

### 3.4 Accessory Buildings

Accessory Buildings including Structures, Garages, Carports or any permanent Structure with a roof, are subject to the following regulations:

- .1 Except in Commercial and Industrial Zones, Shipping Containers are not permitted as an Accessory Building or use for more than 30 days in all zones, unless otherwise specifically permitted;
- .2 **Permitted Structures**
  - a. The following are permitted anywhere on a Parcel:
    - (i) Fences, in accordance with other regulations pertaining to fencing;
    - (ii) Retaining Walls, in accordance with other regulations pertaining to Retaining Walls;
    - (iii) trellises, pergolas, or similar Landscape Structures that do not have an impermeable roof;
    - (iv) Temporary children's play equipment;
  - b. An Accessory Building shall not be used as a Dwelling Unit unless it complies with this Bylaw (such as a Carriage House, Garden Suite or Employee Dwelling);
  - c. 1 bathroom with a toilet and sink is permitted in an Accessory Building, to a maximum of 3 m<sup>2</sup>.
  - d. Kitchen facilities are prohibited in Accessory Buildings.
- .3 **Principal Building**
  - a. unless otherwise specified, Accessory Buildings or Structures are permitted in each zone provided that the Principal Building has been constructed, or is in the process of being constructed, on the Parcel through an active Building permit;
  - b. all Structures connected by foundation, roofline or roof Structure to the Principal Building are deemed to be part of the Principal Building;
- .4 **Size and Parcel Coverage**

Accessory Buildings shall not exceed:

  - a. the area of the Principal Building; or
  - b. 15 % of the Parcel Area or a maximum of 100 m<sup>2</sup> on any Parcel less than 0.4 ha in size.

### 3.5 Accessory Uses

#### .1 **Bed & Breakfast Use**

Where permitted by this bylaw, a Bed & Breakfast:

- a. may be established within any Dwelling Unit where listed as a permitted use, provided the operator of the Bed & Breakfast establishment is the permanent occupant of the Principal Dwelling Unit located on the same Parcel;
- b. may accommodate up to 4 guestrooms on each Parcel;
- c. may include facilities within a Secondary Dwelling Unit, however the number of bedrooms in the Secondary Dwelling Unit is included when calculating the maximum number of guestrooms permitted.

#### .2 **Drive-Through Service Facilities**

- a. where Drive-Through Service facilities are installed, there shall be adequate queuing lanes provided on the Parcel to accommodate 6 Vehicles between the Parcel Line and the ordering station. These queuing spaces shall be exclusive of any other Off-Street Parking space and aisle requirements contained in this Bylaw.
- b. the Drive-Through Service facilities shall not be visible from the Highway or controlled access Highway. If the Drive-Through Service facilities are visible from the Highway or neighbouring Parcels, Screening or Fencing, a minimum of 1.2 m in Height, shall be required, and located so as to block the light from Vehicle headlights and the Drive-Through Service facility from reaching neighboring Parcels.
- c. Drive-Through Service facilities must provide for adequate refuse and recycling collection.

**.3 Employee Dwelling Unit**

- a. An Employee Dwelling Unit shall:
  - (i) be fully separated from the Commercial, Institutional or Industrial Use by walls, or floors;
  - (ii) have an entrance from the exterior of the Building which is separate from the entrance to the Commercial, Institutional or Industrial Use; and
  - (iii) not exceed 25 % of the Floor Area of Buildings on the Parcel.
- b. An Employee Dwelling Unit can accommodate:
  - (i) an employee alone; or
  - (ii) a Household; or
  - (iii) not more than 5 unrelated employees.

**.4 Family Day Care**

Where permitted by this bylaw, Family Day Care use:

- a. may be contained in a Principal, Accessory, or a combination of Principal and Accessory Buildings;
- b. shall be limited to 1 Day Care facility per Dwelling Unit, Accessory Building, or combination of;
- c. any permanent occupant of the Dwelling Unit may be engaged in the operation of a Family Day Care facility within that Dwelling Unit provided it is a permitted use;
- d. the business license holder shall be the permanent occupant of the Dwelling Unit located on the Parcel that contains the Family Day Care facility

**.5 Home Based Businesses**

Where permitted in this Bylaw all of the following conditions must be satisfied for the establishment and continued use of a Home Based Business:

- a. a person must not carry on the use unless the person holds a valid Business Licence issued under the provisions of this Bylaw and the Business Licence Bylaw;
- b. the use may generate no more than 4 Vehicles per hour between 8:00AM and 9:00PM;
- c. the use must be solely operated by the permanent occupant the Dwelling Unit and must not involve the employment of more than 1 full-time or 2 part-time employees on the Parcel;
- d. the use must be conducted entirely within 1 or more Buildings or Structures, except for Urban Agriculture;
- e. the maximum combined Floor Area of the Dwelling Unit and Accessory Buildings and Structures shall not exceed 50 m<sup>2</sup> for the purposes of operating a Home Based Business;
- f. the use must not involve the display or selling of goods, wares or merchandise as the primary Home Based Business but may involve the display and sale of a good, produce, wares or merchandise that is either produced on the Parcel, or is Accessory to the Home Based Business;
- g. no Outdoor Storage, unenclosed storage or Storage Facility use is permitted;
- h. no Vehicle, boat, or other machinery servicing or repair is permitted;
- i. the total display area of any outdoor advertising Sign is subject to the District of Sicamous Sign Bylaw;
- j. Home Based Business' must not discharge or emit the following across Parcel lines:
  - (i) odorous, toxic or noxious matter or vapours;
  - (ii) heat, glare, electrical interference or radiation;
  - (iii) recurring ground vibration;
  - (iv) noise levels exceeding forty-five (45) decibels.
- k. Off-Street Parking must be provided in accordance with Schedule D;
- l. no distillery use is permitted.

**.6 Secondary Dwelling Unit**

The following regulations shall apply in zones where a Secondary Dwelling Unit is a permitted use:

- a. Off-Street Parking shall be provided in accordance with Schedule D of this Bylaw;
- b. the Floor Area of a Secondary Dwelling Unit shall:

- (i) Not exceed 40 % of the Floor Area of the Principal Building on the Parcel on which the Secondary Dwelling Unit is located; and
- (ii) Have a minimum Floor Area of 33 m<sup>2</sup>;
- d. a Secondary Suite shall have a separate entrance from the outside;
- e. an Accessory Building containing a Coach House may be a maximum of 8 m in height where the Coach House is wholly or in part located on the Second Storey of the Accessory Building;
- f. a Secondary Dwelling Unit can not be subdivided from the Principal Dwelling Unit and shall be subject to a covenant.

## .7 Urban Agriculture

Agricultural uses are permitted in urban areas, on non-ALR Lands, subject to the following regulations:

### a. Impacts

Urban Agriculture uses and activities that produce or emit hazards, odour, dust, smoke, noise, effluent, light pollution, glare, or other noxious emissions that are detectable at the property boundary are prohibited.

### b. Greenhouses

- (i) on non-Agriculturally Zoned Land, Greenhouses are permitted to a maximum of 30 m<sup>2</sup> in Total Floor Area per Parcel;
- (ii) Greenhouses or Accessory Buildings and Structures associated with Urban Agriculture must conform to the applicable zoning requirements for accessory Buildings or Structures for the relevant zone. A Greenhouse is not included in the calculation of Parcel Coverage for Accessory Buildings or Structures;
- (iii) The height of Greenhouses, Accessory Buildings or Structures, and Agricultural Structures for food production purposes must not exceed 3.5 m;

### c. Sale of Agricultural Products

Where food is produced for the purpose of Commercial sale, trade, or distribution off site, or where no Dwelling Unit exists on the Parcel, Urban Agriculture must also comply with the following:

- (i) Secondary processing of food products produced on site is prohibited in Residential zones unless in conjunction with a licensed Home Based Business;
- (ii) No Outdoor Storage of related equipment and materials is permitted;

### d. Keeping of Animals

No animals, other than household pets and guard dogs, may be kept in any non-Agricultural zone other than Urban Hens and Urban Beekeeping as per the following regulations:

- (i) Keeping Urban Hens in areas outside the ALR is permitted in all zones provided no roosters are kept, hens are provided a coop, are not permitted to run at large outside the Parcel Lines, and there are no more than 4 hens per Parcel;
- (ii) coops must be:
  - .a no more than 10 m<sup>2</sup> in Floor Area;
  - .b no more than 2 m high;
  - .c situated in accordance with the Accessory Building Setback regulations;
  - .d no closer than 3 m from any door or window of any Dwelling Unit;
  - .e situated in a Rear Yard only;
  - .f located at Grade level; and
  - .g be constructed to prevent access by wildlife and other animals.
- (iii) Urban Beekeeping on Parcels not within the ALR and not zoned for Agriculture and Resource Management Use is permitted provided that:
  - .a no more than 2 beehives are kept on all Parcels under 1394 m<sup>2</sup> in area;

**.7 Storage of Fuel**

- a. No Parcel shall be used for the storage, warehousing, distribution or wholesale of any type of fuel or flammable or combustible liquids in tanks with a capacity in excess of 4546 litres, except for Parcels where the zone permits Bulk Fuel Depot, Marine Fueling Station, and Vehicle Service Station.
- b. No Parcel shall be used for the underground storage of fuels, solvents, chemicals, fertilizer, and petrochemical products. All uses that involve the storage of fuels, solvents, chemicals, fertilizer, and petrochemical products, except on Parcels zoned residential, must be carried out within double walled containers or on an impervious containment pad designed to contain and store the entire capacity of the storage container in the event that any leaching or spillage occurs.

**.8 Mobile Vending Unit**

Mobile Vendors are permitted to operate:

- a. with the required license from the District when located on public Land;
- b. in any zone that permits Mobile Vending Unit, or as approved through a Temporary Use Permit;

**.9 Short Term Rentals**

Where permitted by this bylaw, a Short Term Rental shall be subject to the following conditions:

- a. a person must not carry on business as a Short Term Rental operator unless the person holds a valid licence issued under the provisions of this bylaw and the Business Licence Bylaw;
- b. Off-Street Parking must be provided in accordance with Schedule D.
- c. Local Responsible Person
  - (i) a person may only operate a Short Term Rental in a premises, other than their permanent Dwelling Unit, if they designate a local responsible person who at all times that the Short Term Rental is operated, has access to the premises and authority to make decisions in relation to the premises and the rental agreement;
  - (ii) a person may only operate a Short Term Rental if they ensure that the name and contact information of the local responsible person is prominently displayed in the Short Term Rental premises when the Short Term Rental is operated;
  - (iii) the local responsible person must be able to attend at the Short Term Rental premises within 1 hour of being requested to do so;
- d. maximum occupancy shall be limited to two adults per bedroom.

**3.11 Renewable Energy****.1 Biomass**

Biomass fuelled boilers and process heaters shall be permitted in Industrial, Agricultural or Country Residential Zones, subject to the requirements for an Accessory Building or Structure in this Bylaw.

**.2 Solar Energy**

Solar energy devices are permitted in any zone, when:

- a. when attached to either a Principal or Accessory Building or Structure, the solar energy device does not extend beyond the outermost edge of the Building or Structure or the highest point of the roof or Structure; and
- b. when the solar energy device is a standalone Structure, it shall not be sited within the Front Yard and it shall meet the Side and Rear Yard siting requirements for the principal Building or Structure on the Parcel on which the solar device is located.

**.3 Wind Energy**

Wind driven energy systems shall be permitted in Agricultural or Country Residential Zones, subject to the requirements for an Accessory Building or Structure in this Bylaw.