**CITY OF SALMON ARM**

**BYLAW NO. 4656**

# A bylaw to amend “District of Salmon Arm Zoning Bylaw No. 2303”

 WHEREAS pursuant to the December of 2023 amendments of the Local Government Act [RSBC 2015] Chapter 1, Council of the City of Salmon Arm is legislated to require enabling a secondary suite or an accessory dwelling unit with a single family dwelling across all residential lands outside of the Urban Containment Boundary;

 AND WHEREAS as required by the Province of British Columbia, written submissions were accepted but no Public Hearing was held;

 NOW THEREFORE the Council of the City of Salmon Arm in open meeting assembled enacts as follows:

1. “District of Salmon Arm Zoning Bylaw No. 2303” is hereby amended as follows:
2. by replacing the “*Rural Detached Suite”* in section 2.2 with *“Rural Accessory Dwelling Unit”* defined as follows:

*Rural Accessory Dwelling Unit* means a *dwelling unit* in any Agricultural “A” Zone that consists of a Z240 mobile home, an A277 modular home or a site-built structure and shall not include a travel trailer, recreational vehicle or storage container.

A *Rural Accessory Dwelling Unit* on a parcel within the ALR is subject to the Agricultural Land Commission Act regulations, including floor area limitations.

1. by replacing section 34, the *A-1 Agricultural Zone*, with Schedule “A,” attached hereto and forming a part of this Bylaw;
2. by replacing section 35, the *A-2 Rural Holding Zone* with Schedule “B,” attached hereto and forming a part of this Bylaw;
3. by replacing section 36, the *A-3 Small Holding Zone* with Schedule “C,” attached hereto and forming a part of this Bylaw;

2. SEVERABILITY

If any part, section, sub-section, clause of this bylaw for any reason is held to be invalid by the decisions of a Court of competent jurisdiction, the invalid portion shall be severed and the decisions that it is invalid shall not affect the validity of the remaining portions of this bylaw.

3. ENACTMENT

Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto as amended, revised, consolidated or replaced from time to time.

4. EFFECTIVE DATE

This bylaw shall come into full force and effect upon adoption of same.

5. CITATION

 This bylaw may be cited as “**City of Salmon Arm Zoning Amendment Bylaw No. 4656”**

 READ A FIRST TIME THIS DAY OF 2024

 READ A SECOND TIME THIS DAY OF 2024

 READ A THIRD TIME THIS DAY OF 2024

 ADOPTED BY COUNCIL THIS DAY OF 2024

MAYOR

CORPORATE OFFICER

**Schedule “A”**

# SECTION 34 - A-1 - AGRICULTURE ZONE

**Purpose**

34.1 The A-1 *Zone* is intended to identify and preserve land with good agricultural or forestry potential. *Development* on land located in the A-1 *Zone* will respect the rural nature of the area.

**Regulations**

34.2 On a *parcel* *zoned* A-1, no *building* or *structure* shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations set out in the A-1 *Zone* or those regulations contained elsewhere in this Bylaw.

**Permitted Uses**

34.3 The following uses and no others are permitted in the A-1 *Zone*:

.1 *agriculture*;

.2 *single family dwelling;*

*.3 one secondary suite* or one *rural accessory dwelling unit* (refer to ALC Act and ALR Regulations);

.4 *bed and breakfast*, limited to three let rooms in the *principal dwelling*;

.5 *boarders*, limited to two;

*.6 equestrian facility;*

.7 *equestrian facility campsite;*

.8 *family childcare facility;*

.9 *group childcare;*

.10 *home occupation*;

.11 *intensive agriculture*;

.12silviculture;

.13 *outdoor recreation*;

.14 *kennel*;

.15 *accessory use*, including the retail sale of agricultural products produced on the *parcel*.

**Maximum Number of Dwelling Units**

34.4 The maximum number of *dwelling units* shall be two per *parcel* comprising of the *principal use dwelling* andone *secondary suite* or one *rural accessory dwelling unit*.

**Maximum Residential Floor Area**

34.5 The maximum *gross floor area* of the *principal use single family dwelling* with or without a *secondary suite* shall be no greater than 500 square metres (5,382 ft2) and of a *rural accessory dwelling unit* shall be no greater than 90 square metres (968 ft2).

 Refer to the ALR Regulation for maximum residential total floor area and how this is calculated for *parcels* in the ALR.

**Maximum Height of Residential *Buildings***

34.6 The maximum *height* of a residential *building* shall be 10 metres (32.8 feet).

**Maximum Height of Non-Residential Buildings**

34.7 The maximum *height* of accessory *buildings,* with or without a *rural accessory dwelling unit,* shall be 12 metres (39.4 feet).

**Minimum Parcel Size**

34.8 The minimum *parcel* size shall be 8 hectares (19.8 acres).

**Minimum Parcel Width**

34.9 The minimum *parcel* *width* shall be 150 metres (492.1 feet).

**Minimum Setback of Non-Agricultural Use Principal and Accessory Buildings**

34.10 The minimum *setback* of *principal* and accessory *buildings* intended to accommodate non-agricultural uses from the:

.1 *Front parcel line* shall be 6.0 metres (19.7 feet)

.2 *Rear parcel line* shall be 6.0 metres (19.7 feet)

.3 *Interior side parcel line* shall be 3.0 metres ( 9.8 feet)

.4 *Exterior side parcel line* shall be 6.0 metres (19.7 feet)

Refer to Section 4.9 for “Special Building Setbacks” which may apply.

**Minimum Setback of Rural Accessory Dwelling Unit**

34.11 The minimum *setback* of a *rural accessory dwelling unit* from all *parcel* lines shall be 6 metres (19.7 feet).

**Minimum Setback of Agricultural Use Buildings or Structures**

34.12 The minimum *setback* of *building*s and *structures* intended to accommodate agricultural uses from the:

.1 *Front parcel line* shall be 30.0 metres ( 98.4 feet)

.2 *Rear parcel line* shall be 15.0 metres ( 49.2 feet)

.3 *Interior side parcel line* shall be 15.0 metres ( 49.2 feet)

.4 *Exterior side parcel line* shall be 30.0 metres ( 98.4 feet)

.5 Any *single family dwelling* shall be 15.0 metres ( 49.2 feet)

.6 Any *watercourse* or body of water shall be 30.0 metres ( 98.4 feet)

Refer to “Pound and Animal Control Bylaw” for special setbacks which may apply.

**Minimum Setback of Kennels**

34.13 The minimum *setback* of *kennels* from all *parcel* lines shall be 30 metres (98.4 feet).

**Minimum Setback of Feed Lots**

34.14 The minimum *setback* of feed lots from:

.1 any *highway* right-of-way shall be 100.0 metres (328.1 feet)

.2 any *parcel* not *zoned* A-1 shall be 65.0 metres (213.3 feet)

**Sale of Agricultural Products**

34.15 The retail sale of agricultural products produced on the *parcel* is permitted provided the maximum *floor area* of the retail sale stand does not exceed 40 square metres (430.5 square feet).

**Parking**

34.16 Required off-street parking shall be as prescribed in Appendix I.

**Schedule “B”**

**SECTION 35 – A-2 – RURAL HOLDING ZONE**

**Purpose**

35.1 The A-2 *Zone* is intended to provide predominantly residential *parcels* and small-scale agriculture in a rural setting.

**Regulations**

35.2 On a *parcel* *zoned* A-2, no *building* or *structure* shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations set out in the A-2 *Zone* or those regulations contained elsewhere in this Bylaw.

**Permitted Uses**

35.3 The following uses and no others are permitted in the A-2 *Zone:*

.1 *agriculture*;

.2 *single family dwelling*;

.3 *one secondary suite* or one *rural accessory dwelling unit* (refer to ALC Act and ALR Regulations);

.4 *bed and breakfast*, limited to three let rooms;

.5 *boarders*, limited to two;

.6 *equestrian facility;*

*.*7 *equestrian facility campsite*

.8 *family childcare facility*;

.9 *group childcare;*

.10 *home occupation*;

.11 *kennel*;

.12 *outdoor recreation*;

.13 silviculture;

.14 *accessory use*, including the retail sale of agricultural products produced on the *parcel*.

**Maximum Number of Dwelling Units**

35.4 The maximum number of *dwelling units* shall be two per *parcel* comprising of the *principal use dwelling* andone *secondary suite* or one *rural accessory dwelling unit.*

**Maximum Residential Floor Area**

35.5 The maximum *gross floor area* of the *principal use single family dwelling* with or without a *secondary suite* shall be no greater than 500 square metres (5,382 ft2) and of a *rural accessory dwelling unit* shall be no greater than 90 square metres (968 ft2).

 Refer to the ALR Regulation for maximum residential total floor area and how this is calculated for *parcels* in the ALR.

**Maximum Height of Residential *Buildings***

35.6 The maximum *height* of a residential *building* shall be 10 metres (32.8 feet).

**Maximum Height of Non-Residential Buildings**

35.7 The maximum *height* of accessory *buildings,* with or without a *rural accessory dwelling unit,* shall be 12 metres (39.4 feet).

**Minimum Parcel Size**

35.8 The minimum *parcel* size shall be 4 hectares (9.9 acres).

**Minimum Parcel Width**

35.9 The minimum *parcel width* shall be 100 metres (328.1 feet).

**Minimum Setback of Non-Agricultural Use Principal and Accessory Buildings**

35.10 The minimum *setback* of *principal* and accessory *buildings* intended to accommodate non-agricultural uses from the:

.1 *Front parcel line* shall be 6.0 metres (19.7 feet)

.2 *Rear parcel line* shall be 6.0 metres (19.7 feet)

.3 *Interior side parcel line* shall be 3.0 metres ( 9.8 feet)

.4 *Exterior side parcel line* shall be 6.0 metres (19.7 feet)

Refer to Section 4.9 for “Special Building Setbacks” which may apply.

**Minimum Setback of Rural Accessory Dwelling Unit**

35.11 The minimum *setback* of a *rural accessory dwelling unit* from all *parcel* lines shall be 6 metres (19.7 feet).

**Minimum Setback of Agricultural Use Buildings or Structures**

35.12 The minimum *setback* of *buildings* and *structures* intended to accommodate agricultural uses from the:

.1 *Front parcel line* shall be 30.0 metres (98.4 feet)

.2 *Rear parcel line* shall be 15.0 metres (49.2 feet)

.3 *Interior side parcel line* shall be 15.0 metres (49.2 feet)

.4 *Exterior side parcel line* shall be 30.0 metres (98.4 feet)

.5 Any *single family dwelling* shall be 15.0 metres (49.2 feet)

.6 Any *watercourse* or body of water shall be 30.0 metres (98.4 feet)

Refer to “Pound and Animal Control Bylaw” for special setbacks which may apply.

**Minimum Setback of Kennels**

35.13 The minimum *setback* of *kennels* from all *parcel* lines shall be 30 metres (98.4 feet).

**Sale of Agricultural Products**

35.14 The retail sale of agricultural products produced on the *parcel* is permitted provided the maximum *floor area* of the retail sale stand is 40 square metres (430.5 square feet).

**Parking**

35.15 Required off-street parking shall be as prescribed in Appendix I.

**Schedule “C”**

# SECTION 36 - A-3 - SMALL HOLDING ZONE

**Purpose**

36.1 The A-3 *Zone* is intended to provide for the creation of two hectare *parcels* in areas specified in the *Official Community Plan* where further urbanization and servicing is not anticipated and where the Agricultural Land Commission (ALC has either excluded the area from the Agricultural Land Reserve or where the ALC has agreed to the A-3 Zoning).

**Regulations**

36.2 On a *parcel* *zoned* A-3, no *building* or *structure* shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations set out in the A-3 *Zone* or those regulations contained elsewhere in this Bylaw.

**Permitted Uses**

36.3 The following uses and no others are permitted in the A-3 *Zone*

.1 *agriculture*;

.2 *single family dwelling*;

.3 *one secondary suite* or one *rural accessory dwelling unit* (refer to ALC Act and ALR Regulations);

.4 *bed and breakfast*, limited to three let rooms;

.5 *boarders*, limited to two;

.6 *family childcare facility*;

.7 *group childcare;*

.8 *home occupation*;

.9 silviculture;

.10 *accessory use*, including the retail sale of agricultural products produced on the *parcel*.

**Maximum Number of Dwelling Units**

36.4 The maximum number of *dwelling units* shall be two per *parcel* comprising of the *principal use dwelling* andone *secondary suite* or one *rural accessory dwelling unit*.

**Maximum Residential Floor Area**

36.5 The maximum *gross floor area* of the *principal use single family dwelling* with or without a *secondary suite* shall be no greater than 500 square metres (5,382 ft2) and of a *rural accessory dwelling unit* shall be no greater than 90 square metres (968 ft2).

 Refer to the ALR Regulation for maximum residential total floor area and how this is calculated for *parcels* in the ALR.

**Maximum Height of Residential Buildings**

36.6 The maximum *height* of *a* residential *building* shall be 10 metres (32.8 feet).

**Maximum Height of Non-Residential Buildings**

36.7 The maximum *height* of accessory *buildings*, with or without a *rural accessory dwelling unit*, shall be 12 metres (39.4 feet).

**Minimum Parcel Size**

36.8 The minimum *parcel* size shall be 2 hectares (4.9 acres).

**Minimum Parcel Width**

36.9 The minimum *parcel width* shall be 50 metres (164.0 feet).

**Minimum Setback of Non-Agricultural Use Principal and Accessory Buildings**

36.10 The minimum *setback* of *principal* and accessory *buildings* intended to accommodate non-agricultural uses from all *parcel* lines shall be 6 metres (19.7 feet).

Refer to Section 4.9 for “Special Building Setbacks” which may apply.

**Minimum Setback of Agricultural Use Buildings or Structures**

36.11 The minimum *setback* of *buildings* and *structures* intended to accommodate agricultural uses from the:

.1 *Front parcel line* shall be 30.0 metres (98.4 feet)

.2 *Rear parcel line* shall be 15.0 metres (49.2 feet)

.3 *Interior side parcel line* shall be 15.0 metres (49.2 feet)

.4 *Exterior side parcel line* shall be 30.0 metres (98.4 feet)

.5 Any *single family dwelling* shall be 15.0 metres (49.2 feet)

.6 Any *watercourse* or body of water shall be 30.0 metres (98.4 feet)

Refer to “Pound and Animal Control Bylaw” for special setbacks which may apply.

**Sale of Agricultural Products**

36.12 The retail sale of agricultural products produced on the *parcel* is permitted provided the maximum *floor area* of the retail sale stand is 40 square metres (430.5 square feet).

**Parking**

36.13 Required off-street parking shall be as prescribed in Appendix I.