rezoning.

4.7.2 Building and Structure Specifications

	Single Unit Residential Use (Guest House)	Garden Suite	Accessory Buildings
Maximum number of dwellings/suites per lot	1	two (2) suites < 4000 m ² four (4) suites > 4000 m ²	N/A
Minimum unit size	N/A	50 m ² /suite	N/A
Maximum unit size	N/A	70 m ² /suite	N/A
Floor Area ratio (FAR)	0.45	N/A	principal building footprint (0.3 ratio)
Maximum Height	10 m	5 m	6 m
Maximum Lot Coverage	40%		
Minimum Lot Frontage	25 m❷		N/A

❷ Excluding pan-handle and Cul de sac lots.

4.7.3 Minimum Building Setbacks

Use/Structure	Front Lot Line	Rear Lot Line	Exterior Lot Line	Interior Lot Line
Principal Building	5 m	5 m	2 m	1.5 m
Cottage	4 m	3 m	2 m	1.5 m
Accessory Buildings and Structures ❸	7.5 m	1.5 m	2 m	1.5 m

- ③ Accessory buildings and structures and Garden Suites shall be located to the rear of the Single Unit Dwelling (with the exception of corner lots which may locate an accessory building between the exterior lot line and the principal dwelling).

4.7.4 Additional Requirements

- a) Garden suites are permitted within Single Unit Residential Uses subject to Section 6.8 of this Bylaw.
- b) Refer to the general regulations on accessory buildings and structures in Section 6.10 of this Bylaw.
- c) Refer to the general regulations on home occupations and bed and breakfast in Section 6.13 & 6.14 of this Bylaw.
- d) Refer to the general regulations on waste management in Section 6.15 of this Bylaw.

4.8 MOBILE HOME RESIDENTIAL NEIGHBOURHOOD – R8

This zone is intended to provide for land for the continued use for mobile homes of the stratification of land for ownership for the same use.

4.8.1 Permitted Land Uses

Permitted Uses	Minimum Lot Size
Mobile Home Dwelling Neighbourhood	8000 m ²
Per mobile dwelling unit	325 m ²
Accessory buildings and structure	N/A

4.8.2 Building and Structure Specifications

Maximum number of Units per ha	20
Dwelling Unit	(1)/mobile home space
Maximum Height	principal building: 7 m accessory building: 5 m
Minimum Lot Frontage of modular pad	10 m
Maximum Accessory building floor area	60 m ²
Maximum parcel coverage	50%

4.8.3 Minimum Building Setbacks

Use/Structure	Front Lot Line	Rear Lot Lines	Interior Lot Line	Exterior Lot Line
Mobile Dwelling Neighbourhood	7.5 m	7.5 m	7.5 m	7.5 m
Principal Building	3 m	3 m	1.5 m	1.5 m
Accessory Buildings and Structures	5 m	1.5 m	1.5 m	3 m

4.9 Commercial Downtown – C1

To provide land for a mixture of business services, personal services and residential uses in a predominantly pedestrian environment. This zone provides a historical central oriented commercial core for Telkwa.

4.9.1 Permitted Land Uses

Permitted Uses	Minimum Lot Size
Affordable Housing	2000 m ²
Hotel, motel, resort condominium	
Multi-Unit Residential (4plex or greater)	
Single Unit Residential Use	750 m ²
Accessory Dwelling Unit (above first storey or located behind principal building)	500 m ²
B & B (Bed and Breakfast)	
Heritage Single Unit Residential Use (secondary suite and/or garden suite allowed)	
Home Occupation	
Community Development (school & learning centre's, post-office, emergency services, daycare)	280 m ²
Cultural Amenities (museum, art gallery, library, theatre)	
Hostel	
Indoor Storage	
Liquor Store	
Micro-manufacturing (i.e. coffee roastery, micro-brewery, cheese factory, deli, tailoring, furniture)	
Office & Administration	
Personal Services (registered massage, spa, salon, medical services)	
Pub	
Retail & Food services (excluding drive-thru)	
Farmer's Market Stand	N/A
Heritage Display	
Mobile food vending	
Parking	
Secondary/Garden Suite (only with single detached dwellings)	

4.9.2 Building and Structure Specifications

	Single Unit Residential Use	Garden Suite	Secondary Suite	Multi-unit (4plex or greater)	Hotel/Motel/Resort	Other
Maximum Number of dwellings per lot	1	1 Garden Suite or 1 Secondary Suite		20 units/ha	N/A	N/A
Minimum unit size	N/A	50 m ²	40 m ²	42 m ²	N/A	N/A
Maximum Unit Size		70 m ²	60 m ²	120 m ²	N/A	
Floor Area ratio (FAR)	0.35	N/A	N/A	0.50	.90	.50
Maximum Height	10 m	8 m	N/A	12 m		10 m
Maximum Lot Coverage	85%	N/A	N/A	85%	85%	85%
Minimum Lot Frontage	8 m	N/A	N/A	8 m	8 m	8 m

4.9.3 Minimum Building Setbacks

Use/Structure	Front Lot Line	Rear Lot Lines	Interior Lot Line	Exterior Lot Line
Principal Commercial-based building ①	0 m	3 m	0 m	0 m
Principal Residential-based building	5 m	3 m	1.5 m	1.5 m

- ① Setbacks to be increased depending on bounding roads and requirements for pedestrian mobility and public right-of-way specifications.

4.9.4 Additional Requirements

- Garden suites are permitted within Single Unit Residential Uses subject to Section 6.8 of this Bylaw.
- Secondary suites are permitted within Single Unit Residential Uses subject to Section 6.12 of this Bylaw
- Refer to the general regulations on accessory buildings and structures in Section 6.10 of this Bylaw.
- Refer to the general regulations on home occupations and bed and breakfast in Section 6.13 & 6.14 of this Bylaw.
- Refer to the general regulations on waste management in Section 6.15 of this Bylaw.

4.10 Service Commercial - C2

This zone is intended to provide for a mixture of commercial and residential uses, primarily servicing the needs of vehicular traffic and waterfront residential and live-work residences. The zone focuses on maintaining and creating an inviting gateway area along the highway that represents the character and history of Telkwa.

4.10.1 Permitted Land Uses

Permitted Uses	Minimum Lot Size
Accessory Buildings	2000 m ²
Accessory Dwelling Unit (above first storey or located behind principal building)	
Affordable Housing	
Art Gallery	
Automobile and Equipment display for sale or rental	
B & B (Bed & Breakfast)	
Campground	
Car Wash	
Convenience Commercial	
Farmstand	
Food Services	
Gas Station	
Grocery Store	
Home Occupation	
Hotel, Motel, Resort Condominium	
Multi-unit/Duplex (Duplex or greater)	
Private & Public Institution	
Retail Commercial	
R/V Parking	
Tourism Retail	
Storage Facility	
Single Unit Residential Use	750 m ²
Secondary/Garden Suite (only with single detached dwellings)	N/A

1.10.2 Building, Structure and Lot Specifications

	Single Unit Residential Use	Garden Suite	Secondary Suite	Accessory Building	Duplex	Townhouse	Multi-units Triplex	Apartment, Hotel, Motel	Others
Maximum Number of dwellings per lot	1	1 Garden Suite or 1 Secondary Suite		N/A	N/A	40 units/ha	3-4 Units	60 units/ha	N/A
Minimum unit size	N/A	50 m ²	40 m ²	N/A	60 m ² /unit	40 m ² /unit	50 m ²	40 m ² /unit	N/A
Maximum Unit Size		70 m ²	60 m ²	N/A	N/A		N/A	N/A	N/A
Floor Area ratio (FAR)	0.35	N/A	N/A	N/A	0.50	.70	0.50	0.90	.90
Maximum Height	10 m	8 m	N/A	4 m	10 m	12 m	12 m	14 m	
Maximum Lot Coverage	50%	N/A	N/A	N/A	50%	50%	50%	50%	50%
Minimum Lot Frontage	15 m ❶	N/A	N/A	N/A	20 m ❶	50 m ❶	20 m ❶	20 m ❶	20 m ❶

❶ Excluding Pan Handle and Cul de Sac lots

4.10.3 Minimum Building Setbacks

Use/Structure	Front Lot Line	Rear Lot Lines	Interior Lot Line	Exterior Lot Line
Principal Building	3 m	3 m	2 m	3 m
Accessory Buildings and Structures	5 m	3 m	2 m	3 m

Character Requirements

1. All principal uses must be oriented to pedestrian needs and be so located and designed as to avoid vehicular interference with pedestrian movement.
2. The storage and display of all goods and products must be completely enclosed within a building, except for outside seating and the display of goods for sale at retail.
3. All accessory uses must be located to the rear of the building accommodating the principal use. In no case may they exceed more than 10% of the lot area.

4.10.4 Additional Requirements

- a) Garden suites are permitted within Single Unit Residential Uses subject to Section 6.8 of this Bylaw.
- b) Secondary suites are permitted within Single Unit Residential Uses subject to Section 6.12 of this Bylaw
- c) Refer to the general regulations on accessory buildings and structures in Section 6.10 of this Bylaw.
- d) Refer to the general regulations on home occupations and bed and breakfast in Section 6.13 & 6.14 of this Bylaw.
- e) Refer to the general regulations on waste management in Section 6.15 of this Bylaw.

4.11 Industrial – I1

To provide for a mix of intensive industrial land uses.

4.11.1 Permitted Land Uses

Permitted Uses	Minimum Lot Size
Accessory Buildings	<div>20,000 m² (with on-site water and waste water)</div> <div>2000 m² (with Village water and waste water)</div>
Accessory Dwelling Unit (above first storey or located behind principal building)	
Aggregate services	
Assembly	
Auto-wrecking	
Equipment repair	
Fuel storage	
Manufacturing & processing	
Recycling & waste facilities (excluding landfill)	
Warehouse & storage facilities	
Wholesale trade	

4.11.2 Building & Structure Specifications

Maximum Height (primary and accessory)	12 m
Minimum Lot Frontage ❶	30 m
Maximum Lot Coverage	50%

❶ Excluding pan-handle and Cul de sac lots.

4.11.3 Minimum Building Setbacks

Use/Structure	Front Lot Line	Rear Lot Lines	Interior Lot Line	Exterior Lot Line
Principal Building	7 m	10 m	6 m	6 m
Accessory Buildings and Structures	3 m			

4.11.4 Landscape Screening

In addition to the regulations contained within this Bylaw the following regulations must apply to landscape screening and fencing:

1. A continuous landscape and screening area not less than 2 m wide will be provided along the developed portion of each side of the lot which abuts a road. This landscaping strip may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a building. This landscape and screening area must contain hedges, shrubs or decorative fencing of not less than 2.5 m in height.
2. Except in those portions where a building abuts a lot line a continuous landscape and screening area not less than 2.5 m in width containing a decorative fence not less than 1.8 m in height together with decorative planting must be provided along all lot lines which do not adjoin a lot in a Business Park or Industrial Zone.

4.12 Creative Trade and Business Zone – I2

To provide for a creative mix of light commercial and industrial land uses.

4.12.1 Permitted Land Uses

Permitted Uses	Minimum Lot Size
Accessory buildings	2000 m ²
Accessory Dwelling Unit (above first storey or located behind principal building)	
Auto-repair, marine repair	
Food services (restaurant, cafe, catering)	
Greenhouse and Plant Nursery	
Micro-manufacturing (i.e. coffee roastery, micro-brew, dairy, bakery, clothing, furniture)	
Multi-unit residential (4Plex or greater)	
Recreational amenity (i.e. climbing gym, paintball, dance studio, indoor volleyball)	
Recycling Depots	
Veterinary, kennel, grooming	

4.12.2 Building and Structure Specifications

	Principal Commercial Building	Multi-unit Residential (including Accessory Dwelling Unit)	Accessory Building
Density	N/A	40 units/ha	N/A
Minimum unit size	N/A	40 m ² /unit	N/A
Floor Area ratio (FAR)	0.35	0.35	N/A
Maximum Height	12 m	12 m	4 m
Maximum Lot Coverage	25%	45%	N/A
Minimum Lot Frontage	15 m	15 m	N/A

4.12.3 Minimum Building Setbacks

Use/Structure	Front Lot Line	Rear Lot Lines	Interior Lot Line	Exterior Lot Line
Principal Building	5 m	5 m	2 m	3 m
Accessory Buildings and Structures	7.5 m	2 m	1.5 m	1.5 m

4.12.4 Landscape Screening

In addition to the regulations contained within this Bylaw the following regulations must apply to landscape screening and fencing:

1. A continuous landscape and screening area not less than 3 m wide will be provided along the developed portion of each side of the lot. This landscape and screening area must contain hedges, shrubs or decorative fencing of not less than 1.5 m in height.
2. Except in those portions where a building abuts a lot line, a continuous landscape and screening area not less than 3m in width containing a decorative fence not less than 1.8 m in height together with decorative planting must be provided along all lot lines which do not adjoin a lot in the Creative Industrial Zone.

4.13 Airport Industrial – I3

This zone is intended to provide for airport services and the integration of tourism and residential uses in close proximity.

4.13.1 Permitted Land Uses

Aviation	
Permitted Uses	Minimum Lot Size
Agriculture, Intensive	20,000 m ² (with on-site water and waste water) 2000 m ² (with Village water and waste water)
Aircraft Sales/Rentals/ Charters/Repairs/Maintenance and Construction	
Airport	
Airport Terminal and Navigation facilities	
Emergency and Protective Services	
Accessory buildings and structures	
Industrial/Commercial – Resource Uses	Minimum Lot Size
Permitted Uses	N/A
Gravel and aggregate extraction & processing	
Weather Station	
Tourism – Backcountry Uses	Minimum Lot Size
Permitted Uses	20,000 m ² (with on-site water and waste water) 2000 m ² (with Village water and waste water)
Guide and Tour Services	
Live/work studio	
Office	
Retail Stores	
Restaurant	

4.13.2 Minimum Building Setbacks

Use/Structure	Front Lot Line	Rear Lot Lines	Interior Lot Line	Exterior Lot Line
Aviation Uses and Structures	20 m			
Guide and Tour Services	4 m		2 m	3 m
Accessory Buildings and Structures	5.0 m	1.5 m	1.5 m	1.2 m

4.13.3 Landscape Screening

In addition to the regulations contained within this Bylaw the following regulations must apply to landscape screening and fencing:

- 1) A landscape and screening area not less than 1 m in width containing a decorative fence together with decorative planting of not less than 1.8 m in height will be provided along all lot lines separating tourism – river uses from any Residential use or area.

5.0 PART E - COMPREHENSIVE DEVELOPMENT AREAS

Comprehensive Development Zones (CD) provide for the innovative development or redevelopment of a larger site and the flexibility for a variety of suitable land uses to be mixed together based on the proposed development(s).

Particulars such as setbacks, building heights, floor area ratio, density, lot coverage and lot size shall be dealt with through a “form-based” comprehensive approach in order to foster innovation, flexibility and sensitivity to the environment through the creation of high-quality public realm by using physical form (rather than separation of uses) as the organizing Principal for the zone. The Village of Telkwa shall reserve the right of ultimate approval of all facets of the proposed development.

During the development application process, the applicant shall be required to submit a comprehensive development plan including the following:

1. Site plans, including the legal description 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;
2. Proposed amenity contributions to the Village of Telkwa;
3. Proposed amenity areas on the site;
4. Architectural plans, including information on exterior finish for any proposed buildings or structures and associated built form and scale (and therefore, character) of development;
5. Landscaping plans including landscape design and plant materials on the site as they impact and relate to public spaces (e.g. parking lot screening and shading, sight lines, function, etc.);
6. The location, size, height, colour, lighting, and orientation of all signs, if applicable;
7. Proposed maximum density, floor area ratio, lot coverage, size, and height of buildings;
8. A statement of uses and their interrelationship on the site and the permitted uses of this zone; and
9. The applicant shall address the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks (if applicable).

5.1 (CD-1) Tyhee

To provide a transition from existing recreational, service commercial and downtown core uses and to maximize viewscales and access to surrounding amenities.

5.1.1 Permitted Land Uses

- Accessory Buildings.
- Affordable housing;
- Bed and Breakfast;
- Neighbourhood Commercial
- Greenhouse;
- Day Care Facility
- Duplex;
- Guest house;
- Home occupation (limited to Single Family Residential Use and Duplex);
- Live/work studio;
- Mixed residential/commercial;
- Motel/Hotel;
- Recreation facilities;
- Resort condominium;
- School/learning centre;
- Single unit residential;
- Small-lot residential;
- Suite (garden or secondary)
- Triplex/4-plex;
- Park and trails;

5.1.2 Amenities

Proposed Land Use	Amenity Provision
Hotel	5%-20% of the total building gross floor area proposed (excluding accessory buildings) as park, recreation areas as approved by the Village of Telkwa.
Resort Condominiums	10% of all hotel units and resort condominium units to be in the form of staff housing as defined by the Village of Telkwa;
All	Dedication and construction of trail network connecting to Tyhee Park, Aldermere, Downtown Core, Eddy Park and River Trail.

5.2 (CD-2) Hubert Road

To provide an extension to existing recreational lands and residential neighbourhood and to leverage future development to upgrade needed infrastructure.

5.2.1 Permitted Land Uses

- Accessory Buildings.
- Park Affordable housing;
- Bed and Breakfast;
- Greenhouse;
- Day Care Facility
- Duplex;
- Guest House
- Home occupation
- Neighbourhood Commercial
- Single unit residential;
- Small-lot residential
- Suite (garden or secondary)
- Park and trails;

5.2.2 Amenities

Proposed Land Use	Amenity Provision
All uses	<ul style="list-style-type: none">▪ Dedication and construction of trail network connecting to Tyhee Park, Aldermere, Downtown Core, Eddy Park and River Trail;▪ Upgrading of Highway 16/Tower Road intersection;▪ Paving of connector road

5.3 (CD-3) Aldermere

To provide for the preservation and cultural interpretative of the Aldermere Townsite.

5.3.1 Permitted Land Uses

- Interpretative signage
- Public exhibit
- Demonstration heritage village (temporary residential, commercial)
- Educational Facility
- Park & Trails
- Accessory Buildings

5.4 (CD-4) Highway #16

To provide for highway commercial service, retail, residential and visitor commercial uses.

5.4.1 Permitted Land Uses

- Accessory Buildings.
- Bed and Breakfast;
- Neighbourhood Commercial /Retail (min. base floor area: 750m²)
- Duplex;
- Guide and tour services
- **Guest house;**
- Home occupation
- Live/work studio;
- Mixed residential/commercial;
- **Motel/Hotel;**
- Single unit residential;
- **Suite (garden or secondary)**
- Triplex/4-plex;

5.4.2 Amenities

Proposed Land Use	Amenity Provisions
All uses	Dedication and construction of trail network connecting to Tyhee Park, Aldermere, Downtown Core, Eddy Park and River Trail.
Large Retail	In addition to the above Amenity, any large retail development shall provide cash amenity to the Village of Telkwa using the following ratio: \$300/m ²

5.5 (CD-5) Birch Street

To provide for additional residential use in close proximity to recreational amenities.

5.5.1 Permitted Land Uses

- Accessory Buildings.
- Affordable housing;
- Bed and Breakfast;
- Greenhouse;
- Duplex;
- Home occupation
- Mobile home park
- Multi-unit residential
- Single unit residential;
- Small-lot residential;
- Suite (garden or secondary)
- Park and trails;

5.5.2 Amenities

Proposed Land Uses	Amenity Provisions
All uses	<ul style="list-style-type: none">▪ Dedication and construction of trail network connecting to Tyhee Park, Aldermere, Downtown Core, Eddy Park and River Trail.▪ Dedication and connection of Willow St. to Lawson Road.

5.6 (CD-6) Chestnut

To provide for the development of residential lot areas with the intent of maintaining a rural landscape.

5.6.1 Land Use Permitted

- Accessory Buildings.
- Bed and Breakfast;
- **Day Care Facility**
- Duplex;
- **Guest house;**
- **Mixed residential/commercial;**
- Multi-unit residential
- **Recreation facilities;**
- Single unit residential;
- Suite (garden or secondary)
- Park and trails;

5.6.2 Permitted Uses

Permitted Uses	Telkwa Amenity
All uses	<ul style="list-style-type: none">▪ Dedication and construction of trail network connecting to Tyhee Park, Aldermere, Downtown Core, Eddy Park and River Trail.▪ Contribution transportation upgrades south of the Bulkley River (bridge, repaving)

5.7 Community Services - P1

This zone is intended to provide for the integration of public open space, schools, parks, trails and recreational facilities.

5.7.1 Permitted Land Uses

- Accessory buildings and structures
- Campground
- Cemetery
- Community care facility
- Daycare
- Educational services
- Emergency and protective services
- Extended medical treatment services
- Indoor/outdoor recreation
- Park and trails
- Public exhibit
- Religious assembly
- School/learning centre
- Tourist information centre

5.7.2 Specifications

Minimum Lot Size	1000 m ²
Maximum Height (primary and accessory)	9 m
Minimum Lot Frontage	20 m
Maximum Lot Coverage	45%

5.7.3 Minimum Building Setbacks

Use/Structure	Front Lot Line	Rear Lot Lines	Interior Lot Line	Exterior Lot Line
Principal Building	6 m			
Accessory Buildings and Structures	1.5 m			

5.8 Public Utility - P2

To provide for energy, transportation, water, wastewater, stormwater, communication infrastructure.

5.8.1 Permitted Land Uses

- Bus stop
- Communications structure
- District energy utility
- Non-fossil fuel storage
- Park and trails
- Parking
- Renewable energy production
- Solid waste transfer
- Stormwater retention pond
- Wastewater treatment
- Water reservoir

5.8.2 Specifications

Minimum Lot Size	1000 m ²
Maximum Height (primary and accessory)	12 m
Minimum Lot Frontage	10 m
Maximum Lot Coverage	60%
Minimum Lot Width	16 m

5.8.3 Minimum Building Setbacks

Use/Structure	Front Lot Line	Rear Lot Lines	Interior Lot Line	Exterior Lot Line
Principal Building	6 m			
Accessory Buildings and Structures	1.5 m			

5.9 Protected Ecological Area - P3

To provide for the maintenance and restoration of ecological services or to limit natural hazards.

5.9.1 Permitted Land Uses

- Ancillary building (max. 30 m2 for accessory building and/or structure)
- Educational research
- Interpretive signage
- Park and trails
- Passive recreation (geo-caching, Frisbee golf, zipline, etc.)
- Viewpoints

5.10 Public Park & Recreation - P4

This zone is intended to provide for the integration of public open space, schools, parks, trails and recreational facilities

5.10.1 Permitted Land Uses

- Accessory buildings and structures
- BMX, skate park, climbing wall
- Campground
- Community assembly
- Greenhouse
- Indoor/outdoor recreation
- Mobile food vending
- Sports field

5.10.2 Specifications

Minimum Lot Size	2000 m ²
Maximum Height (primary and accessory)	12 m
Minimum Lot Frontage	10 m
Maximum Lot Coverage	25%

5.10.3 Minimum Building Setbacks

Use/Structure	Front Lot Line	Rear Lot Lines	Interior Lot Line	Exterior Lot Line
Principal Building	6 m			
Accessory Buildings and Structures	1.5 m			

6.0 PART F – GENERAL REGULATIONS

6.1 Off Street Parking and Loading

6.1.1 Provision of Off-Street Parking

Subject to the standards and requirements outlined in this section, every owner of land, upon the subject property, shall provide and maintain off-street motor vehicle parking spaces.

6.1.2 Existing Building and Structures

For new buildings, structures and uses, off-street parking spaces shall be required in accordance with the regulations of this Bylaw.

6.1.3 Voluntary Establishment of Parking Facilities

Where off-street parking spaces in excess of Bylaw requirements are provided, their location, design and operation shall comply with the requirements of this Bylaw.

6.1.4 Use of Parking Facilities

All required off-street parking spaces shall be used only for the purpose of accommodating the vehicles of clients, customers, employees, members, residents, tenants or visitors who make use of the Principal building or use for which the parking area is provided, and such parking area shall not be used for off-street loading, driveways, access or egress, commercial repair work, display, sale or storage of goods of any kind, except approved plant sales and other uses approved in this bylaw.

Except in the case of dwellings located in residential zones, off-street parking spaces may be provided and used collectively by two or more buildings or uses, provided that the total number of parking spaces when used in conjunction is not less than the sum of the required parking spaces for each individual use. In the same instance off-street parking spaces may be provided on a lot other than the lot that contains the Principal building and that such parking be designated for that use by means of a covenant under Section 219 of the *Land Title Act*, registered against the property on which it is located.

6.1.5 Development and Maintenance Standards for Off-Street Parking

Off-street parking spaces shall not be designed so as to require the backing out of vehicles onto a highway, other than for residentially zoned buildings and uses.

Adequate provision shall be made for individual access and egress by vehicles to all parking spaces at all times by means of unobstructed manoeuvring aisles. Manoeuvring aisles of not less than the following widths shall be provided:

1. Off-street parking spaces shall not be designed so as to require the backing out of vehicles onto a highway, other than for residentially zoned buildings and uses.
2. Adequate provision shall be made for individual access and egress by vehicles to all parking spaces at all times by means of unobstructed maneuvering aisles. Maneuvering aisles of not less than the following widths shall be provided:

Parking Angle in Degrees	Minimum Width of Aisle
90°	7 m
60°	5 m
45°	4 m

3. Each off-street parking space shall contain a rectangle measuring a minimum length of 5 by a minimum width of 2.5m and for parallel parking; the space shall be 7.5m in length by a minimum width of 2.5m.
4. Where any parking space adjoins a wall or structure over 0.3 m in height, the width of the parking space shall be increased by 0.3 m on each such adjoining side.
5. Concrete barrier curb shall be located in such a manner as to prevent vehicular damage to landscaping or vehicle valances, where applicable. Where parking areas abut a building, fence, wall, hedge or landscaped area, curbs shall not be less than 1 m from the end of the parking stall.
6. All parking areas shall be surfaced with asphalt, concrete, so as to provide a trafficable surface which is durable and serviceable, alternative design standards are encouraged to allow for pervious materials to be used;
7. Off-street parking spaces shall have a clear minimum dimension as follows:

Type of Space	Length	Width
Standard	7 m	2.5 m
Small	4.5 m	2.5 m
Handicapped	7 m	3.5 m

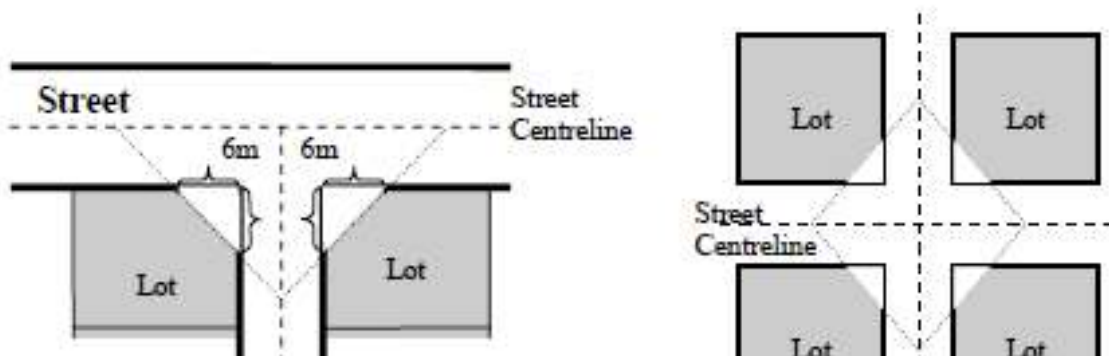
6.2 Required Number of Off-Street Parking Spaces

Use	Required Number of Spaces
Bed & Breakfast	2 spaces for dwelling unit and 1 space per sleeping unit
Campsites/Campgrounds	2 spaces for dwelling unit plus 1.2 spaces for each site
Churches	1 space for each 5 occupants
Community Care facilities	1 space for each 5 sleeping units
Duplex (two-family dwelling)	2 spaces for each unit
Hotel/Motel	2 spaces for caretaker unit plus 1 space for each sleeping unit. **Note: Hotels/Motels that encompass other business ventures such as restaurants, cafes, convenience stores, pubs or bars must also follow the parking regulation for those types of businesses.
Indoor Storage	Minimum of 3 spaces plus 1 space for each 10 units
Libraries, galleries, museum or similar places of public assembly	Minimum of 3 spaces, plus 1 space for every 40 m ² of gross floor area
Mobile Vendors	Minimum of 2 spaces

Multiple family (3 dwelling or more)	Minimum 3 spaces plus 1.2 spaces per unit
Office and Financial Institutions	Minimum 3 spaces plus 1 space for every 100 m ² of gross floor area
Retail facilities	Minimum of 3 spaces plus 1 space for each 100 m ² of gross floor area
Recreational Facilities	1 space for each 5 occupants
Taxi stand	Minimum of 3 spaces plus 1 for each taxi
Warehouses, Manufacturing and Wholesaling Establishments	Minimum of 5 spaces plus 1 space for each 250 m ² of gross floor area

6.3 Size, Shape and Siting of Buildings and Structures

1. No building or structure other than a fence is permitted in any required setback area, except as otherwise specified in this bylaw.
2. No more than one principle building shall be sited on one lot, except as otherwise specified in this bylaw.
3. Notwithstanding any other provision in this bylaw, no building or structure shall be constructed:
4. Within 7.5 m of the natural boundary of a riparian area;
5. All buildings within 15 m of a riparian area, shall have regard to the Village of Telkwa's Riparian Area Regulations; or
6. For the purposes of vision clearance, no fence, wall or structure, other than a permitted principal building shall be erected to a height greater than 1.2 m and no hedge, bush, shrub, tree or other growth shall be maintained or allowed to grow so as to obstruct vision clearance in the area. The boundary for this area shall be bounded triangularly by extending a minimum 6.0 m boundary along the parcel lines from the point of the exterior corner intersection of the parcel lines and a line connecting these two points as illustrated below:



6.4 Visibility at Intersections

In regard to visibility at intersections, no person, may place or permit to be placed or grow, or permit to be grown, any tree, shrub, plant, fence, or other structure within the sight triangle above an elevation such that an eye 0.9 m above the surface elevation of one highway cannot see an object 0.9 m above the surface elevation of the other highway.

6.5 Height Exceptions

The height regulations specified elsewhere in this Bylaw do not apply to church spires, belfries, church domes, religious buildings, fire and hose towers, public observation towers, stadiums, transmission towers, public utility poles, chimneys, flag poles bearing government flags, radio towers, drive-in theatre projection screens, elevator and ventilating machinery penthouses, provided that no such structure covers more than 20% of the lot or, if located on a building, not more than 10% of the roof area of the principal building on that lot.

6.6 Landscaping and Screening

All Zones

The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment, in every Zone except as otherwise expressly required or permitted in this Bylaw.

1. The minimum width for landscape and screening areas is 1 m ;
2. Wherever possible, landscape and screening areas will retain existing trees and natural vegetation and add planting that enhances the natural environment;
3. Landscape and screening areas must not be located on septic fields, and a septic field must not be located in a landscape and screening area, unless approved in writing by the Ministry of Health;
4. Where a landscape plan is required to be submitted as part of a development permit application the provisions of this Bylaw will apply in addition to those contained in the Village of Telkwa OCP development permit requirements.
5. Existing healthy woody plants (trees, shrubs) shall be preserved and protected unless removal is demonstrated to be necessary to efficiently accommodate the proposed development, or if the vegetation poses a safety hazard. Trees and shrubs preserved on the site may, at the discretion of the Village of Telkwa, be credited to the total landscaping requirement. In considering this credit, the Manager may consider the location, size, health, and appearance of trees and shrubs.
6. If a credit towards the new landscape planting is permitted, one existing tree will equal one tree credited toward the total landscape requirement. The same applies for existing shrubs.
7. New landscape planting shall consist of herbaceous and/or woody plant species known to be hardy in the Telkwa area. Where possible, evergreen shrubs and trees and/or deciduous shrubs and trees that have interesting bark, fruit or form shall be used to provide winter interest. A

Landscape Planting Area may be interrupted by driveways, walkways, parking spaces, and utility service boxes.

8. Vegetative buffers shall be required in specific commercial, recreation/education zone and industrial zones where these uses are adjacent residential zones. Developments may be exempt from providing a vegetative buffer if the setback is required for a fire lane access. Side yard Vegetative Buffer areas are measured from the rear property line to the Landscape Planting Area. Rear yard Vegetative Buffers are to be measured from one side yard Buffer to the other along the length of the rear property.
9. Fence and wall materials shall be consistent with the character of the zone in which they are to be located. The height of a fence or wall shall be measured from grade. Where the fence or wall is adjacent a property line, the height shall be measured with reference to the grade of the abutting property. Where a fence is located on top of a retaining wall, berm or similar structure, the height of the fence shall include the height of the supporting structure.
10. All storage of goods and materials in a commercial zone, recreation/education, industrial zone or multi-housing zone shall be screened from view from any street, and from adjacent sites in a residential zone by fences, berms, landscape materials or a combination of these to the satisfaction of the Village of Telkwa.
11. All refuse, recycling and compost bins in a commercial zone, recreation/education zone, industrial zone or multi-housing zone shall be screened from view from any street, and from adjacent sites in a residential zone by fences, berms, landscape materials or a combination of these to the satisfaction of the Village of Telkwa. Ensure that containers are sealed to contain odors and to prevent disturbance by animals.
12. The proposed site grading shall respect the natural contour of the land to the extent possible, minimize the necessity to use retaining walls, and ensure drainage away from buildings and abutting properties. Erosion control measures shall be used during construction to prevent the pollution, degradation or siltation of natural areas, watercourses and roads.
13. Xeriscaping or water-conserving landscape Principals shall be incorporated into the landscape plan in commercial, industrial, recreation/education, and multiple-housing zones, and are to be encouraged in other residential zones. Means may include but are not limited to the selection of xeric adapted plant species, the grouping of plants with similar water requirements, the use of properly timed low-emission, drip or trickle irrigation systems, and/or the use of weeping hoses, and the use of organic soil amendments and organic mulches to improve soil moisture retention capacity. Scree gardens or rock gardens incorporating fewer plants may be acceptable if the number of plants normally required on the frontage in a particular zone is integrated into the design elsewhere on the site in a location visible from the frontage, such as the forward portion of the side yard.
14. **Winter design Principals** shall be incorporated into the landscape plan in commercial, recreation/education and multiple-housing zones, and are to be encouraged in other residential zones. Means may include but are not limited to the use of coniferous trees to provide shelter from prevailing winter winds, the use of additional exterior lighting, the use of overhangs and screens to provide shelter and drifting control, adequate sizing of vehicular areas to accommodate accumulated snow, minimizing required outdoor travel distances and consideration of sun angles and southern exposures in the design of outdoor amenity spaces.

15. **Strategies to promote safe places** shall be incorporated into the landscape plan in commercial, industrial, recreation/education and multiple-housing zones, and are to be encouraged in other residential zones. Means may include but are not limited to the provision of adequate outdoor lighting for entrances, building perimeters and walkways, clear directional and safety signage, the use of vandalism resistant materials, adequate provisions for waste collection, maintaining good sightlines and restricting vehicular access where appropriate.

6.7 Residential, Multiple Family Residential, Commercial, Industrial, and Recreation/Educational Zones

The regulations in this subsection apply to the provision and maintenance of screening and landscaping to mask or separate uses, or to enhance the natural environment Residential, Commercial and Industrial Zones.

1. Landscape and screening areas between parking areas and streets, roads, or highways must be provided with a low hardy shrub or hedge at a minimum height of 1.2 m at the time of planting to obscure vehicle headlights;
2. All garbage enclosures, mechanical equipment and propane or other fuel tanks shall be screened with a material or vegetation acceptable to the Village of Telkwa.

6.7.1 Fences

1. The height of a fence shall be measured as the vertical distance from the average finished ground level at the base of the fence to the highest point of the fence;
2. Fences may be constructed within any required setback, with the exception of the required setback to a watercourse (unless authorized by a development permit) and with exception to that portion of a lot that is within the Sight Triangle;
3. Fences along interior side and rear lot liens (where not adjacent to a highway) in Residential Zones shall not exceed a height of 1.8 m;
4. Fences in Commercial and Residentially Zoned area will not be made of chain link;
5. Fences adjacent to a highway in all zones shall not exceed a height of 1.2 m; and
6. Fences adjacent to a highway shall be constructed with a permeable style (i.e., wrought iron or picket).

6.7.2 Compliance with Lot Area Regulations

Lots created by Subdivision must comply with the minimum and average lot area regulations set out in his Bylaw except that a park to be dedicated upon deposit of the subdivision plan need not comply with those regulations.

6.7.3 Enforcement of Siting Regulations

Every application for a building permit must show a recent B.C. Land Survey, location on the lot and all existing and proposed buildings, and structures unless the building inspector determines that the provision of such plan is not reasonably necessary to establish whether proposed buildings, and structures comply with the siting requirements of this Bylaw.

6.7.4 Conversion of Building Use

Buildings may be converted, altered, or remodelled for another use, provided that the converted building conforms to all the provisions and regulations prescribed for the Zone in which it is located, as well as any applicable provisions and regulations of the BC Building Code and Village of Telkwa Bylaws.

6.7.5 Landscape Plan

A landscape plan shall be included in all Development Permit applications.

Where a detailed landscape plan is required pursuant to this Bylaw, the plan shall contain, as a minimum, the following information:

1. Property address and legal description, north arrow, drawing scale, name of property owner/developer and name of design consultant where applicable;
2. Property lines, easements, rights-of-way, dimensions of the site, total area of the site, and total area of landscaping;
3. Approximate location and type of adjacent land uses;
4. Location of existing and proposed overhead and underground utilities, lighting, and irrigation systems, and corner sight triangles where applicable;
5. Location of all existing and proposed physical features including turf areas, trees, shrubs, planting beds, walls, fences, signage, site furnishings, and hard surfaces;
6. Existing and final grading including direction of site surface drainage;
7. Planting plan with species list indicating the quantity, size, common and botanical names of the plant material to be used;
8. A list of the type and quantity of site furnishings (benches, bicycle racks, etc.) to be used;
9. The location and manner in which waste containers, fuel tanks, postal kiosks, utility structures, exterior storage, and parking areas will be screened including the height and materials to be used for fencing, screens, and walls; and
10. Description of means of maintaining new landscaping during the establishment period (maintenance program).

6.7.6 Installation and Maintenance

Preservation of existing vegetation and installation of new landscape materials shall be done in accordance with the Village of Telkwa Landscape Standards. All efforts should be made to protect existing vegetation to be preserved and new landscape materials from damage during construction.

1. Maintenance operations shall be undertaken in accordance with the Village of Telkwa Landscape Standards and the approved maintenance program.
2. A maintenance program shall be developed in conjunction with the landscape plan for commercial, industrial, recreation/education, and multiple-residential zones. The maintenance program shall be approved by the Village of Telkwa prior to issuing the Development Permit.
3. The Village of Telkwa may require the preparation of maintenance records for landscape materials in commercial, industrial, recreation/education or multiple-residential zones in order to verify that warranty requirements have been satisfied in accordance with this bylaw.

6.7.7 Guaranteed Landscaping Security

1. The Village will require, as a condition of Development Permit approval, that the Owner provide a guaranteed security to ensure the landscaping is installed and maintained for two growing seasons. Only the following forms of security are acceptable:
2. Cash to a value equal to 100% of the established landscape installation; or
3. An irrevocable Letter of Credit having a value equivalent to 100% of the established landscape installation.
4. The projected cost of the landscaping shall be calculated by the Owner or the Owner's representative and shall be based on the information provided on the landscape plan. If, in the opinion of the Village, these projected costs are inadequate, the Village may establish an appropriate landscaping cost figure for the purposes of determining the value of the landscaping security.
5. If cash is offered as the landscaping security, it shall be held by the Village, without interest payable, until, by confirmation through inspection by the Village of Telkwa, the required landscaping has been installed. Ten percent of the landscaping security will be held until, by confirmation through inspection by the Manager of Development Services, the landscaping has been successfully maintained for two growing seasons.
6. If a Letter of Credit is offered as the landscaping security, it shall be in a form satisfactory to the Village of Telkwa. The initial term of the Letter of Credit shall be two years. The Letter of Credit shall be held by the Village until, by confirmation through inspection by the Village of Telkwa, the required landscaping has been installed. Ten percent of the landscaping security will be held until, by confirmation through inspection by the Village of Telkwa, the landscaping has been successfully maintained for two growing seasons.
7. Any Letter of Credit shall allow for partial draws by the Village if the landscaping is not completed in accordance with the approved landscape plan(s) within one growing season after completion of the development; or the landscaping is not well maintained and in a healthy condition two growing seasons after completion of the landscaping. The Village may draw on a cash security or a Letter of Credit and the amount thereof shall be paid to the Village for its use absolutely.
8. In the event that the Owner does not complete the required landscaping, or fails to maintain the landscaping in a healthy condition for the specified periods of time, and the cash or the proceeds from the Letter of Credit are insufficient for the Village to complete the required work, should it elect to do so, then the Owner shall pay such deficiency to the Village immediately upon being invoiced. The Village shall provide an accounting to the Owner indicating how the proceeds of the Letter of Credit were applied, within 60 days of completing or maintaining the landscaping.

6.7.8 Inspections

Upon receipt of a written request from the parties involved in the development, including, but not limited to, the Owner, condominium association, or the issuer of the Letter of Credit, an inspection of the finished landscaping shall be completed by the Village of Telkwa. Inspections shall be made during the normal growing season, between May 1 and September 30. The Village of Telkwa will perform the inspection within 20 working days of receipt of the inspection request.

Inspections by the Village of Telkwa shall, as a minimum, consist of an inspection following installation (installation inspection) and a final inspection at the end of the warranty period (warranty inspection). These inspections will include the following:

1. Determining whether the variety, size, quantity, location, and condition of plant materials and other landscape features and requirements correspond to those shown on the approved landscape plan(s);
2. Determining whether adequate means of watering plant material exists and that there is evidence that this has been done consistently; and
3. Determining whether the correct conditions for plant establishment and continued health are maintained for the warranty period outlined in this bylaw.

Following the installation inspection, the Village of Telkwa shall either issue a certificate certifying that the installation has been completed in accordance with the approved plans or notify the applicant in writing of the deficiencies.

Following the warranty inspection, the Village of Telkwa shall issue a certificate certifying that the warranty requirements have been fulfilled.

If all conditions have been fulfilled to the satisfaction of the Village of Telkwa, the Guaranteed Landscaping Security shall be released subject to the provisions of this bylaw.

6.8 Garden Suites

1. Garden suites shall be accessory to a single family dwelling.
2. No more than one garden suite or secondary suite shall be permitted as an accessory use to a one unit dwelling on any given site.
3. Basements are not permitted in garden suites.
4. One additional on-site parking space must be provided a garden suite.
5. The garden suite must be hooked up to the water and sewer service of the principle dwelling.
6. Other services (electrical, natural gas, cable, telephone) can be connected either to the services of the principle dwelling or be separate services.
7. Service cables including electrical, telephone and television will be buried underground if underground servicing is the normal practice in the neighborhood where the garden suite is located.
8. The location of a garden suite and the site grading must allow for proper drainage of the site.
9. Garden suites shall comply with all relevant requirements and standards of the British Columbia Building Code.

6.9 Prohibited Uses

Any use not expressly permitted in this Bylaw is prohibited in every Zone and where a particular use is expressly permitted in one Zone, such use is prohibited in every Zone where it is not also expressly permitted.

The following uses are prohibited in every Zone:

1. The disposal or storage of hazardous or toxic waste;
2. The occupancy of any trailer, recreational vehicle, camper, tent or other vehicle as a residence;
3. The storing of unlicensed vehicles or detached parts of such on a vacant lot.

6.9.1 Vehicle Storage

Except where specifically permitted, no lot may be used for:

1. The keeping of more than one motor vehicle, other than a farm vehicle or seasonal recreational vehicle which is not completely enclosed in a building or structure and which does not have attached or affixed in the manner prescribed by the *Motor Vehicle Act* Regulations:
 - a. Motor vehicle number plates for the current license year issued in respect of that vehicle; or
 - b. An interim vehicle license issued in respect of that vehicle pursuant to the *Motor Vehicle Act* Regulations; or
2. The keeping of detached parts of motor vehicles, unless the parts are completely enclosed in a permanent building.
3. No unlicensed vehicle of any type may be stored on a lot in a location in front of the front building line.
4. No vacant lot in any residential zone may be used for the keeping of unlicensed motor vehicles or vehicle parts.

6.10 Accessory Buildings and Structures

The following regulations apply to accessory buildings and structures located in every Zone:

1. An accessory building or structure may not be used for human habitation, except as otherwise provided for in this Bylaw.
2. Metal containers designed and constructed for shipping and nylon tents may not be placed on residential properties, and may not be used as an accessory building on residential property.

6.11 Temporary Buildings

Temporary buildings or structures may only be erected for offices for construction or marketing purposes for a period not to exceed the duration of such construction.

6.12 Secondary Suites

Secondary suites are permitted in single detached dwellings and are subject to the following conditions:

1. Secondary suites must have no more than two (2) bedrooms;
2. Secondary suites cannot co-exist on the same lot as Garden Suite;
3. A secondary suite shall comply with all relevant requirements and standards of the British Columbia Building Code.
4. One additional on-site parking space must be provided for a secondary suite.

6.13 Home-based Business

Home-based business may not alter the residential character of the properties on which the commercial activity takes place, and more specifically may not:

1. Cause or result in any variation or alteration in the external residential appearance of the land and premises in which it is carried on;
2. Emit excess emanation of noise, dust, odors, noxious fumes, or vibrations from the dwelling as well as no visible or audible interference in radio or television receivers and no fluctuations in voltage on the premises;
3. Incur deliveries requiring commercial trailers;
4. Create or cause any fire hazard, electrical interference; or
5. Cause an increase in traffic congestion or demand for on street parking beyond what would normally be associated with two visitors per hour to a residential premise during daytime hours and one visitor per hour during evening hours.
6. Home-based business must be conducted entirely within a dwelling or permitted accessory building except as otherwise specifically permitted in this Bylaw.
7. The operator of every Home-based business must obtain a Business License issued by the Village of Telkwa
8. The operator of every Home-based business must comply with all licensing, health and other application regulations of British Columbia and the Village of Telkwa.

9. In addition to the off-street parking spaces required for the dwelling, a Home-based business must provide at least one off-street parking space for patrons plus one space for a non-resident employee.

The following uses are prohibited for Home Based Businesses:

1. Orchestra or band training;
2. Restaurant;
3. Manufacturing, welding, or any other light industrial use;
4. The salvage or repair, or both, of motor vehicles;
5. Storage of motor vehicles;
6. Parking of Commercial Vehicles;
7. Adult entertainment or escort agency;
8. Business that requires the marshaling of vehicles such as taxi or limousine operation or courier service;
9. Retail or wholesale sale of goods except for goods manufactured or produced as part of a Home-based business.

6.14 Bed and Breakfasts

The following additional regulations apply to bed and breakfast home businesses:

1. Not more than six guests may be accommodated at any one time.
2. Not more than three bedrooms may be used to accommodate guests.
3. One additional off-street parking space must be provided for each bedroom used for bed and breakfast accommodation.
4. No rental of equipment or material is permitted except to registered guests.
5. A bed and breakfast home business must be conducted solely within a single family dwelling.

6.15 Waste Management Requirements

Notwithstanding the requirements of this bylaw, waste management practices for all zones must meet the following conditions:

1. All garbage and waste material not stored and located within the principal building shall be kept in an accessory building or animal proof enclosure;
2. All garbage and waste storage for multi-family residential, tourist accommodation commercial, industrial and institutional uses must include an animal proof enclosure, attached garage and /or accessory building for the purpose of storage for garbage and/or garbage receptacles;
3. All garbage and waste enclosures are viewed as an accessory structures and must adhere to applicable specifications for each zone;
4. All animal proof enclosures for storage of garbage and waste shall be visually screened from all adjacent sites and public thoroughfares;
5. All animal proof enclosures for storage of garbage and waste must adhere to designated setbacks in respective land-use zones; and

6. All garbage and waste management practices shall conform to the regulations in accordance with the *Village of Telkwa's Garbage Collection & Regulation Bylaw*.

6.16 Uses Permitted in Any Zone

Except where specifically excluded the following uses, buildings and structures are permitted in every Zone:

1. Uses, buildings and structures which are accessory to a principal permitted use, building, or structure on the same lot;
2. Underground electrical and telephone lines, fibre optics, and telephone exchange buildings for the distribution of service to Telkwa;
3. Pipelines, radio, television and transmission towers (except that transmission towers are not allowed within 150 m of any residential zones or school sites) and wires, traffic control devices, clock towers, and underground or submarine utility systems, the installations of which may be sited on any portion of a lot;
4. Public Works Yard;
5. Water supply facilities including reservoirs, treatment plants, pumping stations intake structures and supply lines;
6. Sewage treatment and collection facilities including treatment plants, sewage pumping stations, and sewer service lines;
7. Transportation rights-of-way established by one of the levels of government or a Crown corporation;
8. Parking;
9. Parks, playgrounds and playing fields, hiking and bicycling paths, horse riding trails and ecological reserves;
10. Public Use; and/or
11. Public Utility;
12. Community Garden.

6.17 Camping

1. No Person shall Camp on any Public Land
2. No Person shall use, occupy or park any Trailer or Vehicle on any Public Land for the purpose of Camping.
3. A Bylaw Enforcement Officer is hereby authorized to remove or cause to be removed to a place designated by the Village of Telkwa any camping equipment, Trailers, Tents, Vehicles or apparatus used in contravention of, or found in contravention of, this Bylaw.
4. Any camping equipment, Trailers, Tents, Vehicles, and apparatus removed pursuant to Section 6.17.3 shall be released to the owner or his authorized agent upon payment of any storage or removal costs incurred by the Village of Telkwa.
5. Temporary permits can be issues, solely, at the discretion of the Village of Telkwa

7.0 PART G – MAPS

7.1 Telkwa Zoning