

# CITY OF SALMON ARM

## BYLAW NO. 4653

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

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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 of small-scale multi-unit housing across serviced, primarily single family residential zoned lands within the Urban Containment Boundary;

AND WHEREAS as required by the Province of British Columbia 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:
  - a) by deleting the definition of “detached suite” in Section 2 and adding the following in alphabetic order:

*ACCESSORY DWELLING UNIT* means a *dwelling unit* constructed in accordance with the BC Building Code that is contained within an accessory *building* or a part of a *building*, that is accessory to a *principal use dwelling*, and shall not include a *mobile home*, *manufactured home*, travel trailer, recreational vehicle, or a storage container;
  - b) by replacing the definition of “duplex” in Section 2 with the following:

*DUPLEX* means any *building* divided into two *dwelling units* sharing at least one heated wall or floor, whether strata titled or one real estate entity;
  - c) by replacing the definition of “detached suite” in Section 2 with the following:

*SECONDARY SUITE* means a self-contained *dwelling unit* within but accessory to a *principal use single family dwelling* or *duplex* sharing at least one heated wall or floor; comprising of one real estate entity with shared utility services; having a separate entrance to the exterior or a shared space; and having an Occupancy Certificate attesting compliance to the BC Building Code.
  - d) by replacing the definition of “dwelling unit” in Section 2 with the following:

*DWELLING UNIT* means accommodation in a *building* providing interconnected spaces that include bedroom(s), bathroom(s), and one kitchen all intended for the permanent or long term domestic residential use of one *family*.

e) by adding the following to Section 2 in alphabetic order:

- *PERMEABLE SURFACE* means a porous material that enables stormwater to be absorbed and percolated into subsurface soils, such that it will not run-off, collect, or pool in the course of normal storm events.

f) by deleting the definition of “suite;”

g) by adding the following to Section 2 in alphabetic order:

*SHORT TERM RENTAL* means the rental of any *dwelling unit* or part thereof for periods of 29 days or less.

h) by replacing all references to “detached suite” with “accessory dwelling unit;”

i) by replacing Section 4.2 *Accessory Dwelling Unit* with the following:

**Accessory Dwelling Unit**

**4.2**

- .1 No accessory *building* or *structure* shall be used as a *dwelling unit* except for an approved *Accessory Dwelling Unit*.
- .2 An *Accessory Dwelling Unit* entrance shall be accessible via an unobstructed minimum 1.2 metre wide (4 feet) and 2.1 metre (7 feet) high illuminated, constructed pedestrian walkway from the public road and from the off-street parking space(s).
- .3 An *Accessory Dwelling Unit* address shall be identified and visible from the public road frontage.
- .4 An *Accessory Dwelling Unit* shall be oriented and appropriately screened with landscaping or solid fencing to provide privacy in relation to neighbouring properties.
- .5 An *Accessory Dwelling Unit* shall be appropriately serviced.
- .6 No *Accessory Dwelling Unit* shall be used for *short term rental* or *bed and breakfast*.
- .7 Subdivision and strata subdivision of an *Accessory Dwelling Unit* is prohibited.

- j) by adding the following as Section 4.14

**Permeable Lot Coverage**

4.14 For the purposes of this Bylaw and the calculation of minimum permeable lot coverage, measured horizontally, the following surfaces or finishes are not permeable:

- .1 buildings and roofed structures, with the exception of those with green roofs that reduce storm water discharge by more than 25% (by both rate and quantity);
- .2 asphalt, concrete, grouted pavers, and similar hard surfacing;
- .3 non-permeable artificial turf;
- .4 tongue in groove and vinyl or fibreglass decking;

And for clarity, structures designed to retain water such as swimming pools, reflecting pools and ornamental ponds, shall be considered permeable.

- k) by revising Section 5.1 to remove references to R1, R2 and R8 zones from Columns I and II;
- l) by adding to Section 5.1 R-10, under Column I, and Residential Zone, under Column II;
- m) by replacing Sections 6, 7 and 13 with Schedule "A," the R-10 - Residential Zone, attached hereto and forming a part of this Bylaw;
- n) revising Bylaw 2303 Scheduled Zoning Maps for all R-1, R-2 and R-8 Zone lands to become R-10 Zone;
- o) by revising the requirements for all forms of residential development stipulated on Column II of "Table A1-1 Required Off-street Parking Spaces" to 1 per dwelling unit.

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. 4653**”

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

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MAYOR

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CORPORATE OFFICER

**Schedule “A”****SECTION 6 – R-10 - RESIDENTIAL ZONE****Purpose**

- 6.1 The purpose of the R-10 Zone is to permit ground-oriented small scale residential use comprising of *single family dwellings* and *duplexes*, either with or without *secondary suites*, and detached *accessory dwelling units*, developed up to a maximum density that is based upon *parcel* area.

**Regulations**

- 6.2 On a *parcel zoned* R-10, no *building* or *structure* shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations set out in the R-10 Zone or those regulations contained elsewhere in this Bylaw.

**Permitted Uses**

- 6.3 The following uses and no others are permitted in the R-10 Zone:
- .1 *single family dwelling with or without secondary suite(s)*;
  - .2 *duplex with or without secondary suite(s)*;
  - .3 *accessory dwelling unit(s)* in compliance with s. 4.2 of this Bylaw;
  - .4 *accessory use*;
  - .5 *bed and breakfast* limited to two let rooms within a *principal single family dwelling only*;
  - .6 *boarders*, limited to a maximum of two;
  - .7 *family childcare facility* within a *principal single family dwelling only*;
  - .8 *group childcare* within a *principal single family dwelling only*;
  - .9 *home occupation*;

**Maximum Number of Buildings and Dwellings Units**

- 6.4 No more than two *dwelling units* are permitted on a *parcel* of area 4050 square metres (1 acre) or more, where the largest *building* is deemed the *principal building*; and
- No more than three *dwelling units* are permitted per *parcel* of area less than 280 square metres (3014 square feet), where the largest *building* is deemed the *principal building*; and
- No more than four *dwelling units* are permitted per *parcel* of area between 280 and 4050 square metres (3014 square feet and 1 acre), where the largest *building* is deemed the *principal building*.

**Maximum Height of Principal Building**

- 6.5 The maximum *height* of the *principal building* shall be 10.0 metres (32.8 feet).

**Maximum Height of Accessory Buildings**

- 6.6
- .1 The maximum *height* of an *accessory building* shall be 6.0 metres (19.7 feet).
  - .2 Subject to increased setbacks, the maximum *height* of an *accessory building* containing one or more *accessory dwelling units* shall be 7.5 metres (24.6 feet).

**Maximum Building Parcel Coverage**

- 6.7 The total maximum *parcel coverage* for all *buildings* shall be 45% of *parcel area*; whereby, within this cap, up to 20% of *parcel area* may comprise *accessory buildings* containing one or more *accessory dwelling units*; and up to 10% may comprise any and all other *accessory buildings*.

**Permeable Surface Parcel Coverage**

- 6.8 Water permeable surfaces, as regulated in Section 4 of this Bylaw, shall cover at minimum 40% of the *parcel area*.

**Minimum Parcel Area**

- 6.9 The minimum *parcel area* for the purposes of subdivision shall be 450 square metres (4,843.9 square feet).

**Minimum Parcel Width**

- 6.10 The minimum *parcel width* shall be 14 metres (45.9 feet).

**Minimum Setback of Principal Building**

- 6.11 The minimum *setback* of the *principal building* 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 1.5 metres (4.9 feet)
  - .4 *Exterior side parcel line* shall be 6.0 metres (19.7 feet)
  - .5 Notwithstanding the preceding a *principal building* on a corner *parcel* may be sited not less than 1.5 metres (4.9 feet) from the *rear parcel line* provided the combined total of the *rear* and *interior side yards* shall be not less than 6.0 metres (19.7 feet).
  - .6 Refer to Section 4.9 for "Special Building Setbacks" which may apply

**Minimum Setback of any Accessory Dwelling Unit**

- 6.12 The minimum *setback* of any building with one or more *accessory dwelling unit(s)* from the:
- .1 *Front parcel line* shall be 6.0 metres (19.7 feet)
  - .2 *Rear parcel line* shall be 3.0 metres (9.8 feet) where 6.0 metres or less in *height*
  - .3 *Rear parcel line* shall be 6.0 metres (9.8 feet) where 6.0 to 7.5 metres in *height*
  - .4 *Interior side parcel line* shall be 2.0 metres (6.5 feet) where 6.0 metres or less in *height*
  - .5 *Interior side parcel line* shall be 4.0 metres (6.5 feet) where 6.0 to 7.5 metres in *height*
  - .6 *Exterior side parcel line* shall be 6.0 metres (19.7 feet)
  - .7 *Parcel line* adjacent to a lane 1.2 metres (3.9 feet)
- 6.13 The minimum separation between buildings with dwelling units upon a parcel shall be 3.0 metres (9.8 feet).

**Minimum Setback of Accessory Buildings**

- 6.14 The minimum *setback* of *accessory buildings* from the:
- .1 *Front parcel line* shall be 6.0 metres (19.7 feet)
  - .2 *Rear parcel line* shall be 1.0 metre (3.3 feet)
  - .3 *Interior side parcel line* shall be 1.0 metre (3.3 feet)
  - .4 *Exterior side parcel line* shall be 6.0 metres (19.7 feet)
  - .5 Refer to "Pound and Animal Control Bylaw" for special setbacks which may apply.

**Parking**

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