TOWN OF CRESTON
ZONING
BYLAW NO. 1958, 2022



CRESTON VALLEY

TOWN of CRESTON

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Consolidated to October 27, 2026

INTRODUCTION – TOWN OF CRESTON ZONING BYLAW NO. 1958, 2021

A Bylaw to regulate the development and re-development of lands within the Town of Creston.

WHEREAS the Town of Creston has prepared an Official Community Plan pursuant to Section 472 of the *Local Government Act*;

AND WHEREAS the Town of Creston wishes to give effect to the Official Community Plan and otherwise implement development regulations and requirements, including through the adoption of Land Use regulations;

AND WHEREAS the Town of Creston has held a public hearing pursuant to Section 464 of the *Local Government Act* on the portions of this Bylaw to be enacted that require a public hearing, including pursuant to Part 14 of the *Local Government Act* and the *Community Charter;*

NOW THEREFORE the Council of the Town of Creston, in open meeting duly assembled, enacts as follows:

1.0 ADMINISTRATION

1.1 This Bylaw may be cited as "Zoning Bylaw No. 1958, 2022".

1.2 Bylaw No. 1123, being cited as "Zoning Bylaw No. 1123, 1989", and all its amendments are repealed, except Section 5.14 - Floodplain Provisions.

1.3 This Bylaw is applicable to all Land, Buildings, and other Structures including the surface of water within the boundaries of the Town of Creston.

1.4 An officer or employee of the Town authorized to administer this Bylaw may enter any Land, Building or Structure, including any place that is occupied as a private dwelling, to inspect and determine whether the regulations and requirements in this Bylaw are being met, and in the case of a private dwelling, may enter only in accordance with Section 16(5) of the *Community Charter.*

1.5 All dimensions and other measurements in this Bylaw are expressed in the metric system.

1.6 If any part, section, subsection, clause, sentence or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decisions must not affect the validity of the remaining portions of this Bylaw.

1.7 Penalty for violation of Bylaw

1.7.1 Any person who violates any of the provisions of this Bylaw or prevents, obstructs, or attempts to prevent or obstruct the authorized entry of an officer or employee of the Town authorized to administer this Bylaw, must be deemed to have violated the provisions of this Bylaw.

1.7.2 Every person who violates a provision of this Bylaw, or who consents, allows or permits an action to be done in violation of this Bylaw, or who neglects or refrains from doing anything required by a provision of this Bylaw, is guilty of an offense and is liable, upon summary conviction, to a fine not exceeding $10,000.

1.7.3 Each day during which a violation of this Bylaw is continued constitutes a new and separate offence.

2.0 DEFINITIONS

Accessory building:
means a permanent or temporary, non-residential ***Building*** or ***Structure*** customarily associated with and subordinate to the ***Principal building, Structure*** or use located on the same ***Lot*** upon which it is located.

Accessory dwelling unit:
means a room or set of rooms that:

i. has been designed as a separate ***Dwelling unit*** and has been established as a separate ***Dwelling unit*** by permit; and,
ii. is an ***Accessory use*** to the ***Lot's Principal building, Structure***, and use.
iii. Where both the ***Principal building*** and ***Accessory dwelling unit*** constitute a single real estate entity. **BL#1986**

Attached accessory dwelling unit:
means an ***Accessory dwelling unit*** that is attached to or located within the ***Lot's Principal building,*** but does not include ***Duplex*** dwellings.

Detached accessory dwelling unit:
means an ***Accessory dwelling unit*** that is unattached to the ***Lot's Principal building***. May include a ***Garden suite*** or ***Carriage suite***.

Accessory use:
means a permitted non-***Principal use*** that is customarily associated with and subordinate to the existing permitted ***Principal use.***

Agriculture:
means Farm Use as defined in the *Agricultural Land Commission Act of BC*, as amended from time to time.

Agri-tourism accommodation:
is as defined in the Agricultural Land Reserve Use Regulation of BC, as amended from time to time.

Animal service:
means any supervisory, physical or health care provided to domestic pets and farm animals, including veterinary clinics, animal hospitals and ***Kennels***.

Apartment dwelling:
means a ***Building*** designed for residential use that is divided into three (3) or more ***Dwelling units***, with a shared or common ***Building*** entrance, each of which is occupied or intended to be occupied as a permanent residence of one ***Family***.

Assembly use:
means the use of a ***Lot, Building*** or ***Structure*** or portion thereof, dedicated to the gathering of persons for religious, educational, entertainment, philanthropic, or cultural purposes and includes, but is not limited to, churches, libraries, auditoriums, youth centres, halls, schools, and ***Senior citizen facilities***.

Auction sales:
means land, ***Buildings*** and ***Structures*** used for the storage and sale of goods by auction.

Bed and breakfast:
means a ***Home occupation*** conducted within a principal ***Dwelling unit*** or ***Accessory dwelling unit,*** by the residents of the principal ***Dwelling unit***, which provides sleeping accommodations to the traveling public, for periods less than or equal to thirty (30) days, and includes the provision of a morning meal for those persons using the sleeping accommodations.

Boarding, rooming or lodging home:
means a residential ***Building***, and specifically excludes hotels or motels, or other ***Tourist accommodation or services,*** containing two (2) or more sleeping rooms for the accommodation of boarders with meals, for periods greater than thirty (30) days. The preparation of meals within the rented units is prohibited. **BL#1986**

Building services:
means the use of a ***Lot*** or ***Building*** for sales, repair, storage, or offices in association with a ***Building services*** business including plumbing, electrical, heating, cooling, carpentry, and lighting.

Building:
means a roofed ***Structure*** with solid exterior walls which is used or intended to be used as shelter for persons, animals, equipment, or goods and services.

Building Official:
means a person appointed from time to time by Council as Building Official for the Town of Creston or that appointed person's designate.

Business or professional office:
means a financial, professional, management, administrative, clerical, or consulting service, but excludes ***Health and medical services***, veterinary services, the sale, rental, servicing or repair of goods, and the manufacture or processing of a product.

Campground:
means the provision of land for accommodating the travelling public who provide their own shelter (i.e. tent or ***Recreational vehicle***).

Cannabis:
is as defined in the *Cannabis Act of Canada* as amended from time to time, and includes any ***Cannabis product***.

Cannabis analytical testing:
means the authorized production and creation of ***Cannabis products*** for the purpose of testing, and associated activities as lawfully permitted and authorized under the *Cannabis Act of Canada* and regulations enacted thereunder and amended from time to time, including the Cannabis Regulations and the ***Town's*** Bylaws.

Cannabis buffer area:
means the area surrounding certain properties within the Town of Creston where certain ***Cannabis*** related uses are not permitted, as defined by Schedule B - Cannabis Buffer Areas Map.

Cannabis cultivation, micro:
means the authorized small-scale growing of ***Cannabis*** plants and harvesting material from those plants and ancillary activities as lawfully permitted and authorized under the *Cannabis Act of Canada*, and regulations enacted thereunder and amended from time to time, including the Cannabis Regulations and the ***Town's*** Bylaws.

Cannabis cultivation, standard:
means the authorized growing of ***Cannabis*** plants and harvesting material from those plants and ancillary activities as lawfully permitted and authorized under the *Cannabis Act of Canada,* and regulations enacted thereunder and amended from time to time, including the Cannabis Regulations and the ***Town's*** Bylaws.

Cannabis nursery:
means the authorized growing of ***Cannabis*** plants to produce the starting material (seed and seedlings) and ancillary activities as lawfully permitted and authorized under the *Cannabis Act of Canada*, and regulations enacted thereunder and amended from time to time, including the Cannabis Regulations and the ***Town's*** Bylaws.

Cannabis operation:
means ***Cannabis analytical testing; Cannabis cultivation, micro; Cannabis cultivation, standard; Cannabis processing, micro; Cannabis processing, standard; Cannabis nursery; Cannabis research;*** or, ***Medical marihauna production facility,*** as defined by this Bylaw. Does not include a ***Cannabis retail store*** or ***Retail medical cannabis sales***.

Cannabis processing, micro:
means the authorized small-scale manufacturing, packaging and labelling of ***Cannabis products*** destined for sale to customers and intra-industry sales of those products, including to provincially authorized distributors, as well as ancillary activities as lawfully permitted and authorized under the *Cannabis Act of Canada*, and regulations enacted thereunder and amended from time to time, including the Cannabis Regulations and the ***Town's*** Bylaws.

Cannabis processing, standard:
means the authorized manufacturing, packaging and labelling of ***Cannabis products*** destined for sale to customers and intra-industry sales of those products, including to provincially authorized distributors, as well as ancillary activities as lawfully permitted and authorized under the *Cannabis Act of Canada*, and regulations enacted thereunder and amended from time to time, including the Cannabis Regulations and the ***Town's*** Bylaws.

Cannabis product:
is as defined in the Cannabis Regulations of Canada as amended from time to time.

Cannabis research:
means the authorized production of ***Cannabis*** for research purposes and authorized and ancillary activities as lawfully permitted and authorized under the *Cannabis Act of Canada*, and regulations enacted thereunder and amended from time to time, including the Cannabis Regulations and the ***Town's*** Bylaws.

Cannabis retail store:
means a premises where the retail sale of ***Cannabis*** is permitted and authorized by possession of a ***Retail***

cannabis licence issued by the Liquor and Cannabis Regulation Branch of British Columbia.

Carriage suite:
means a ***Detached accessory dwelling unit*** located above an ***Accessory building***.

Childcare facility:
means a facility providing group childcare, family childcare, child minding, out-of-school care, or specialized childcare in accordance with the provisions of the *Community Care and Assisted Living Act*, as amended from time to time, or any subsequent Act or Acts which may be enacted in substitution therefor.
BL #2023

Community care facility:
means the use of a premises operated as a *Community care facility* by a licensee under the *Community Care and Assisted Living Act (British Columbia)*, as amended from time to time, to provide care to three (3) or more persons not related by blood or marriage to the licensee or, if the licensee is a corporation, to any director, officer or member of the corporation.

Community use:
means the use of a ***Building, Structure*** or ***Lot***, or portion thereof, as a place of gathering, recreation or social activity, and is generally open to the public and designed to accommodate and serve significant segments of the community.

Crop-based agriculture:
means farming of plants or mushrooms including vineyards, orchards, berries, vegetables, and field crops, but specifically excluding the keeping of farm animals.

Custom indoor manufacturing:
means small scale, on-site, indoor production of goods by hand, primarily involving the use of hand tools. Typical uses include toy and instrument manufacturing, specialty food and beverage products, artist studios, pottery studios, woodworking, textiles, prototypes and product design, or innovation and incubation spaces. May include accessory retail sales, educational programming and product sampling, but excludes ***Cannabis products***.

Dark sky compliant lighting:
means lighting designed in accordance with the guidelines of the International Dark-Sky Association, including the use of warmer colour lights and avoidance of light pollution.

Duplex dwelling:
means a detached ***Building*** divided into two (2) ***Dwelling units***, each of which is occupied or intended to be occupied as the permanent residence of one (1) ***Family,*** and each of which constitutes a separate real estate entity.

Dwelling:
means a ***Building*** used or intended for use as a ***Dwelling unit*** or units for one (1) or more ***Families***.

Dwelling unit:
means one (1) or more rooms used or intended for residential use by one (1) or more individuals, with cooking, living, sleeping, and sanitary facilities, and specifically excludes ***Tourist accommodation or services***. **BL#1977**

Family:
means one (1) person or a group of persons who through marriage, blood relationship or other circumstances normally live together.

Fence:
means a physical barrier formed by a wooden, metal, louver, masonry, lattice, or similar materials, or a combination thereof enclosing, bordering, or dividing a parcel of land. **BL#1986**

Food and beverage service – food primary:
means establishments chiefly engaged in preparing meals, snacks and beverages, to customer order, for immediate consumption on and off the premises.

Food and beverage service – liquor primary:
means licensed establishments chiefly engaged in selling alcoholic beverages, to customer order, for immediate consumption on the premises, with or without a secondary focus of preparing meals and snacks, to customer order, for immediate consumption on and off the premises, including a pub, tavern, cocktail bar, and wine bar.

Food processing, storage and sales:
means a facility in which raw farm products are combined with other consumable ingredients to produce marketable products for consumption that can be easily prepared and served by the consumer, and where raw farm products may be warehoused

prior to being sold either directly to consumers or for wholesale, and the selling of raw farm products either directly to consumers or for wholesale.

Frontage:
means the length of the ***Front lot line***. For the purposes of the Bylaw, where a ***Front lot line*** abuts a cul-de-sac or bulb, the ***Frontage*** shall be measured at the ***Front setback***.

Garden suite:
means a single ***Storey, Detached accessory dwelling unit*** which is not located above or adjacent to an ***Accessory building***. **BL#1986**

Gas station:
means a facility for the commercial selling of fuel for vehicles including petroleum products, propane and electricity; includes vehicle washing.

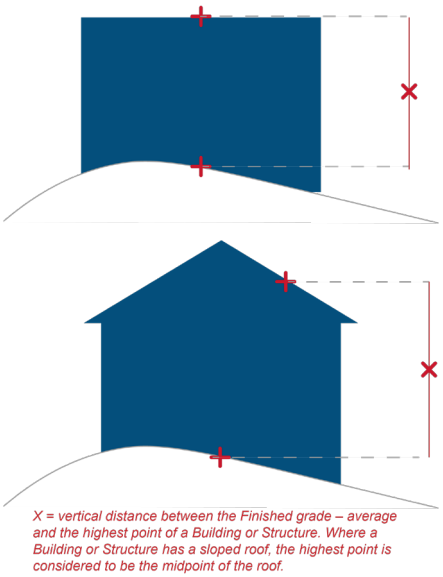
Gross floor area:
means the total floor area of all ***Storeys*** contained within a ***Building*** measured to the external face of the exterior walls and excluding the roof.

Health and medical services:
means physical or mental health care provided on an out-patient basis. Services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counselling nature.

Heavy manufacturing:
means the creating, fabricating, processing, production, assembly, or packaging of materials, goods, or products and their distribution, which may generate a detrimental impact, potential health or safety hazard, or nuisance beyond the boundary of the ***Lot***, and may include supplementary warehouse and staging facilities.

Height:
means the vertical distance between the ***Finished grade – average*** and the highest point of a ***Building*** or ***Structure***. Where a ***Building*** or ***Structure*** has a sloped roof, the midpoint of the roof is considered the highest point (see *Fig. 2.1*).

Finished grade: means the grade on a ***Lot*** after construction, taking into account any proposed changes to natural grade including any addition of fill or removal of soil, but excluding localized depressions.



BL #2007

Fig. 2.1: Height

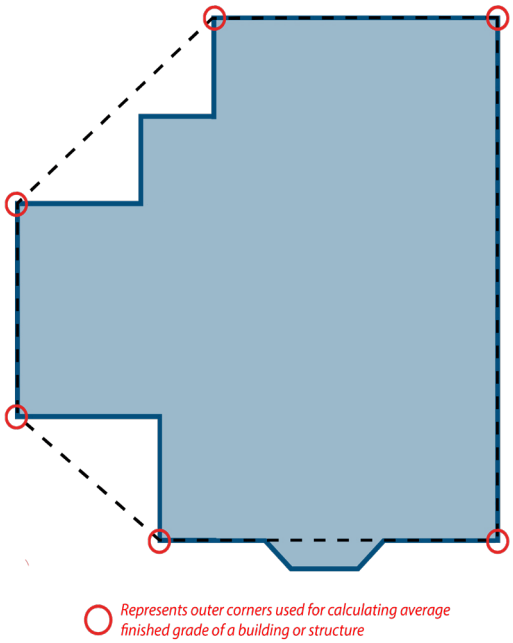


Fig. 2.2: Finished grade - average

Finished grade – average: means the average elevation of the ***Finished grade*** around the perimeter of a ***Building*** or ***Structure***, measured at all major outer exterior corners of the ***Building***. The ***Height*** of a ***Rowhouse*** or ***Townhouse*** shall be measured from the highest point of each unit to the finished grade - average of each unit (see *Fig. 2.2*). **BL #2007**

Home occupation:
means an occupation or profession carried out in a ***Dwelling unit***, or a ***Building*** accessory to a ***Dwelling unit***, by a permanent resident of the ***Dwelling unit***.

Hen:
means a female chicken. **BL #1961**

Indoor recreation or entertainment:
means the use of ***Buildings*** or ***Structures***, for recreation, amusement or entertainment, and includes billiard halls, bowling alleys, arcades, fitness centres, sport facilities, theatres, cinemas, auditoria, concert halls, art galleries, and studios.

Institutional:
means ***Community use***.

Kennel:
means the use of a ***Lot*** on which three (3) or more dogs or cats are trained, bred or boarded, either for remuneration or for the purpose of sale, as part of a commercial business.

Light manufacturing:
means the creating, fabricating, processing, production, assembly, or packaging of materials, goods or products and their distribution, which does not generate any detrimental impact, potential health or safety hazard or nuisance factors beyond the boundary of the ***Lot***.

Liquor manufacturing, major:
means the manufacturing of alcoholic beverages or alcohol products with alcohol content exceeding one (1) percent by volume. This product must be licenced under the *Liquor Control and Licensing Act,* as amended from time to time.

Liquor manufacturing, minor:
means the manufacturing of alcoholic beverages or alcohol products with alcohol content exceeding one (1) percent by volume. This product must be licenced under the *Liquor Control and Licensing Act,* as amended from time to time. All processes, functions and mechanical equipment associated with the use must be contained indoors. The total area for production must be limited to a maximum ***Gross floor area*** of 464.0 sq. m.

Lot:
means an area of land, designated and registered at the Land Title Office as not more than one (1) parcel of land, and if a parcel of land is divided by a highway or another lot, each division thereof constituting a single area of land shall be deemed to be a separate lot, and includes a strata lot in a bare land strata plan but does not include any other strata lot or an air space parcel.

Lot coverage:
means the horizontal area of all ***Buildings, Structures*** and outdoor covered areas on a ***Lot***, expressed as a percentage of the ***Lot*** area.

Lot line:
means the boundary of a ***Lot***.

Front lot line:
means:
1. a ***Lot line*** marking the boundary between a ***Lot*** and a ***Public street*** on which it abuts;
2. where a ***Lot*** has ***Lot lines*** abutting two (2) or more intersecting ***Public streets***, the shortest ***Lot line*** is deemed to be the ***Front lot line***;
3. where a ***Lot*** abuts two (2) parallel or nearly parallel ***Public streets***, and access is possible from each, the ***Front lot line*** shall be the ***Lot line*** common to the civic address of the ***Lot;***
4. where a ***Lot*** abuts two (2) parallel or nearly parallel ***Public streets***, and access is only possible or permitted from one, the ***Lot line*** abutting the street from which access is possible and permitted is deemed to be the ***Front lot line***;
5. where there is no abutting ***Public street***, the ***Lot line*** abutting the ***Public lane*** is deemed to be the ***Front lot line***; or,
6. where a ***Lot*** is a ***Panhandle lot***, the ***Front lot line*** is the ***Lot line*** marking the boundary between the ***Lot*** and the ***Public street*** on which it abuts, and also includes the ***Lot line*** located closest to the ***Public street*** that also serves as the ***Rear lot line*** of the ***Lot*** in front of it.

Rear lot line:
means:
1. a ***Lot line***, or ***Lot lines***, opposite to and not intersecting the ***Front lot line***; or,
2. where a ***Lot*** has three (3) ***Lot lines*** (i.e. a triangular ***Lot***), the point at which the two (2) side ***Lot lines*** intersect, is deemed to be the ***Rear lot line***.

Interior side lot line:
means a ***Lot line***, that is not a ***Rear lot line***, that marks the boundary between two (2) ***Lots***.

Exterior side lot line:
means a ***Lot line***, that is not a ***Front*** or ***Rear lot line***, that marks the boundary between a ***Lot*** and a ***Public street*** or ***Public lane***.

Market garden:
means a garden from which produce will be sold at a farmers' market or other venue, including a temporary seasonal front yard stand which does not exceed 5.0 sq. m. in area.

Manufactured home:
means a single-wide or double-wide home, constructed in a factory to CSA Z240MH standards, transported on its own chassis and placed on a permanent foundation complying with the BC Building Code, or on a temporary foundation complying with "CSA Z240.10.1 Site Preparation, Foundation, and Anchoring of Manufactured Homes".

Manufacture home space:
means an area of land used or intended to be used for the installation of one (1) ***Manufactured home***.

Medical marihuana production facility:
means the use of ***Buildings*** or other ***Structures*** for the purpose of growing, processing, packaging, testing, destroying, storing or shipping of marihuana for medical purposes as lawfully permitted and authorized under the Access to Cannabis for Medical Purposes Regulations of Canada, *Cannabis Act of Canada* and any regulations thereunder, and as amended from time to time, and the ***Town's*** Bylaws.

Mixed-use:
Means the combination of one (1) or more ***Dwelling units*** and one (1) or more non-residential permitted uses contained within the same building, where the residential use is located above or behind the non-residential use. Where mixed-use occurs in the Commercial - Neighbourhood Zone, the residential may be located above, behind, or below the non-residential use. **BL#1980**

Mobile food vendor:
means an independently operated vehicle or mobile food apparatus that does not require a building permit, for the purpose of providing prepared food or beverages, in an outdoor setting to passers by.

Mobile home:
means a ***Manufactured home***.

Mobile retail vendor:
means an independently operated vehicle or mobile vending apparatus that does not require a building permit, for the purpose of retailing goods in an outdoor setting to passers by.

Modular home:
means a home constructed in a factory to CSA A277 standards, complying with the BC Building Code, transported to a building site on a flat-deck trailer and placed on a permanent foundation. For the purposes of this bylaw, a ***Modular home*** is considered a ***Single family dwelling.*** **BL#1986**

Multi-family dwelling:
means a ***Building*** consisting of three (3) or more ***Dwelling units***, each of which has an individual entrance to the outdoors and each of which is occupied or intended to be occupied as the permanent residence of one (1) ***Family***. This includes ***Townhouses, Rowhouses***, triplexes, and fourplexes.

Neighbourhood grocery store:
The use of a premises in a residential neighbourhood for the primary purpose of selling groceries and convenience goods, and may include selling and serving prepared food and beverages for consumption on or off the premises, but does not include the sale of beer, wine, spirits, or other products that are intended for human consumption, containing more than one (1) percent alcohol by volume.

Off-street loading area:
means an area designed for the loading and unloading of goods from motor vehicles located on the same ***Lot*** as the ***Building, Structure*** or use that requires an ***Off-street loading area***.

Off-street loading space:
means a space within an ***Off-street loading area*** for the loading and unloading of goods from motor vehicles, excluding driveways, ramps, columns, offices, and work areas.

Off-street parking area:

means an area designed for the parking of motor vehicles within, beneath, adjacent to, or separate from a ***Building*** located on the same ***Lot*** as the ***Building, Structure*** or use that requires an ***Off-street parking area*** and may include, but is not limited to, garages, driveways, parking pads, surface parking lots.

Off-street parking space:
means a space within an ***Off-street parking area*** for the parking of one vehicle, excluding driveways, ramps, columns, offices, and work areas.

Outdoor recreation or entertainment:
means ***Buildings, Structures*** or ***Lot*** that are available to the public for sports and active recreation, or entertainment, conducted outdoors. Typical uses include sports fields, outdoor tennis courts, athletic fields, bowling greens, horseshoe pits, skateboard parks, playgrounds, volleyball courts, outdoor concert venues, and includes ***Accessory uses*** such as park maintenance, washrooms and service facilities.

Panhandle lot:
means a Lot which includes a strip of land, or panhandle, with a width less than the Minimum ***Lot Frontage*** specified for the ***Zone***, to provide principal vehicle access from a street to the developable area of a Lot (see Fig. 2.3). **BL#1986**

Personal property:
means material goods owned, used and maintained by an individual, or individuals, and does not include merchandise which was obtained on consignment.

Personal services:
means the provision of personal goods or services to persons involving the health, beauty or grooming of a person. Such services include, but are not limited to, barber shops, beauty salons, tailor shops, laundry, dry cleaning, tattoo parlour, piercing parlour, watch repair, and shoe repair shops.

Pocket Neighbourhood:
means a residential development with a minimum of three (3) small footprint ***Dwelling Units***, each with a maximum ***Gross Floor Area*** of 112 sq. m., where the ***Dwellings*** are clustered around a shared outdoor common space.

Principal building:
means one (1) or more ***Building(s)*** which occupy the major or central portion of a ***Lot***, is the chief or main ***Building(s)*** on a ***Lot***, or constitutes the primary purpose for which the ***Lot*** is used.

Principal residence:
means the ***Dwelling unit*** in which a person usually lives and conducts daily affairs. A person can only have one ***Principal residence.*** **BL#1977**

Principal use:
means the primary purpose for which land, ***Buildings*** or ***Structures*** are used.

Printing or publishing:
means the publishing, printing or binding of newspapers, magazines, periodicals, books, almanacs, maps, guidelines, pamphlets, flyers, signs, or similar matter.

Provincial highway:
means Highway 3, Highway 3A, Highway 21, or Erickson Road, for the purposes of this Bylaw.

Public lane:
means a public lane, alley or other thoroughfare which affords a secondary means of vehicular access to a ***Lot***, at the side or rear, and is governed by the rules and regulations of the Town of Creston or the Province of British Columbia.

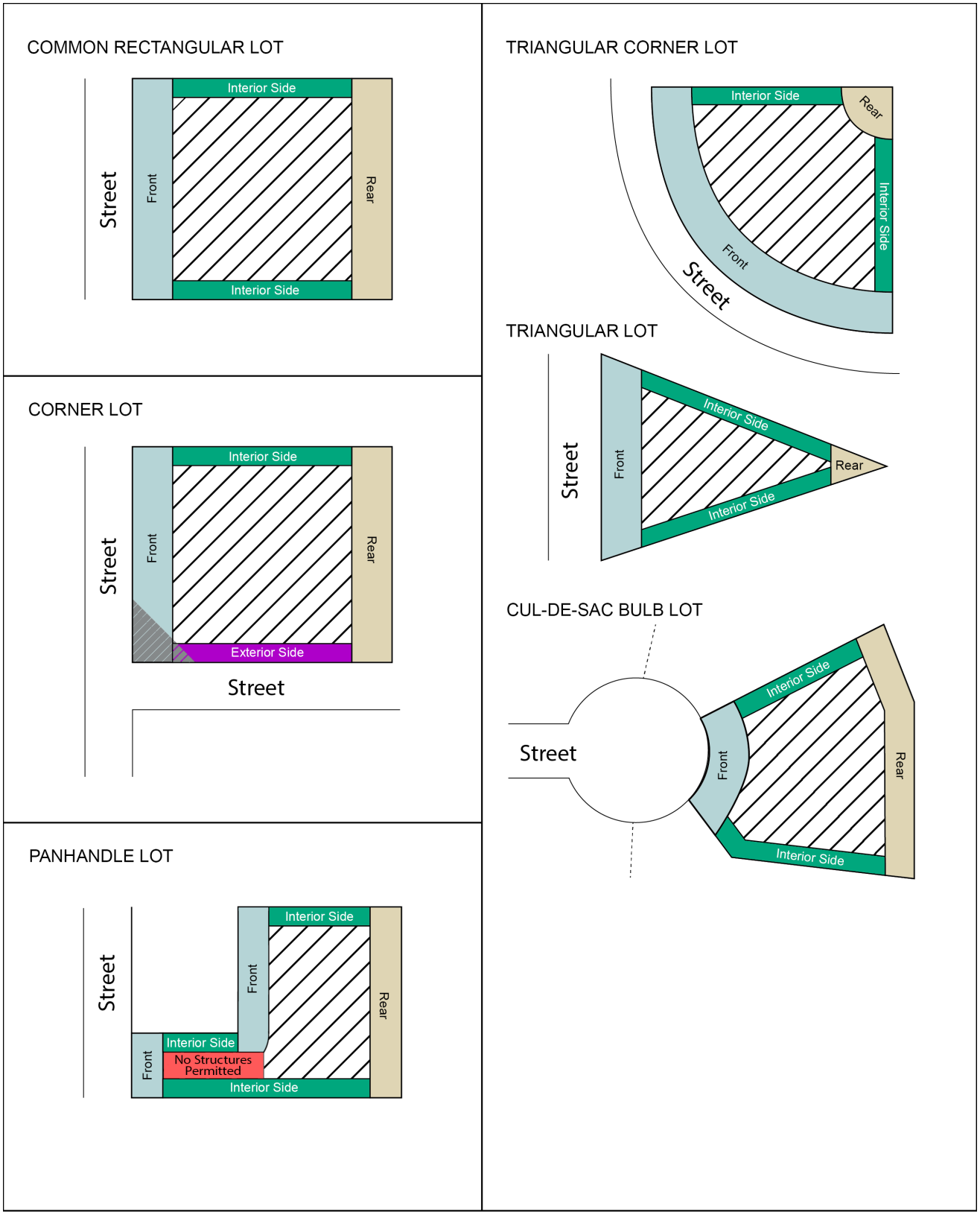
Public street:
means a ***Public street, Provincial highway*** or other thoroughfare intended for vehicular use and governed by the rules and regulations of the Town of Creston or the Province of British of Columbia.

Public service use:
means a system, work, ***Building***, plant, or equipment owned or operated by a government, a government agency or by a company regulated by a government commission for the essential provision of water, sewer, drainage, natural gas, electricity, fire and emergency services, or communication services.

Recreational vehicle:
means a vehicle intended as temporary accommodation for travel, vacation or recreational use and includes travel trailers, motor homes, slide-in campers, chassis-mounted campers, and tent trailers.

Retail cannabis licence:
means a licence issued by the Liquor and Cannabis Regulation Branch of British Columbia, to a person, business or government as lawfully permitted and

Fig. 2.3: Lot types and Setback locations



authorized under the *Cannabis Act of Canada* and regulations enacted thereunder and as amended from time to time, including the *Cannabis Act of Canada,* and the *Cannabis Control and Licensing Act of British Columbia* and *Cannabis Distribution Act of British Columbia* and the respective regulations thereunder as enacted, and as amended from time to time, and which complies with a business license issued under the ***Town's*** Business Licence and all other ***Town*** Bylaws.

Retail medical cannabis sales:
means the sale of ***Cannabis products*** by a person, business or government in possession of a licence for sale for medical purposes permitted and authorized under the *Cannabis Act of Canada* and regulations enacted thereunder, and as amended from time to time, and which complies with a business license issued under the ***Town's*** Business Licence and all other ***Town*** Bylaws.

Retail:
means the use of a ***Building*** to sell or rent merchandise to a consumer who buys or rents the merchandise for personal consumption or use and not for further sale or rent. Includes storage of limited quantities of merchandise, but does not include ***Cannabis retail stores***.

Rowhouse:
means a ***Multi-family dwelling*** consisting of three (3) or more attached side-by-side ***Dwelling units*** configured in a row, connected by common sidewalls, with none of the dwellings placed over another dwelling in whole or in part.

Screen:
means a visual barrier formed by a ***Fence,*** hedge, trellis, or combination thereof. **BL#1986**

Secondary suite:
means an ***Attached accessory dwelling unit***, which must be contained within the ***Lot's Principal building.***

Senior citizen facility:
means a ***Building*** providing the short or long-term care of elderly people which may include the provision of meals or nursing care and supervision, and includes rest homes, assisted living, activity centres, and congregate care facilities.

Setback:
means the minimum distance between a ***Structure***, or permitted use, or other features, and a specified ***Lot line***.

Front setback:
means the minimum distance between a ***Structure***, or permitted use and the ***Front lot line***.

Rear setback:
means the minimum distance between a ***Structure***, or permitted use and the ***Rear lot line***.

Interior side setback:
means the minimum distance between a ***Structure***, or permitted use and the ***Interior side lot line***.

Exterior side setback:
means the minimum distance between a ***Structure***, or permitted use and the ***Exterior side lot line***.

Shipping container:
means a prefabricated container designed, constructed and used for the transportation of goods by rail, ship or truck, whether or not it is intended to be used for this purpose.

Short term rental:
means the rental of a ***Dwelling unit,*** or portion thereof, to short-term paying guests for periods not exceeding thirty (30) days.

Single family dwelling:
means a detached ***Building*** consisting of one (1) ***Dwelling unit*** which is occupied, or intended to be occupied, as the permanent residence of one (1) ***Family,*** including a ***Modular home,*** but specifically excluding a ***Manufactured home*** or ***Recreational vehicle***.

Social services:
means the provision of information, referrals, counselling, advocacy, services, dispensing aid in the nature of food or clothing, or providing drop-in activity space.

Storey:
means the portion of a ***Building*** which lies between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, means the space between the surface of the floor and the underside of the ceiling above it, but does not include non-usable areas or a basement.

Structure:
means any construction fixed to, placed onto, supported by, or sunk into land or water other than a ***Fence***, including fabric, plastic, glass, or aluminum temporary structures, but does not include asphalt or concrete surfacing (i.e. driveways, patios, walkways).

Thrift store:
means a ***Retail store*** operated by a non-profit society which primarily sells donated used merchandise.

Tourist accommodation - ALR:
means Tourist Accommodation as defined in the *Agricultural Land Reserve Use Regulation of BC*, as amended from time to time.

Tourist accommodation or services:
means temporary lodging for the travelling public and includes hotels, motels, hostels, tourist information ***Buildings***, outdoor gear rentals, and tour companies, but does not include ***Short term rentals***.

Towing service:
means an establishment that provides for the removal and temporary storage of disabled vehicles.

Town:
means the Town of Creston.

Townhouse:
means a ***Multi-family dwelling*** of at least two (2) ***Buildings*** connected by a common sidewall, where each ***Building*** is a minimum of two (2) ***Storeys***, and where each ***Storey*** contains an individual ***Dwelling unit*** occupied or intended to be occupied as the permanent residence of one (1) ***Family***. **BL#1986**

Transportation services:
means the use of a ***Lot, Building*** or ***Structure*** for the provision of ground transportation services including truck terminals, semi-trailer storage, taxi dispatch offices, passenger transport facilities, and public transit facilities.

Usable common open space:
means a usable, landscaped space designed for recreational, leisure and social purposes and is intended for the private use of the people who normally reside in the development and their guests. Usable common open space may include courtyards, patios, gazebos, gardens with pathways, children's play areas, and other multi-purpose recreational or green spaces.

Usable private open space:
means a usable, private outdoor space intended for the private use of the people who normally reside in the ***Dwelling unit*** and their guests. Usable private open space may include yards, patios, gardens, balconies, or other similar space.

Vehicle sales, service or repair:
means an establishment where a person may purchase, rent, have repaired, or have serviced, new or used automobiles, trucks, motorcycles, heavy equipment, farm equipment, boats, or ***Recreational vehicles***.

Warehousing or wholesale:
means the use of a ***Lot, Building*** or ***Structure*** for the storage, freight handling, packing and crating, cold storage, shipping, or sorting of goods, including wholesale sale of goods to retail dealers, wholesale dealers, contractors, or manufacturers for resale or use in their business.

Yard sale:
means any general retailing to the public of ***Personal property*** from a residential premise and includes, but is not limited to, all sales entitled garage, lawn, attic, porch, driveway, backyard, patio, flea, market, or rummage sale.

Zone:
means the areas into which the ***Town*** is divided in accordance with the maps attached as Schedule 'A' of this Bylaw and for which specific regulations are outlined herein for each area.

3.0 GENERAL COMPLIANCE, PROHIBITIONS AND REGULATIONS

3.1 General Compliance

3.1.1 No person will use, occupy or permit any person to use or occupy any land, ***Building*** or ***Structure*** in contravention of this Bylaw.

3.1.2 Nothing contained in this Bylaw will relieve any person from the responsibility to seek and comply with other legislation applicable to that use, activity or other matter regulated under this Bylaw.

3.1.3 Every use of land, ***Building*** or ***Structure*** permitted in each ***Zone*** must conform to all the regulations of the applicable ***Zone*** and all other regulations in this Bylaw.

3.2 General prohibitions

3.2.1 Any land, ***Building*** or ***Structure*** must not be constructed, altered, located, or used, except in conformity with this Bylaw.

3.2.2 No ***Building*** or ***Structure*** may be placed, constructed, erected, moved, sited, altered, or enlarged:

i. Except in conformity with this Bylaw; or,
ii. So as to cause any existing ***Building*** or ***Structure*** on the same ***Lot*** to violate the provisions of this Bylaw.

3.2.3 No subdivision may be approved:

i. Except in conformity with this Bylaw; or,
ii. So as to cause any existing ***Building*** or ***Structure*** on the same ***Lot*** to violate the provisions of this Bylaw.

3.3 Permitted and prohibited uses

3.3.1 No land, ***Building*** or ***Structure*** may be used for any use other than those specifically listed under the headings "***Principal uses***" or "***Accessory uses***" in the ***Zone*** in which the land, ***Building*** or ***Structure*** is located, and no ***Building*** or ***Structure*** may be placed, constructed, sunk into, erected, moved, sited, altered, or enlarged for any use other than uses specifically permitted in that ***Zone***.

3.3.2 A use listed under "***Accessory uses***" is only permitted if a use listed under the "***Principal uses***" is lawfully established and ongoing in accordance with the general regulations applicable to the use, as identified in this Bylaw.

3.3.3 Where a Residential ***Zone*** includes a "Minimum ***Lot*** Area", "Minimum ***Lot Frontage***", "Minimum ***Lot*** Width", then a ***Lot*** that does not satisfy all minimum requirements for the regulated use may not be used for that use, unless the ***Lot*** was created prior to the adoption of this Bylaw.

3.3.4 A use not specifically permitted in a ***Zone*** is prohibited from that ***Zone***.

3.3.5 A use not specifically permitted in this Bylaw is prohibited from the ***Town***.

3.3.6 The use of a tent or ***Recreational vehicle*** as a residence is prohibited in all ***Zones***, except:

i. Where a ***Recreational vehicle*** is located in a permitted ***Campground*** in conformance with Campground Bylaw No. 1149, 1990, as amended from time to time.

3.3.7 The use or installation of a ***Manufactured home*** (CSA Z240 MH standard) is prohibited in all ***Zones*** except Manufactured Home Park ***Zone*** (R6).

3.3.8 The use or installation of a park model trailer (CSA Z241 standard) is prohibited in all ***Zones***.

3.3.9 Notwithstanding the other regulations of this section, the following uses are permitted in all ***Zones***: **BL #2023**

i. parks, playgrounds, trails, public recreation facilities, and open space conservation areas;
ii. ***Public service uses***;
iii. community garden;
iv. roads and lanes accessory to the ***Principal use***; and

v. Childcare facility.

3.3.10 Additional provisions regarding permitted and prohibited uses are found in Part 4 of this Bylaw.

3.4 Density regulations

3.4.1 Where a ***Zone*** includes a "Maximum Density" regulation, no subdivision or development will be approved if the calculated density is greater than the value specified.

3.4.2 Where a ***Lot*** includes a panhandle, the panhandle area is not included in the allowable density calculation. **BL#1986**

3.5 Setbacks, siting and location of uses, Buildings and other Structures

3.5.1 Where a ***Zone*** includes a regulation entitled "Minimum ***Setbacks***", no ***Building*** or ***Structure*** may be placed, constructed, sunk into, erected, moved, sited, altered, or enlarged nearer to the ***Lot line*** than the distance specified for the ***Zone*** in which the ***Building*** or ***Structure*** is located, and for certainty:

i. ***Setbacks*** may vary according to any combination of use, ***Building, Structure*** or location within a ***Zone*** or adjacent ***Zone***, or by ***Lot*** dimensions, or to a specific ***Public street***, and the provisions of this Bylaw must be interpreted accordingly.

ii. Any portion of a ***Building*** or ***Structure*** located below grade is subject to all *Setback*s for the ***Zone*** in which the ***Building*** or ***Structure*** is located.

3.5.2 Except in the Commercial - Downtown Core (CDC) ***Zone***, no ***Fence***, wall or ***Structure***, ***Screen***, or landscaping, other than a permitted ***Principal building*** or ***Accessory building*** shall be erected to a ***Height*** greater than 1.1 metres so as to obstruct vision clearance in the area bounded by:

i. The intersecting ***Lot lines*** at a street corner and a line joining points along said ***Lot lines*** 4.0 metres from their point of intersection (see Fig. 3.1).

ii. The intersecting ***Lot lines*** at a lane corner and a line joining points along said ***Lot lines*** 3.0 metres from their point of intersection. A lane intersection shall include the intersection of a lane with any other lane or with a ***Public street.*** **BL#1986**

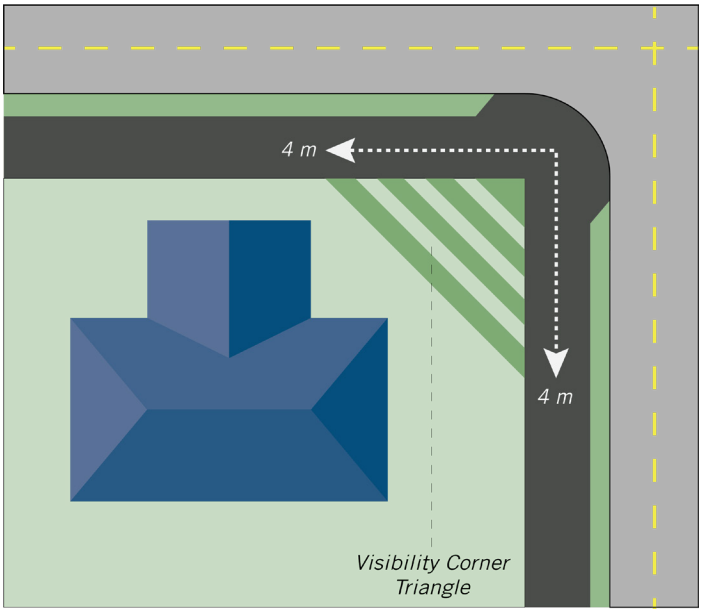


Figure 3.1 The intersecting Lot lines at a street corner and a line joining points along said Lot lines 4.0 metres from their point of intersection.

3.5.3 Notwithstanding Subsection 3.5.1 and 3.5.2, the following projections into the ***Setback*** are permitted despite minimum ***Setback*** requirements:

i. The ***Interior side setback*** requirements of this Bylaw do not apply where there is a common wall shared by two (2) or more ***Dwelling units***.

ii. Any ***Accessory building*** or ***Structure*** having an area of less than 10.0 sq. m. on a ***Lot*** is exempt from the ***Interior side*** and ***Rear setback*** requirements as established by this Bylaw.

iii. Roof overhang, sills, cornices, and eaves are permitted to project into the ***Setback*** to a maximum of 1.0 metre.

iv. Balconies of ***Multi-family dwellings*** and ***Apartment dwellings*** are permitted to project into the ***Setback*** to a maximum of 1.0 metre.

v. Uncovered steps and wheelchair ramps are

permitted to project into the ***Setback*** to a maximum of 2.0 metres.

vi. Uncovered decks are permitted to project into the ***Front setback*** and ***Rear setback*** a maximum of 2.0 metres.

vii. In no case shall uncovered steps, wheelchair ramps, or uncovered decks be located closer than 1 metre from any property line. **BL#1986**

3.5.4 Notwithstanding any other ***Setback*** provision of this Bylaw, no construction shall occur within 3.0 metres of the ***Lot lines*** abutting the following:

i. on either side of 16th Avenue South from Erickson Road to Cook Street;
ii. on either side of 16th Avenue North, except ***Lots*** that abut Canyon Street;
iii. on 12th Avenue North between Canyon Street and Vancouver Street, except ***Lots*** that abut Canyon Street;
iv. on 14th Avenue North between Canyon Street and Vancouver Street, except ***Lots*** that abut Canyon Street; and,
v. the west side of the Canadian Pacific Railway corridor between Collis Street and Devon Street (for park and walkway purposes).

3.5.5 Where swimming pools are permitted, they shall not be sited less than 1.5 metres from any ***Lot line***.

3.6 Number, size and dimensions of uses, Buildings and other Structures

3.6.1 Where a ***Zone*** includes a regulation entitled "Maximum ***Lot coverage***" the total area of the ***Lot*** covered by all ***Buildings*** and ***Structures*** on the ***Lot*** must not exceed the percentage specified for that ***Zone***.

3.6.2 Where a ***Lot*** includes a panhandle, the panhandle area is not included in the ***Lot coverage*** calculation. **BL#1986**

3.6.3 Where a ***Zone*** includes a regulation entitled "Maximum ***Height***", no ***Building*** or ***Structure*** may be placed, constructed, erected, moved, sited, altered, or enlarged in a manner that exceeds the ***Height*** specified for the ***Zone*** in which the ***Building*** or ***Structure*** is located.

3.6.3.1 "Maximum ***Height"*** in a ***Zone*** may vary according to the use of the ***Building*** or ***Structure***, as specified in the ***Zone***.

3.6.4 Notwithstanding Subsection 3.6.2, the following ***Structures*** are not subject to "Maximum ***Height"*** requirements:

i. windmills, silos, grain elevators, television or radio antennas, or cellular towers; and,
ii. chimneys, bell towers, spires, or other non-occupied architectural features occupying less than seven (7) percent of the ***Lot*** area.

3.6.5 Where a ***Lot*** includes a panhandle, no ***Structures*** are permitted in the panhandle area. **BL#1986**

3.7 Subdivision of Lots

3.7.1 Where a ***Zone*** includes a regulation entitled "Minimum ***Lot*** Area", no ***Lot*** may be created by subdivision that has an area less than the figure specified for the ***Zone*** in which the ***Lot*** is located.

3.7.1.1 "Minimum ***Lot*** Area" in a ***Zone*** may vary according to the use of the ***Building*** or ***Structure***, as specified in the ***Zone***.

3.7.2 Notwithstanding Subsection 3.7.1, "Minimum ***Lot*** Area" provisions of this Bylaw do not apply when the ***Lot*** is used for an uninhabited ***Building*** necessary for the operation of:

i. a community water system;
ii. a community sewer system;
iii. a community gas distribution system;
iv. a cell, radio, television or broadcasting antenna;
v. a telecommunication relay station;
vi. an air or marine navigational aid;
vii. an electrical substation or emergency power generating station; or,
viii. a park or playground.

3.7.3 Where a ***Zone*** includes a regulation entitled "Minimum ***Lot Frontage***", no ***Lot*** may be created by subdivision that has a ***Frontage***

less than the figure specified in the ***Zone***.

3.7.3.1 "Minimum ***Lot Frontage"*** in a ***Zone*** may vary according to the use of the ***Building*** or ***Structure***, as specified in the ***Zone***.

3.7.4 No ***Lot*** may be created by subdivision where its primary access would be from a ***Public lane***.

4.0 GENERAL USE PROVISIONS AND REGULATIONS

4.1 Temporary Use Permits

4.1.1 Temporary Use Permits, issued in accordance with British Columbia *Local Government Act*, Division 8, will adhere to the following general conditions:

i. Uses must be clearly temporary or seasonal in nature.
ii. Permit holders must undertake appropriate remedial and preventative measures to mitigate any damage to the natural environment as a result of the temporary use upon expiration of the permit.
iii. Applications for Temporary Use Permits for a ***Lot*** that fronts onto a ***Provincial highway*** must be reviewed and approved by the Ministry of Transportation and Infrastructure.

4.1.2 Applications for Temporary Use Permits will be considered in the following ***Zones***:

i. Commercial – Downtown Core (CDC);
ii. Commercial - General (CG);
iii. Commercial - Highway Service (CHS);
iv. Commercial - Neighbourhood (CN);
v. Northwest Boulevard Comprehensive Development (CDNW);
vi. Industrial – General (IG); and,
vii. Industrial – Heavy (IH).
viii. Community Use (CU). **BL#1986**

4.1.3 Temporary Use Permits may be considered in other ***Zones*** for the purpose of holding short-term, maximum four (4) day events, such as public or private assemblies.

4.1.4 Any ***Buildings*** or ***Structures*** related to the permitted temporary uses are required to comply with the zoning regulations for that ***Zone*** and the BC Building Code regulations.

4.2 Home occupations

4.2.1 A ***Home occupation use***, where permitted in a ***Zone*** of this Bylaw, must:

i. not change the character of the ***Dwelling unit, Lot*** or the neighbourhood in which it is located;
ii. not give any exterior indication of its existence except by one (1) sign which conforms to the provisions of the Town of Creston Sign Bylaw, as amended or replaced from time to time;
iii. be enclosed either within the ***Principal building*** or ***Structure***, or within an ***Accessory building***, or both, including the storage or display of materials or finished goods;
iv. be accessory in nature to the ***Principal use*** of the property as indicated by its Zoning designation;
v. not involve frequent or regular delivery of materials by a commercial vehicle;
vi. not discharge or emit odorous, noxious or toxic matter or vapours, heat, glare, noise, radiation, or ground vibrations; and,
vii. not result in traffic congestion, electrical interference, fire hazard, or other hazards.

4.2.2 The following uses are not permitted as ***Home occupations***:

i. salvage, repair, maintenance or sales of motor vehicles, ***Recreational vehicles*** or parts;
ii. trucking, hauling or touring;
iii. welding or steel fabrication;
iv. ***Light*** or ***Heavy manufacturing***; or,
v. ***Cannabis retail store, Cannabis operation,*** or ***Retail medical cannabis sales***.

4.2.3 A ***Home occupation*** involving the sale of a commodity or goods not produced on the ***Lot*** is not permitted.

4.2.4 A ***Home occupation*** must meet the specifications set out in *Table 4.1* pertaining to the maximum floor area of ***Buildings*** and ***Structures*** in which the ***Home occupation must*** be contained.

4.2.5 A ***Home occupation*** must meet the specifications set out in *Table 4.1* pertaining to the maximum number of employees (excluding those that reside in the ***Dwelling unit***) that can be retained by the owner of the ***Home occupation***.

Table 4.1: Maximum Floor Area and Maximum Number of Non-Residential Employees for a Home occupation

Zone	Maximum Floor Area	Maximum # of Employees
Agricultural Land Reserve (AG)	185.5 sq. m.	3
Residential - Low Density (R1)	the lesser of 60 sq. m. or 25% of ***Dwelling unit***	1
Residential - Zero Lot line (R2)	20% of ***Dwelling unit***	0
Residential - Medium Density (R3)	20% of ***Dwelling unit***	0
Residential - High Density (R4)	10% of ***Dwelling unit***	0
Residential - Rural (R5)	112.0 sq. m.	2
Residential - Manufactured Home Park (R6)	10% of ***Dwelling unit***	0
Commercial - Downtown Core (CDC)	10% of ***Dwelling unit***	0
Commercial - General (CG)	10% of ***Dwelling unit***	0
Commercial - Highway Service (CHS)	10% of ***Dwelling unit***	0
Commercial - Neighbourhood (CN)	10% of ***Dwelling unit***	0
Northwest Boulevard Comprehensive Development (CDNW)	10% of ***Dwelling unit***	1
Industrial - General (IG)	10% of ***Dwelling unit***	0
Community Use (CU)	10% of ***Dwelling unit***	0

4.2.6 Except as specifically set out in *Table 4.1*, the ***Home occupation*** is to be conducted only by the resident or residents of the ***Dwelling unit***.

4.2.7 There is no limit to the number of persons employed by a ***Home occupation*** where such employees do not conduct their work on the ***Lot***.

4.2.8 A ***Bed and breakfast*** operation is permitted as a ***Home occupation*** use, provided that:

i. it is located within a ***Single family dwelling*** or ***Accessory dwelling unit***;
ii. no more than four (4) adults shall be accommodated within the ***Bed and breakfast*** operation;
iii. no cooking facilities shall be provided within the bedrooms intended for the ***Bed and breakfast*** operation;
iv. only persons residing in the principal ***Dwelling unit*** may carry on the ***Bed and breakfast*** operation on the ***Lot*** occupied by the principal ***Dwelling unit*** and must be present on the property during a patron's stay; and,
v. one (1) additional on-site parking space per guest room is required in addition to those required for the principal ***Dwelling unit***.

4.3 Yard sales

4.3.1 ***Yard sales*** are permitted in the following ***Zones***:

i. Residential - Low Density (R1);
ii. Residential - Zero Lot line (R2);
iii. Residential - Medium Density (R3);
iv. Residential - Rural (R5);
v. Residential - Manufactured Home Park (R6);
vi. Commercial - Highway Service (CHS), only on ***Lots*** with a permitted ***Dwelling***; and,
vii. Northwest Boulevard Comprehensive Development (CDNW), only on ***Lots*** with a permitted ***Dwelling***.

4.3.2 No individual will sell or offer for sale property other than ***Personal property***.

4.3.3 A maximum of four (4) ***Yard sales*** are permitted per calendar year per ***Lot***, with each sale not to exceed eight (8) hours in duration.

4.3.4 ***Yard sale*** activity is only permitted between the hours of 7 a.m. and 9 p.m.

4.3.5 A maximum of four (4) signs advertising the sale are permitted off the ***Lot*** on which the sale is to occur.

4.3.6 The maximum size of advertising signage is 0.25 square metres.

4.3.7 Advertising signage must be removed immediately after the sale is concluded.

4.4 Shipping containers

4.4.1 Where permitted for storage purposes, a ***Shipping container*** is considered an ***Accessory building*** which must:

i. only be used for storage purposes;
ii. adhere to Town of Creston Building Bylaw requirements as amended from time to time, and all enactments applicable to electrical and fire safety;
iii. not be used for the housing of animals, storage of refuse, contaminated, or hazardous material;
iv. not be used as fencing, screening or for advertising;
v. not be stacked;
vi. not occupy required ***Off-Street Parking*** and ***Loading spaces*** or interfere with the circulation of vehicle or pedestrians;
vii. not exceed 2.5 metres in width, 2.6 metres in height and 6.1 metres in length in Commercial and Residential ***Zones***;
viii. not exceed 2.5 metres in width, 2.6 metres in height and 12.2 metres in length in Industrial ***Zones***;
ix. where permitted in Residential ***Zones***, Commercial Downtown Core, Commercial General, Commercial Neighbourhood ***Zones***, be painted or clad in a colour and material which are complementary to the ***Principal building***; and, **BL#1986**
x. not be located between the ***Principal building*** on a ***Lot*** and the ***Front lot line***.

4.4.2 No more than one (1) ***Shipping container*** for use as an ***Accessory building*** is permitted within any ***Zone***, excluding the Commercial – Highway Service (CHS), Industrial – General (IG), or Industrial – Heavy (IH) ***Zones***. **BL#1986**

4.4.3 The placement of ***Shipping containers*** is subject to all zoning regulations; in development permit areas, development permit guidelines apply.

4.4.3.1 Notwithstanding Subsection 4.4.3, ***Shipping containers*** used as temporary storage for building materials or construction equipment are exempt from zoning regulations during the construction period, provided all required building and development permits have been obtained.

4.5 Attached accessory dwelling units

4.5.1 The following regulations apply to ***Attached accessory dwelling units*** where permitted as a use in this Bylaw:

i. An ***Attached accessory dwelling unit*** may only be located in a principal ***Single family dwelling***.
ii. The maximum floor area of an ***Attached accessory dwelling unit*** shall not exceed the lesser of 75.0 sq. m. or 40 percent of the ***Gross floor area*** of the principal ***Dwelling***.
iii. One (1) additional on-site parking space per ***Attached accessory dwelling unit*** is required in addition to those required for the principal ***Dwelling unit***.
iv. ***Usable private open space*** shall be provided for each ***Attached accessory dwelling unit*** on a ***Lot***.

4.6 Detached accessory dwelling units

4.6.1 The following regulations apply to ***Detached accessory dwelling units*** where permitted as a use in this Bylaw:

i. The maximum floor area of a ***Detached accessory dwelling unit*** shall not exceed the lesser of 75.0 sq. m. or 60 percent of the ***Gross floor area*** of the principal ***Dwelling***.
ii. The minimum separation between a principal ***Dwelling unit*** and a ***Detached accessory dwelling unit*** shall be 3.0 metres.
iii. One (1) additional on-site parking space per ***Detached accessory dwelling unit*** is required in addition to those required for the principal ***Dwelling unit***.

iv. ***Usable private open space*** shall be provided for each ***Detached accessory dwelling unit*** on a ***Lot***.

4.7 Cannabis Provisions

4.7.1 No primary public entry to a ***Cannabis retail store*** or ***Cannabis operation*** use shall be located within 150.0 metres of a ***Lot line*** of a public school, including but not limited to the following (see Schedule B):

i. Adam Robertson Elementary School (421 - 9th Avenue North);
ii. Kootenay River Secondary School (225 - 18th Avenue South); and,
iii. Creston Education Centre (617 - 11th Avenue South).

4.7.2 No primary public entry to a ***Cannabis retail store*** or ***Cannabis operation*** use shall be located within 150.0 metres of a ***Lot line*** of the following public spaces (see Schedule B)

i. Schikurski Park (1400 Regina Street);
ii. Centennial Park (905 Birch Street);
iii. Creston and District Community Complex (312 - 19th Avenue North);
iv. Burns Park (2403 Elm Street);
v. Millennium Park (401 - 16th Avenue South); and,
vi. Dodd's Creek Park (330 - 11th Avenue South).

4.7.3 Any ***Cannabis operation*** must be completely enclosed.

4.8 Hens

4.8.1 Despite any other provisions of this Bylaw, Hens are permitted in accordance with the provisions of Animal Care and Responsibility Bylaw No. 1826, 2015. **BL #1961**

4.9 Short Term Rentals

4.9.1 ***A Short term rental***, where permitted in a ***Zone*** of this Bylw, must:

i. not change the character of the ***Dwelling unit***, ***Lot*** or the neighbourhood in which it is located;
ii. not give any exterior indication of its existence except by one (1) sign which conforms to the provisions of the Town of Creston Sign Bylaw, as amended or replaced from time to time;
iii. be accessory in nature to the ***Principal use*** of the property as indicated by its Zoning designation;
iv. not involve frequent or regular delivery of materials by a commercial vehicle;
v. not discharge or emit odorous, noxious or toxic matter or vapours, heat, glare, noise, radiation, or ground vibrations; and,
vi. not result in traffic congestion, electrical interference, fire hazard, or other hazards. **BL#1977**

4.9.2 ***A Short term rental*** is to be conducted:

i. only in the ***Principal residence*** where the operator of the ***Short term rental*** resides for a longer period of time in a calendar year than any other place; and, **BL#2027**
ii. notwithstanding 4.9.2 (i), where an operator has one or more ***Attached accessory dwelling units*** within a ***Principal building*** that also contains the operator's ***Principal residence***, a maximum of one ***Attached accessory dwelling unit*** may be used as a ***Short term rental*** for 12 months per year. **BL#1977**

5.0: OFF-STREET PARKING AND LOADING

Space and facilities for ***Off-street parking*** and ***loading*** in respect to a ***Building, Structure*** or use under this Bylaw will be designed, provided and maintained in accordance with the regulations of this Part.

5.1 General Provisions - Parking Spaces

5.1.1 In respect of a use permitted under this Bylaw, but that is not specifically referred to in *Table 5.1: Parking Specifications*, the number of ***Off-street parking*** and ***loading spaces*** must be calculated based on the specifications for a similar ***Building, Structure*** or use that is listed.

5.1.2 Where the calculation of the required ***Off-street parking*** and ***loading spaces*** results in a fraction, the required number of parking spaces shall be equal to the nearest whole number.

5.1.3 Where more than one (1) ***Building, Structure*** or use is located on the same ***Lot,*** the total number of required ***Off-street parking*** or ***loading spaces*** must be the sum of the requirements for each ***Building, Structure*** and use.

5.1.3.1 Notwithstanding Section 5.1.3, in the case of nonconcurrent uses, the total number of required ***Off-street parking*** or ***loading spaces*** shall be equal to the requirements of the use or concurrent uses with the greater ***Off-street parking*** and ***loading space*** requirements.

5.1.4 Each ***Off-street parking*** and ***loading space*** must have access to a ***Public street*** or ***Public lane***.

5.1.5 ***Off-street parking spaces*** must not be utilized as ***Off-street loading spaces***.

5.1.6 ***Off-street loading spaces*** must not be utilized as ***Off-street parking spaces.*** **BL#1986**

5.1.7 For every fourteen (14) required ***Off-street parking spaces*** provided on site, one (1) on-street parking space may be credited towards total required ***Off-street parking spaces***,

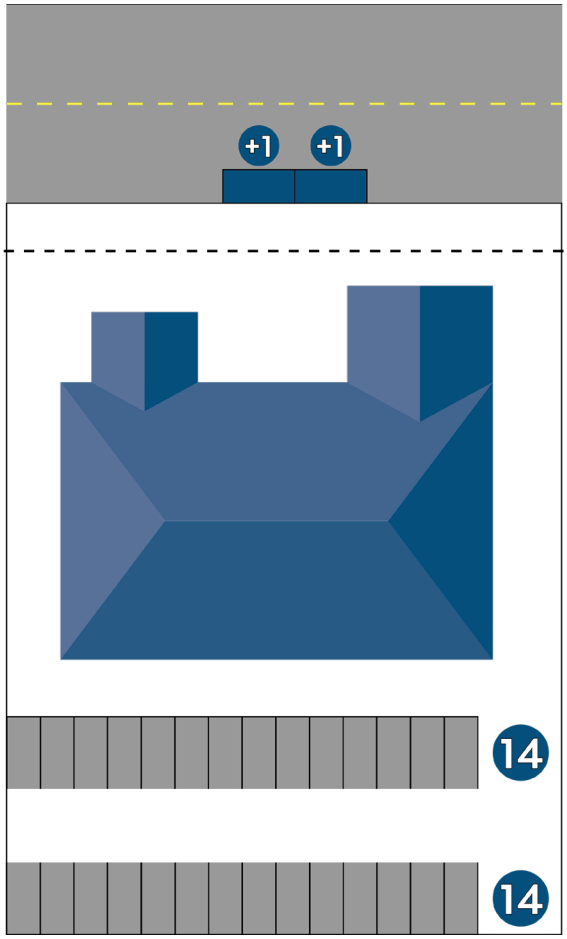


Figure 5.1 - For every 14 Off-street parking spaces, one on-street parking space may be credited towards required Off-street parking spaces.

provided that the on-street parking space is located adjacent to the ***Lot line*** of that property (see *Fig. 5.1)*.

5.1.8 For all ***Parking areas*** and ***Structures***, accessible ***Parking spaces*** must be provided in accordance with the British Columbia Building Code, or at a ratio of one (1) accessible ***Parking space*** per fifty (50) required spaces, whichever is greater.

5.1.8.1 In no case will less than one (1) accessible ***Parking space*** be provided.

5.1.9 All ***Parking areas*** comprised of three (3) or more ***Parking spaces***, and every access road to the required ***Parking area***, must be hard surfaced and drained such that all water is managed on the ***Lot,*** or is directed to a municipal drainage system or to a natural drainage course.

5.2 General Provisions - Loading Spaces

5.2.1 All ***Loading areas*** must be hard surfaced and drained such that all water is managed on the ***Lot,*** or is directed to a municipal drainage system or to a natural drainage course.

5.2.2 Each ***Off-street loading space*** must be a minimum of 2.5 metres wide, 9.0 metres long and 3.6 metres high.

5.3 Location

5.3.1 All ***Off-street parking spaces*** must be located on the same ***Lot*** as the ***Building, Structure*** or use they service.

5.3.1.1 Notwithstanding Subsection 5.3.1, an owner or occupier of land located within 500 metres of the Cook Street Parking lot may, in lieu of providing ***Off-street parking spaces***, pay to the municipality a sum as specified in the Fees and Charges Bylaw No. 1763, 2011, as amended from time to time. Owners and occupiers of ***Buildings*** within the area designated in the Downtown Revitalization Specified Area (Parking) Loan Authorization Bylaw are exempt from the payment specified in this section.

5.3.1.2 Notwithstanding Subsection 5.3.1, in the Commercial – Downtown Core (CDC) ***Zone***, Commercial - General (CG) ***Zone,*** Community Use - (CU) ***Zone***, Residential – Medium Density (R3), or Residential – High Density (R4) ***Zone***, ***Off-street parking spaces*** may be provided on land other than which it is required, subject to the following conditions:

i. that the ***Parking spaces*** be located within 100 metres of the subject ***Lot*** ; and,

ii. and, that the owner of the land whereon the subject ***Off-street parking spaces*** are to be situated agrees to the registration of a covenant against the land reserving the land (or portion thereof) for an ***Off street parking area*** in favour of the owner or occupier of the subject ***Lot***, so long as the use to which the ***Off street parking area*** pertains remains unchanged. **BL#2052**

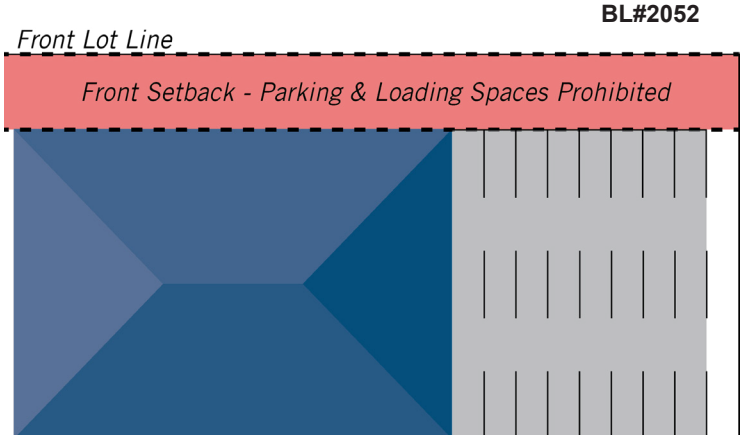


Figure 5.2 No Off-street parking space will be located within a Lot's Front setback area.

5.3.3 No ***Off-street parking*** or ***loading space*** will be located within a ***Lot's Front setback*** (see *Fig. 5.2)*.

5.3.3.1 Notwithstanding 5.3.3, in the R1 – Low Density Residential Zone ***Off-street parking spaces*** may be located in a ***Lot's Front setback***, provided that the parking spaces are located a minimum of 2 metres from the ***Front lot line.*** **BL #2007**

5.4 Design Standards

5.4.1 ***Off-street parking areas*** must provide signage for pedestrians indicating the safest and most efficient route through the ***Parking area***.

5.4.2 All ***Off-street parking*** and ***loading areas*** must be illuminated with ***Dark sky compliant lighting***.

5.4.2.1 The location of light fixtures must minimize the amount of light falling onto abutting properties.

5.4.2.2 Light fixtures must be located along primary pedestrian corridors to promote the safety of those utilizing parking facilities.

5.5 Voluntary Establishment Of Parking Areas

5.5.1 Where ***Off-street parking*** and ***loading areas*** are provided when not required, the location, design and operation of such facilities must

comply with the regulations and standards of this section.

5.6 Parking Specifications

5.6.1 ***Off-street parking*** and ***loading spaces*** for each ***Building, Structure*** or use must be provided in accordance with *Table 5.1: Off-Street Parking, Table 5.2: Off-Street Loading* and *Table 5.3: Parking Space Specifications.*

5.6.2 Where a ***Building***, ***Structure***, or ***Lot*** contains multiple uses, parking calculations will be determined for each use and will be added together for a total number of required ***parking*** or ***loading spaces***. **BL#1986**

Table 5.1: Off-Street Parking

BL#1986

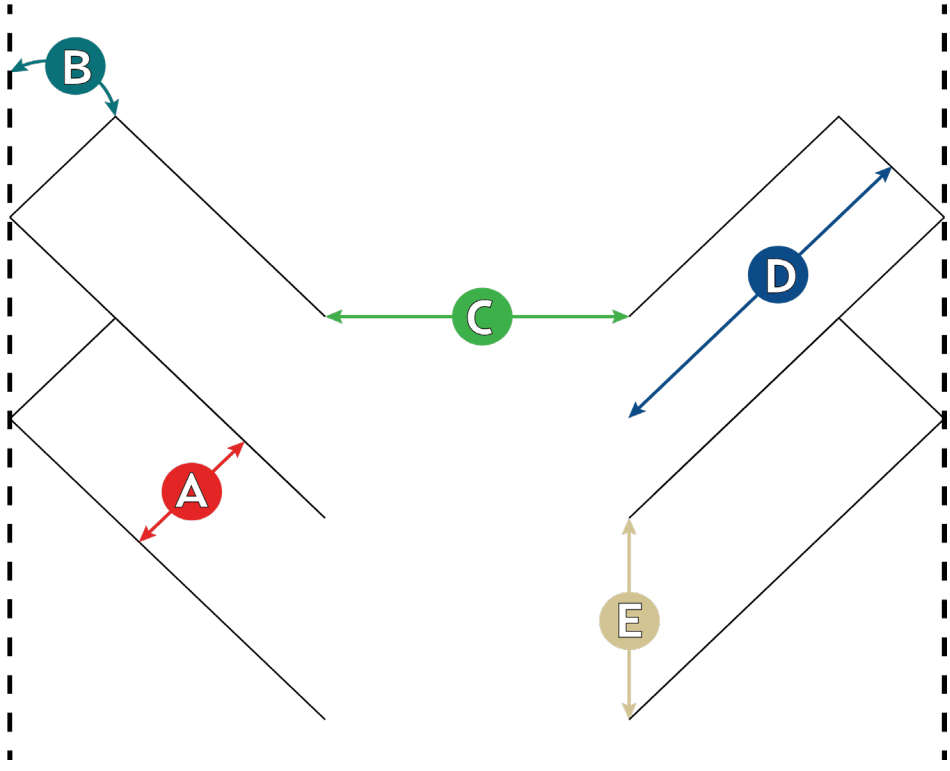
Use	Parking Space Requirements (MINIMUMS)
Residential (R) Uses:	
• ***Single family dwelling; Duplex; Accessory dwelling unit***	• 1 per ***Dwelling unit.***
• ***Dwelling unit*** as ***Accessory use*** in Commercial or Industrial ***Zone***	• 1 per ***Dwelling unit***.
• ***Multi-family dwelling; Apartment dwelling***	• 1.25 per ***Dwelling unit***; or, • 1 per ***Dwelling unit***, where the residential development is located within 500 metres of the Downtown Core, as defined by Official Community Plan Bylaw No. 1854, 2017, as amended from time to time. BL#2052
• ***Manufactured home park***	• 1.25 per ***Dwelling unit.***
• ***Senior citizen facility***	• 1 per 3 units.
• ***Boarding, rooming or lodging house***	• 1 per 2 units.
• ***Home occupation***	• 1 per ***Home occupation*** employee.
» ***Bed and breakfast***	» 1 per guest room.
Commercial (C) Uses:	
• ***Business or professional office; Health and medical services***	• 1 space per 28 sq. m. of ***Business office, professional office, or Health and medical services*** use***.***
• Tourist accommodation	• 1 per guest room.
• Auto repair or tire shop	• 3 per service bay.
• Hardware store; Plant nursery; Grocery store; Department store	• 1 per 50 sq. m. of Hardware store, Plant nursery, Grocery store, or Department store use.
• ***Retail*** or ***Personal service***	• 1 space per 28 sq. m. of ***Retail*** and ***Personal service*** use.
• General	• 1 space per 28 sq. m. of ***Gross floor area.***
• All other commercial uses	• 1 space per 46.5 sq. m. of ***Gross floor area.***
Industrial (I) Uses:	
• General	• 1 per each 93 sq. m. of ***Gross floor area***; and, 1 per each 46.5 sq. m. of display, rental or retail floor area
Exceptions: • ***Warehousing or wholesale***, and storage ***Buildings***	• 1 per each 186 sq. m. of ***Gross floor area***; and, 1 per each 46.5 sq. m. of display, rental or retail floor area.
Other Uses:	
• Hospital	• 1 per 4 hospital beds
• ***Assembly facility; Outdoor recreation or entertainment***	• The greater of: 1 per 10 seats, or 1 per 18.6 sq. m. of ***Gross floor area*** with fixed seating; and, 1 per 9.6 sq. m. of ***Gross floor area*** without fixed seating, excluding playing surfaces and stages.
• ***Indoor recreation or entertainment***	• 1 per 46.5 sq. m. of ***Gross floor area***; and, 1 per each 10 spectator seats, excluding playing surfaces and stages.
• Daycare	• 1 per 10 children. BL#2052
• Primary or elementary school	• 1.5 per classroom.
• Secondary or post-secondary school	• 4 per classroom.

Table 5.2: Off-Street Loading

Use	Loading Space Requirements (MINIMUMS)
All Community Use *Zone* uses • less than or equal to 2790 sq. m. • more than 2790 sq. m.	• 1 space • 2 spaces
All commercial and industrial warehousing, manufacturing and storage with a *Gross floor area* of: • less than or equal to 1860 sq. m. • more than 1860 sq. m.	• 1 space • 2 spaces

Table 5.3: Parking Space Specifications

A Width of Stall	B Angle of Parking	C Width of Aisle	D Depth of Stall	E Width of Stall Parallel to Aisle
2.4m	30°	3.2m	4.8m	4.9m
2.4m	45°	3.5m	5.6m	3.4m
2.4m	60°	5.9m	5.9m	2.8m
2.4m	90°	7.8m	5.7m	3.0m
2.5m	30°	3.1m	5.0m	5.2m
2.5m	45°	3.2m	5.6m	3.6m
2.5m	60°	5.7m	6.0m	3.0m
2.5m	90°	7.5m	5.7m	2.5m
2.7m	30°	3.0m	5.2m	5.5m
2.7m	45°	3.0m	5.8m	3.9m
2.7m	60°	5.5m	6.0m	3.1m
2.7m	90°	7.2m	5.7m	2.7m
2.8m	30°	2.9m	5.2m	5.7m
2.8m	45°	3.1m	5.9m	4.0m
2.8m	60°	5.3m	6.0m	3.2m
2.8m	90°	6.9m	5.7m	2.8m
3.0m	30°	2.9m	5.3m	6.0m
3.0m	45°	2.9m	6.0m	4.3m
3.0m	60°	5.0m	6.0m	3.4m
3.0m	90°	6.6m	5.7m	3.0m
3.0m	PARALLEL	---	7.3m	---



6.0 SCREENING AND FENCING REQUIREMENTS BL#1986

6.1 Screening and Fencing Materials

6.1.1 The use of reflective materials, tarps, or sheet metal is prohibited in all ***Zones***.

6.1.2 The use of barbed wire, razor wire, electrified wire, or unfinished corrugated metal is prohibited in all residential ***Zones.***

6.1.3 Notwithstanding sections 6.1.1 and 6.1.2, properties with farm uses, keeping hens, or horses, may be permitted to use barbed wire or electrified wire.

6.2 Waste Receptacle Screening Requirements

6.2.1 On any ***Lot*** with commercial, ***Community use***, industrial, or ***Multi-family*** residential uses, or a combination thereof:

i. a minimum of one common storage area for the collection of recycled materials and waste shall be provided and maintained for the use of the occupants;
ii. all storage areas shall have a permanent and dust-free ground surface, and shall be enclosed on at least three (3) sides by a decorative solid ***Fence*** equivalent in height to the waste, recycling, or compost container; and,
iii. shall not be located within a ***Lot's Front setback*** or within 3.0 metres of a ***Lot's Front lot line***, whichever is greater.

6.3 Zone Specific Screening Requirements

6.3.1 On any ***Lot*** with residential use all storage areas:

i. shall have a permanent and dust-free ground surface;
ii. shall be enclosed on at least three (3) sides by a decorative ***Fence*** or ***Screen*** of at least 1.8 metres in height; and,
iii. shall not be located within a ***Lot's Front setback*** or within 3.0 metres of a Lot's ***Front lot line***, whichever is greater.

6.3.2 Excluding the Commercial Downtown Core and Commercial Neighbourhood ***Zones***, where a Commercial ***Zone*** abuts a Residential ***Zone***, or is separated by a lane therefrom, a solid ***Fence*** of at least 1.8 metres in height shall be erected along the ***Lot*** boundary.

6.3.3 Where an Industrial ***Zone*** abuts a Residential, Commercial or Community Use ***Zone***, or is separated by a lane therefrom, a solid ***Fence*** or ***Screen*** of at least 1.8 metres in height shall be erected along the ***Lot*** boundary.

6.3.4 Where a Residential – Medium Density (R3) ***Zone***, Residential – High Density (R4) ***Zone*** or Residential – Manufacture Home Park (R6) ***Zone*** abuts a Residential – Low Density (R1) ***Zone***, Residential – Zero Lot Line (R2) ***Zone*** or Residential – Rural (R5) ***Zone***, a solid ***Screen*** or ***Fence*** of at least 1.8 metres in height shall be erected along the ***Lot*** boundary.

6.3.5 All auto wrecking, scrap, salvage, or junk yards shall be subject to the following conditions:

i. the yard shall be completely enclosed by a solid view obscuring ***Fence*** or wall not less than 2.4 metres in height; and,
ii. no material enclosed within the yard shall be piled to a height greater than the surrounding ***Fence*** or walls.

6.4 Swimming Pools

6.4.1 Where a swimming pool exists, a solid ***Fence*** of a least 1.5 metres in height shall be erected around the perimeter of the swimming pool area.

6.5 General Fence Requirements

6.5.1 Notwithstanding sections 6.1 - 6.4, the following regulations apply:

6.5.1.1 In any ***Zone*** where there is a primary residential use, no ***Fence*** shall:

i. exceed a maximum ***Fence*** height of 1.2 metres, where a fence is located between the ***Front lot line*** and the face of a ***Building***, parallel to the ***Lot's Front lot line*** (see Figure 6.1);

ii. exceed a maximum height of 1.8 metres, where a ***Fence*** is located between the ***Rear lot line*** and the face of a ***Building***, parallel to the ***Lot's Front lot line*** (see Figure 6.1);
iii. exceed the maximum height indicated in Figure 6.2 for the portion of the ***Lot*** on which it is located; or,
iv. obstruct visibility at intersections in accordance with section 3.5.2.

6.5.1.2 Notwithstanding section 6.5.1.1, i. Figure 6.2: Maximum ***Fence*** height in conjunction with a retaining wall, the height of a ***Fence*** may be increased to meet safety requirements as authorized under the Town of Creston Building Bylaw, as amended from time to time.

6.5.1.3 Notwithstanding sections 6.5.1.1,i., 6.5.1.1,ii., and 6.5.1.1,iii, where a residential property abuts a Provincial highway, the maximum Fence height may be increased to 1.8 metres, provided that the Fence height is in accordance with section 3.5.2, conditional upon approval Ministry of Transportation and Transit approval. **BL# 2064**



Figure 6.1 Maximum Fence height

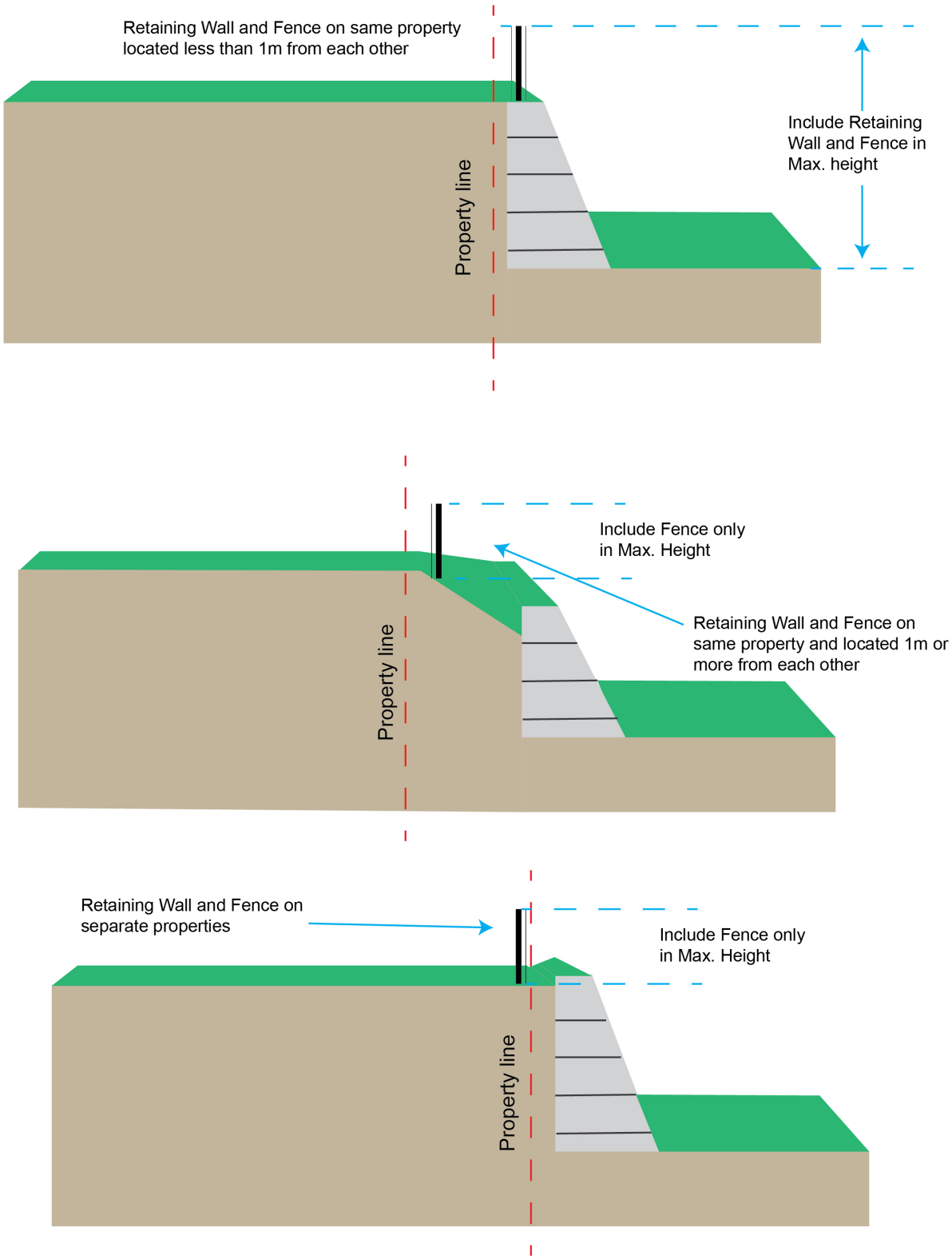


Figure 6.2 Maximum Fence height when in conjunction with a retaining wall

7.0 ESTABLISHMENT OF ZONES

7.0.1 The location of the ***Zones*** established by this Bylaw are as shown on the current Zoning Map of the Town of Creston (*Schedule A*), which is attached to and forms part of this Bylaw.

7.0.2 Where a ***Lot*** is divided by a ***Zone*** boundary, the areas created by such division are deemed to be separate ***Lots*** for the purpose of determining the regulations and requirements of this Bylaw, except that ***Setbacks*** between the ***Zones*** are not required unless the ***Lot*** is capable of being subdivided along that ***Zone*** boundary.

7.0.3 Except as shown on the Zoning Map:

i. where a ***Zone*** boundary is designated as following a Highway or a watercourse, the centerline of the Highway or watercourse is the ***Zone*** boundary; and,
ii. where a ***Zone*** boundary does not follow a legally defined line, and where distances are not specifically indicated, the location of the boundary is determined by the Zoning Map to the centre of each zoning line.

7.1 AGRICULTURE (AG) ZONE

AG ZONE

7.1.1 INTENT

The intent of this ***Zone*** is to allow Agricultural uses within the Agricultural Land Reserve as permitted by the Agricultural Land Commission of BC, in accordance with the *Agricultural Land Commission Act* and any Regulations or Orders enacted thereunder.

7.1.2 PERMITTED USES

7.1.2.1 *Principal uses*
The following ***Principal uses*** and no others shall be permitted in this ***Zone***:

i. ***Agriculture.***
ii. ***Single family dwelling.***

7.1.2.2 *Accessory uses*
The following ***Accessory uses*** and no others shall be permitted in this ***Zone***:

i. ***Accessory building.***
ii. ***Animal service***, excluding veterinary clinics and animal hospitals***.***
iii. ***Agri-tourism accommodation.***
iv. ***Detached accessory dwelling unit.***
v. ***Home occupation.***
vi. ***Secondary suite.***
vii. ***Tourist accommodation - ALR.***
viii. ***Short term rental.*** **BL#1977**

7.1.3 ZONE REGULATIONS

7.1.3.1 Minimum Lot Area: 8 hectares

7.1.3.2 Minimum *Lot Frontage*: 20m

7.1.3.3 Maximum *Lot Coverage*: N/A

7.1.3.4 Minimum *Principal Dwelling Gross Floor Area:* 75 sq. m.

7.1.3.5 Notwithstanding any other provisions of this Bylaw, all lands within the Agricultural Land Reserve are subject to the *Agricultural Land Commission Act,* as amended from time to time, the Agricultural Land Reserve Use Regulation, the Agricultural Land Reserve General Regulation, and any Orders of the Agricultural Land Commission.

7.1.4 MINIMUM SETBACKS

7.1.4.1 All *Buildings* and *Structures*	
i. ***Front lot line***	7.6m
ii. ***Rear lot line***	7.6m
iii. ***Interior side lot line***	1.8m
iv. ***Exterior side lot line***	7.6m

7.1.5 MAXIMUM HEIGHT

7.1.5.1 *Principal buildings*	9.2m
7.1.5.2 *Accessory buildings* and ***Structures***	9.2m
7.1.5.3 *Detached accessory dwelling unit - Garden suite*	5.0m
7.1.5.4 *Detached accessory dwelling unit - Carriage suite*	6.1m

7.2 RESIDENTIAL - LOW DENSITY (R1) ZONE

R1 ZONE

7.2.1 INTENT

The intent of this ***Zone*** is to allow low density residential development.

7.2.2 PERMITTED USES

7.2.2.1 ***Principal uses*** **BL #2007**

The following ***Principal uses*** and no others shall be permitted in this ***Zone***:

i. ***Duplex dwelling.***
ii. ***Single family dwelling.***
iii. Triplex dwelling.
iv. Fourplex dwelling.
v. Daycare specific only to the property located at: 806 Cook Street, legally described as Parcel D (See XB18526), Block 21, District Lot 525, Kootenay District, Plan 693 (PID: 011-632-470).

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7.2.2.2 ***Accessory uses***

The following ***Accessory uses*** and no others shall be permitted in this ***Zone***:

i. ***Accessory building.***
ii. ***Attached accessory dwelling unit.***
iii. ***Community care facility***, only within a ***Single family dwelling***.
iv. ***Detached accessory dwelling unit.***
v. ***Home occupation.***
vi. ***Short term rental.*** **BL#1977**

7.2.3 ZONE REGULATIONS **BL #2007**

7.2.3.1 Minimum Lot Area: 333 sq. m.

7.2.3.2 Minimum Lot *Frontage*: 12m

7.2.3.3 Maximum Density:

i. ***Lots* with an area less than or equal to 280 sq. m.:** 3 ***Dwelling units*** per ***Lot***, one of which may be a ***Detached accessory dwelling unit***.
ii. ***Lots* with an area greater than 280 sq. m.:** 4 ***Dwelling units*** per ***Lot***, one of which may be a ***Detached accessory dwelling unit.***

7.2.3.4 Maximum *Lot Coverage*: 50%

7.2.4 MINIMUM SETBACKS

7.2.4.1 *Principal buildings*	
i. ***Front lot line***	6.1m
ii. ***Rear lot line***	6.1m
iii. ***Interior side lot line***	1.5m
iv. ***Exterior side lot line***	3.7m

7.2.4.2 *Accessory buildings*	
i. ***Front lot line***	6.1m
ii. ***Rear lot line***	1.5m
iii. ***Interior side lot line***	1.5m
iv. ***Exterior side lot line***	3.7m

7.2.4.3 *Detached accessory dwelling unit*	
i. ***Front lot line***	6.1m
ii. ***Rear lot line***	1.5m
iii. ***Interior side lot line***	1.5m
iv. ***Exterior side lot line***	3.7m

7.2.4.4 The ***Setbacks*** pertaining to ***Accessory buildings*** and ***Detached accessory dwelling units*** apply whether the ***Accessory building*** or ***Detached accessory dwelling unit*** is attached to the ***Principal building*** or not.

7.2 RESIDENTIAL - LOW DENSITY (R1) ZONE

R1 ZONE

7.2.5 MAXIMUM HEIGHT BL #2007

7.2.5.1 ***Single family dwelling***	9.2m
7.2.5.2 ***Duplex dwelling***	9.2m
7.2.5.3 Triplex dwelling	11.0m
7.2.5.4 Fourplex dwelling	11.0m
7.2.5.5 Non-residential principal building	9.2m
7.2.5.6 ***Accessory buildings*** and ***Structures***	5.0m
7.2.5.7 ***Detached accessory dwelling unit***	7.5m

7.2.6 USABLE PRIVATE OPEN SPACE

7.2.6.1 ***Usable private open space*** must be provided for each ***Dwelling unit*** on a ***Lot***, which shall reflect a minimum of 10% of the ***Gross floor area*** of the ***Dwelling unit*** and in no case shall be less than 5.6 square metres. **BL#1986**

7.3 RESIDENTIAL - ZERO LOT LINE (R2) ZONE



DELETED BL#2007

7.4 RESIDENTIAL - MEDIUM DENSITY (R3) ZONE

R3 ZONE

7.4.1 INTENT

The intent of this ***Zone*** is to allow ***Multi-family*** development (typically ***Townhouse, Rowhouse,*** triplex, and fourplex dwellings), and ***Pocket Neighbourhoods,*** in addition to ***Single family*** and ***Duplex Dwellings***.

7.4.2 PERMITTED USES

7.4.2.1 ***Principal uses***
The following ***Principal uses*** and no others shall be permitted in this ***Zone***:

i. ***Single family dwelling.***
ii. ***Duplex.***
iii. ***Multi-family dwelling.***
iv. ***Pocket neighbourhood.***

7.4.2.2 ***Accessory uses***
The following ***Accessory uses*** and no others shall be permitted in this ***Zone***:

i. ***Accessory building.***
ii. ***Community care facility***. **BL#1986**
iii. ***Home occupation***.
iv. ***Short term rental.*** **BL#1977**

7.4.3 ZONE REGULATIONS

7.4.3.1 Minimum Lot Area: 1000 sq. m.

7.4.3.2 Minimum Lot *Frontage*: 15m

7.4.3.3 Maximum Density: 60 ***Dwelling units*** per hectare

7.4.3.4 Maximum *Lot Coverage*: 75%

7.4.3.5 DELETED **BL#2007**

7.4.4 MINIMUM SETBACKS

7.4.4.1 All *Buildings* and *Structures*	
i. ***Front lot line***	6.1m
ii. ***Rear lot line,*** where ***Lot*** abuts a lane	1.5m
iii. ***Rear lot line***, where no lane exists	3.0m
iv. ***Interior side lot line***	3.0m
v. ***Exterior side lot line***	3.0m

7.4.4.2 The ***Setbacks*** pertaining to ***Accessory buildings*** apply whether the ***Accessory building*** is attached to the ***Principal building*** or not.

7.4.5 MAXIMUM HEIGHT **BL#2007**

7.4.5.1 *Single family dwelling*	9.2m
7.4.5.2 *Duplex dwelling*	9.2m
7.4.5.3 *Multi-family dwelling*	11.0m
7.4.5.4 Non-residential principal building	9.2m
7.4.5.5 *Accessory buildings* and ***Structures***	5.0m

7.4.6 USABLE PRIVATE OPEN SPACE

7.4.6.1 ***Usable private open space*** must be provided for each ***Dwelling unit*** on a ***Lot,*** which shall reflect a minimum of 10% of the ***Gross floor area*** of the ***Dwelling unit*** and in no case shall be less than 5.6 square metres.

7.4.7 USABLE COMMON OPEN SPACE

7.4.7.1 10 sq. m. of ***Usable common open space,*** with a minimum dimension of 4m in any direction, shall be provided per ***Dwelling unit*** and shall:

i. be contained entirely on the ***Lot***;
ii. be accessible at all times to the occupants of the ***Lot***;
iii. not be located within a ***Setback***; and,
iv. be separated from ground floor windows, streets, service areas, and parking with landscaping or low-level fencing.

7.4.7.2 Notwithstanding 7.4.7.1, the provision of ***Usable common open space*** shall not be required, where a residential development is located within 200 metres of an established Town of Creston Park. **BL#2052**

R3 ZONE

7.4.7.3 Indoor common recreational, leisure and social spaces may be considered for up to 25% of the required ***Usable common open space*** as a variance to Section 7.4.7.1, as part of a development permit. **BL#2052**

7.4.7.4 Notwithstanding subsection 7.4.7.3, where no ***Usable outdoor common space*** is required, a minimum of 2.5 sq. m. per ***Dwelling unit***, of indoor common recreation, leisure, or social space shall be required, and in no case shall less than 50 sq. m. be provided. **BL#2052**

7.5 RESIDENTIAL - HIGH DENSITY (R4) ZONE

R4 ZONE

7.5.1 INTENT

The intent of this ***Zone*** is to allow high density ***Apartment*** and ***Multi-family*** development.

7.5.2 PERMITTED USES

7.5.2.1 ***Principal uses***
The following ***Principal uses*** and no others shall be permitted in this ***Zone***:

i. ***Apartment dwelling.***
ii. ***Multi-family dwelling.***
iii. ***Boarding, rooming or lodging home*** with mobile catering, specific only to the property located at 1909 Ash Street, legally described as Lot 1, District Lot 891, Kootenay District, Plan 12455 (PID: 010-242-694).

7.5.2.2 ***Accessory uses***
The following ***Accessory uses*** and no others shall be permitted in this ***Zone***:

i. ***Accessory building.***
ii. ***Home occupation.***
iii. ***Short term rental.*** **BL#1977**
iv. ***Community care facility***. **BL#1986**

7.5.3 ZONE REGULATIONS

7.5.3.1 Minimum Lot Area: 1300 sq. m.

7.5.3.2 Minimum Lot *Frontage*: 20m

7.5.3.3 Maximum Density: 140 ***Dwelling units*** per hectare **BL#2052**

7.5.3.4 Maximum *Lot Coverage*: 75%

7.5.4 MINIMUM SETBACKS

7.5.4.1 *Apartment dwellings* and *Boarding, rooming or lodging homes*	
i. ***Front lot line***	7.6m
ii. ***Rear lot line***	7.6m
iii. ***Interior side lot line***	3.0m
iv. ***Exterior side lot line***	6.0m

7.5.4.2 *Multi-family dwellings*	
i. ***Front lot line***	6.0m
ii. ***Rear lot line***, where ***Lot*** abuts a lane	1.5m
iii. ***Rear lot line***, where no lane exists	3.0m
iv. ***Interior side lot line***	3.0m
v. ***Exterior side lot line***	3.0m

7.5.4.3 *Accessory buildings*	
i. ***Front lot line***	6.0m
ii. ***Rear lot line***	1.5m
iii. ***Interior side lot line***	1.5m
iv. ***Exterior side lot line***	6.0m

7.5.4.4 The ***Setbacks*** pertaining to ***Accessory buildings*** apply whether the ***Accessory building*** is attached to the ***Principal building*** or not.

7.5.5 MAXIMUM HEIGHT **BL#2007**

7.5.5.1 *Apartment dwellings and Boarding, rooming or lodging homes*	18m **BL#2052**
7.5.5.2 *Multi-family dwellings*	9.2m
7.5.5.3 Non-residential principal building	9.2 m
7.5.5.4 *Accessory buildings* and ***Structures***	5.0m

7.5 RESIDENTIAL - HIGH DENSITY (R4) ZONE

R4 ZONE

7.5.6 USABLE PRIVATE OPEN SPACE

7.5.6.1 ***Usable private open space*** must be provided for each ***Dwelling unit*** on a ***Lot,*** which shall reflect a minimum of 10% of the ***Gross floor area*** of the ***Dwelling unit*** and in no case shall be less than 5.6 sq. m..

7.5.7 USABLE COMMON OPEN SPACE

7.5.7.1 10 sq. m. of ***Usable common open space,*** with a minimum dimension of 4m in any direction, shall be provided per ***Dwelling unit*** and shall:

i. be contained entirely on the ***Lot;***
ii. be accessible at all times to the occupants of the ***Lot***;
iii. not be located within a ***Setback***; and,
iv. be separated from ground floor windows, streets, service areas, and parking with landscaping or low-level fencing.

7.5.7.2 Notwithstanding 7.5.7.1, the provision of ***Usable common open space*** shall not be required, where a residential development is located within 200 metres of an established Town of Creston Park. **BL#2052**

7.5.7.3 Indoor common recreational, leisure and social spaces may be considered for up to 25% of the required ***Usable common open space*** as a variance to Section 7.5.7.1, as part of a development permit. **BL#2052**

7.5.7.4 Notwithstanding subsection 7.5.7.3, where no ***Usable outdoor common space*** is required, a minimum of 2.5 sq. m. per ***Dwelling unit***, of indoor common recreation, leisure, or social space shall be required, and in no case shall less than 50 sq. m. be provided. **BL#2052**

7.6 RESIDENTIAL - RURAL (R5) ZONE

R5 ZONE

7.6.1 INTENT

The intent of this ***Zone*** is to allow low-density development on larger ***Lots*** located outside of the Residential Growth Containment Area.

7.6.2 PERMITTED USES

7.6.2.1 *Principal uses*
The following ***Principal uses*** and no others shall be permitted in this ***Zone***:

i. ***Duplex dwelling.***
ii. ***Single family dwelling.***

7.6.2.2 *Accessory uses*
The following ***Accessory uses*** and no others shall be permitted in this ***Zone***:

i. ***Accessory building.***
ii. ***Attached accessory dwelling unit.***
iii. ***Community care facility***, only within a ***Single family dwelling.***
iv. ***Crop-based agriculture.***
v. ***Detached accessory dwelling unit.***
vi. ***Home occupation.***
vii. ***Market garden.***
viii. ***Short term rental.*** **BL#1977**

7.6.3 ZONE REGULATIONS

7.6.3.1 Minimum Lot Area: 0.4 hectares

7.6.3.2 Minimum Lot *Frontage*: 20m

7.6.3.3 Maximum Density: 2 ***Dwelling units*** per ***Lot***

7.6.3.4 Minimum *Principal Dwelling Gross Floor Area*: 75 sq. m.

7.6.4 MINIMUM SETBACKS

7.6.4.1 All *Buildings* and *Structures*	
i. ***Front lot line***	7.6m
ii. ***Rear lot line***	7.6m
iii. ***Interior side lot line***	1.8m
iv. ***Exterior side lot line***	7.6m

7.6.4.2 Exception

Minimum setbacks for existing ***Buildings*** and ***Structures*** which, on June 27, 2022, were located within the R1 - Single Family Residential Zone, shall be in accordance with Section 7.2.4, Residential - Low Density (R1) Zone, of this Bylaw.

7.6.5 MAXIMUM HEIGHT

7.6.5.1 *Principal Buildings*	9.2m
7.6.5.2 *Accessory buildings* and ***Structures***	5.0m
7.6.5.3 *Detached accessory dwelling unit - Garden suite*	5.0m
7.6.5.4 *Detached accessory dwelling unit - Carriage suite*	6.1m

7.6.6 USABLE PRIVATE OPEN SPACE

7.6.6.1 *Usable private open space* must be provided for each ***Dwelling unit*** on a ***Lot***, which shall reflect a minimum of 10% of the ***Gross floor area*** of the ***Dwelling unit*** and in no case shall be less than 5.6 sq. m..

7.7 RESIDENTIAL MANUFACTURED HOME PARK (R6) ZONE

R6 ZONE

7.7.1 INTENT

The intent of this ***Zone*** is to allow the development of ***Manufactured home*** parks in accordance with Mobile Home Parks Bylaw No.1393, 1997.

7.7.2 PERMITTED USES

7.7.2.1 *Principal uses*
The following ***Principal uses*** and no others shall be permitted in this ***Zone***:

i. ***Manufactured home*** park.

7.7.2.2 *Accessory uses*
The following ***Accessory use*** and no others shall be permitted in this ***Zone***:

i. ***Accessory building***, limited to common service facilities or where accessory to a ***Single family dwelling***, and shall not be located on a ***Manufactured home space***.
ii. ***Home occupation***.
iii. Private storage building, limited to one (1) per ***Manufacture home space***, which must not exceed 10 sq. m. of ***Gross floor area***.
iv. ***Single family dwelling*** (limited to the owner, operator or caretaker of the ***Manufactured home*** park). Limited to one (1) per ***Lot.***
v. ***Short term rental.*** **BL#1977**

7.7.3 ZONE REGULATIONS

7.7.3.1 Minimum Lot Area: 2 hectares

7.7.3.2 Minimum Lot *Frontage*: 20m

7.7.3.3 Maximum *Lot Coverage*: 50%

7.7.3.4 Maximum Density: 1 ***Manufactured home*** per 375.0 sq. m., and 1 ***Single family dwelling*** per ***Lot***.

7.7.4 MINIMUM SETBACKS

7.7.4.1 All *Buildings* and *Structures*	
i. ***Front lot line***	7.5m
ii. ***Rear lot line***	7.5m
iii. ***Interior side lot line***	7.5m
iv. ***Exterior side lot line***	7.5m

7.7.5 MAXIMUM HEIGHT

7.5.5.1 *Accessory buildings*	5.0m
7.5.5.2 Private storage buildings and ***Structures***	2.4m
7.5.5.3 All other *Buildings*	7.5m

7.7.6 ADDITIONAL REGULATIONS

7.7.6.1 A ***Manufactured home*** park shall be developed in accordance with the provisions set forth in Mobile Home Parks Bylaw No. 1393, 1997, as amended from time to time.

7.7.6.2 Minimum *Manufactured home space* internal roadway frontage: 12.5m, except in the case of a cul-de-sac or panhandle space, in which case the minimum frontage shall be 6m provided that the average lot width is at least 12.5m.

7.7.6.3 Minimum *Manufactured home* and addition setbacks:

7.7.6.3.1 3.0m from any other ***Manufactured home*** or addition.

7.7.6.3.2 6.0m from an internal roadway or common parking area.

7.7.6.3.3 3.0m from a rear ***Manufactured home space*** line.

7.7.6.3.4 1.5m from an interior side ***Manufactured home space*** line.

7.7.6.2 All ***Manufactured home spaces, Single family dwellings,*** storage areas, service buildings, and any other facility where access is required shall have vehicular access to an internal roadway.

7.8 COMMERCIAL DOWNTOWN CORE (CDC) ZONE

CDC ZONE

7.8.1 INTENT

The intent of this ***Zone*** is to allow commercial and ***Accessory uses*** suitable for the business area, located in the Downtown Core, to create a pedestrian-friendly downtown that acts as a social and economic hub.

7.8.2 PERMITTED USES

7.8.2.1 ***Principal uses***

The following ***Principal uses*** and no others shall be permitted in this ***Zone***:

i. ***Business or professional office.***
ii. ***Cannabis retail store.***
iii. ***Community care facility.***
iv. ***Custom indoor manufacturing.***
v. ***Food and beverage service - liquor primary.***
vi. ***Food and beverage service - food primary*** (including catering).
vii. Funeral parlour.
viii. ***Gas station.***
ix. ***Health and medical services.***
x. ***Indoor recreation or entertainment.***
xi. ***Liquor manufacturing, minor.***
xii. ***Mixed-use.***
xiii. ***Mobile food vendor.***
xiv. ***Mobile retail vendor.***
xv. ***Outdoor recreation or entertainment.***
xvi. ***Personal services***.
xvii. Parking lot, including parking garages.
xviii. ***Printing or publishing.***
xix. Public transportation depot.
xx. Radio or television station.
xxi. ***Retail.***
xxii. ***Social services.***
xxiii. ***Tourist accommodation or services.***
xxiv. Existing ***Single family dwelling***, specific only to the property located at 217 - 11th Avenue North, legally described as Lot 10, Block 1, District Lot 891, Kootenay District, Plan 893 (PID: 016-077-474).
xxv. Glass repair, replacement and sales, specific only to the property located at 1520 Canyon Street, legally described as Lot 1, District Lot 891, Kootenay District, Plan NEP21077 (PID: 018-638-236).
xxvi. Motorcycle sales, service or repair, specific only to the property located at 130 - 15th Avenue North, legally described Lot 1, District Lot 891, Kootenay District, Plan 11469 (PID: 005-477-549).
xxvii. Tire shop, specific only to the properties located at: 918 Pine Street, legally described as Lot 1, District Lot 525, Kootenay District, Plan 5003 (PID: 009-938-109); and, 1222 Cook Street, legally described as Lots 5,6 and 7, Block A, District Lot 891, Kootenay District, Plan 2167 (PIDs: 015-532-011, 015-531-961, and 011-802-545).

7.8.2.2 ***Accessory uses***

The following ***Accessory uses*** and no others shall be permitted in this ***Zone***:

i. ***Accessory building.***
ii. ***Home occupation.***
iii. ***Short term rental.*** **BL#1977**

7.8.3 ZONE REGULATIONS

7.8.3.1 Minimum Lot Area: 232 sq. m.

7.8.3.2 Minimum Lot *Frontage*: 7.5m

7.8.3.3 Maximum *Lot Coverage*: 100%

7.8.3.4 Maximum Density: 90 ***Dwelling units*** per hectare

7.8 COMMERCIAL DOWNTOWN CORE (CDC) ZONE

CDC ZONE

7.8.4 MINIMUM SETBACKS

7.8.4.1 ***Principal buildings***		**7.8.4.2** ***Accessory buildings***	
i. ***Front lot line***	0.0m	i. ***Front lot line***	3.0m
ii. ***Rear lot line***	0.0m	ii. ***Rear lot line***	0.0m
iii. ***Interior side lot line***	0.0m	iii. ***Interior side lot line***	0.0m
iv. ***Exterior side lot line***	0.0m	iv. ***Exterior side lot line***	3.0m

7.8.4.3 Exceptions

i. Where the ***Rear lot line*** abuts a lane, the minimum ***Rear lot line Setback*** shall be 3.0m.
ii. Where a ***Lot*** abuts a Residential ***Zone***, no ***Building*** or ***Structure*** shall be sited less than 1.5m from the ***Lot*** boundary abutting the Residential ***Zone***.

7.8.5 MAXIMUM HEIGHT

7.8.5.1 ***Principal buildings***	12.2m	**7.8.5.2** ***Accessory buildings*** and ***Structures***	5.0m

7.9 COMMERCIAL GENERAL (CG) ZONE



7.9.1 INTENT

The intent of this ***Zone*** is to allow commercial and ***Mixed-use*** development, and ***Accessory uses*** suitable for the business area located outside of the Downtown Core.

7.9.2 PERMITTED USES

7.9.2.1 *Principal uses*

The following ***Principal uses*** and no others shall be permitted in this ***Zone***:

i. ***Business or professional office.***
ii. ***Cannabis retail store.***
iii. ***Community care facility.***
iv. ***Custom indoor manufacturing.***
v. ***Food and beverage service - liquor primary.***
vi. ***Food and beverage service - food primary*** (including catering).
vii. Funeral parlour.
viii. ***Gas station.***
ix. ***Health and medical services.***
x. ***Indoor recreation or entertainment.***
xi. ***Liquor manufacturing, minor.***
xii. ***Mixed-use.***
xiii. ***Mobile food vendor.***
xiv. ***Mobile retail vendor.***
xv. ***Outdoor recreation or entertainment.***
xvi. ***Personal services.***
xvii. Parking lot, including parking garages.
xviii. ***Printing or publishing.***
xix. Public transportation depot.
xx. Radio or television station.
xxi. ***Retail.***
xxii. ***Social services.***
xxiii. ***Thrift store.***
xxiv. ***Tourist accommodation or services.***
xxv. Veterinary clinic for small animals.
xxvi. Tire shop, specific only to the property located at: 1816 Canyon Street, legally described as Lots 9, 10 and 11, District Lot 891, Kootenay District, Plan 1970 (PID: 009-445-692, 009-445-731, and 009-445-765). **BL#1986**

7.9.2.2 *Accessory uses*

The following ***Accessory uses*** and no others shall be permitted in this ***Zone***:

i. ***Accessory building.***
ii. ***Home occupation.***
iii. ***Short term rental.*** **BL#1977**

7.9.3 ZONE REGULATIONS

7.9.3.1 Minimum Lot Area: 232 sq. m.

7.9.3.2 Minimum Lot *Frontage*: 7.5m

7.9.3.3 Maximum *Lot Coverage*: 75%

7.9.3.4 Maximum Density: 75 ***Dwelling units*** per hectare

7.9.4 MINIMUM SETBACKS

7.9.4.1 All *Buildings* and *Structures*	
i. ***Front lot line***	3.0m
ii. ***Rear lot line***	3.0m
iii. ***Interior side lot line***	1.5m
iv. ***Exterior side lot line***	3.0m

7.9.4.2 Exceptions

i. Where a ***Lot*** abuts a Residential ***Zone***, no ***Building*** or ***Structure*** shall be sited less than 3.0m from the ***Lot*** boundary abutting the Residential ***Zone***.

7.9.5 MAXIMUM HEIGHT

7.9.5.1 *Principal buildings*	9.2m	**7.9.5.2 *Accessory buildings*** and ***Structures***	5.0m

7.10 COMMERCIAL HIGHWAY SERVICE (CHS) ZONE



7.10.1 INTENT

The intent of this ***Zone*** is to allow primarily service oriented commercial uses and ***Accessory uses*** to locate along highway corridors, in addition to general commercial uses.

7.10.2 PERMITTED USES

7.10.2.1 ***Principal uses***

The following ***Principal uses*** and no others shall be permitted in this ***Zone***:

i. ***Animal service.***
ii. ***Auction sales*** (excluding livestock).
iii. Bulk petroleum sales and service, including propane.
iv. ***Building services.***
v. ***Business or professional office.***
vi. ***Campground***, in accordance with Campground Bylaw No. 1149, 1990, as amended from time to time.
vii. ***Cannabis analytical testing.***
viii. ***Cannabis cultivation.***
ix. ***Cannabis nursery.***
x. ***Cannabis processing, micro.***
xi. Car wash.
xii. ***Food processing, storage and sales.***
xiii. ***Food and beverage service - liquor primary.***
xiv. ***Food and beverage service - food primary*** (including catering).
xv. ***Gas station.***
xvi. Greenhouse - commercial.
xvii. ***Health and medical services.***
xviii. Hardware and building materials sales.
xix. Hotel and convention facility.
xx. ***Indoor recreation or entertainment.***
xxi. ***Light manufacturing.***
xxii. ***Liquor manufacturing, minor.***
xxiii. ***Medical marihuana production facility.***
xxiv. ***Mixed-use.*** **BL#2064**
xxv. ***Multi-family dwelling***, if existing on August 11, 2015 (see Schedule C).
xxvi. ***Outdoor recreation or entertainment.***
xxvii. ***Personal service establishment.***
xxviii. ***Printing or publishing.***
xxix. Recycling facility.
xxx. ***Retail medical cannabis sales.***
xxxi. ***Retail store.***
xxxii. Self-storage.
xxxiii. ***Single family dwelling***, if existing on August 11, 2015 (see Schedule C).
xxxiv. Small engine repair.
xxxv. ***Tourist accommodation or services.***
xxxvi. ***Transportation services.***
xxxvii. ***Vehicle sales, service or repair.***
xxxviii. ***Warehousing or wholesale.***
xxxix. Monthly residential unit rentals of existing motel units, specific only to the property located at 1441 Northwest Boulevard, legally described as Lot 2, District Lot 892, Kootenay District, Plan 4260 (PID: 014-880-709).
xl. ***Towing service***, specific only to the property located at 1639 Northwest Boulevard legally described at Lot 1, District Lot 892, Kootenay District, Plan 7477 (PID: 013-874-039).
xli. ***Mobile food vendor.*** **BL#1986**
xlii. ***Mobile retail vendor.*** **BL#1986**

7.10.2.2 ***Accessory uses***

The following ***Accessory uses*** and no others shall be permitted in this ***Zone***:

i. ***Accessory building.***
ii. ***Community care facility***, only within a ***Single family dwelling.***
iii. ***Home occupation.***
iv. Screened outdoor storage.
v. ***Single family dwelling***. Considered a ***Principal building*** for ***Setback*** and maximum ***Height*** calculations. **BL#2064**
vi. ***Short term rental.*** **BL#1977**

7.10.3 ZONE REGULATIONS

7.10.3.1 **Minimum Lot Area**: 464 sq. m.
Except Hotel and Convention Facility: 1 hectare

7.10.3.2 **Minimum Lot *Frontage:*** 15m
Except Hotel and Convention Facility: 30m

7.10.3.3 **Maximum *Lot Coverage***: 75%

7.10 COMMERCIAL HIGHWAY SERVICE (CHS) ZONE



7.10.3.4 Maximum Density: 1 ***Dwelling unit*** per ***Lot***, or as specified in Schedule C, if existing on August 11, 2015.

7.10.4 MINIMUM SETBACKS (EXCEPT HOTEL AND CONVENTION CENTRE)

7.10.4.1 ***Principal buildings***		**7.10.4.2** ***Accessory buildings***	
i. ***Front lot line***	6.0m	i. ***Front lot line***	6.0m
ii. ***Rear lot line***	4.5m	ii. ***Rear lot line***	4.5m
iii. ***Interior side lot line***	1.5m	iii. ***Interior side lot line***	1.5m
iv. ***Exterior side lot line***	3.0m	iv. ***Exterior side lot line***	3.0m

7.10.4.3 Exceptions

i. Where a ***Lot*** abuts a railway corridor at the ***Rear lot line***, a loading dock may be located 0.0m from the ***Rear lot line***.
ii. Where a ***Lot*** abuts a residential ***Zone***, no ***Building*** or ***Structure*** shall be sited less than 4.5m from the ***Lot*** boundary abutting the residential ***Zone***.

7.10.5 HOTEL AND CONVENTION CENTRE MINIMUM SETBACKS

7.10.5.1 ***Principal buildings***		**7.10.5.2** ***Accessory buildings***	
i. ***Front lot line***	6.0 m	i. ***Front lot line***	6.0 m
ii. ***Rear lot line***	4.5 m	ii. ***Rear lot line***	4.5 m
iii. ***Interior side lot line***	3.0 m	iii. ***Interior side lot line***	3.0 m
iv. ***Exterior side lot line***	6.0 m	iv. ***Exterior side lot line***	6.0 m

7.10.5.3 Exceptions

i. Where a ***Lot*** abuts a railway corridor at the ***Rear lot line***, a loading dock may be located 0.0m from the ***Rear lot line***.
ii. Where a ***Lot*** abuts a Residential ***Zone***, no ***Building*** or ***Structure*** shall be sited less than 4.5m from the ***Lot*** boundary abutting the Residential ***Zone***.

7.10.6 MAXIMUM HEIGHT (EXCEPT HOTEL AND CONVENTION CENTRE)

7.10.6.1 ***Principal Buildings***	12.2m	**7.10.6.2** ***Accessory buildings***	4.5m

7.10.7 HOTEL AND CONVENTION CENTRE MAXIMUM HEIGHT

7.10.7.1 ***Principal Buildings***	14.0m	**7.10.7.2** ***Accessory buildings*** and ***Structures***	4.5m

7.11 COMMERCIAL NEIGHBOURHOOD (CN) ZONE

CN ZONE

7.11.1 INTENT

The intent of this ***Zone*** is to allow commercial and ***Accessory uses*** suitable for residential neighbourhoods.

7.11.2 PERMITTED USES

7.11.2.1 ***Principal uses***
The following ***Principal uses*** and no others shall be permitted in this ***Zone***:

i. ***Community care facility.***
ii. ***Food and beverage service - liquor primary.***
iii. ***Food and beverage service - food primary*** (including catering).
iv. ***Mixed-use***. **BL#2064**
v. ***Neighbourhood grocery store*** with ***Gross floor area*** less than 200 sq. m..
vi. ***Personal service establishment.***
vii. ***Tourist accommodation or services,*** specific only to the property located at 216 Valleyview Drive, legally described as Lot B, District Lot 524, Kootenay District, Plan NEP20928 (PID: 018-534-121).
viii. Woodwork shop, specific only to the property located at 105 8th Avenue South, legally described as Lot 1, District Lot 525, Kootenay District, Plan 693 (PID: 017-152-763).
ix. Mini-storage, specific to the property located at 305 11th Avenue South, legally described as Lot 9, District Lot 525, Kootenay District Plan 2205 (PID: 009-935-649).
x. ***Indoor recreation*** and ***Retail,*** specific to the property located at 1620 Hood Road, legally described as Lot 2, District Lot 9554, Kootenay District, Plan NEP84806 (PID: 027-265-889). **BL#2038**

7.11.2.2 Accessory uses
The following ***Accessory uses*** and no others shall be permitted in this ***Zone***:

i. ***Accessory building.***
ii. ***Home occupation.***
iii. ***Single family dwelling.*** Considered a ***Principal building*** for ***Setback*** and maximum ***Height*** calculations. **BL#2064**
iv. ***Short term rental.*** **BL#1977**

7.11.3 ZONE REGULATIONS

7.11.3.1 Minimum Lot Area: 333 sq. m.

7.11.3.2 Minimum Lot *Frontage*: 12m

7.11.3.3 Maximum *Lot Coverage*: 75%

7.11.3.4 Maximum Density: 1 ***Dwelling unit*** per ***Lot***

7.11.3.5 DELETED **BL#2007**

7.11.4 MINIMUM SETBACKS

7.11.4.1 ***Principal buildings***		**7.11.4.2** ***Accessory buildings***	
i. ***Front lot line***	6.1m	i. ***Front lot line***	6.1m
ii. ***Rear lot line***	3.0m	ii. ***Rear lot line***	1.5m
iii. ***Interior side lot line***	1.5m	iii. ***Interior side lot line***	1.5m
iv. ***Exterior side lot line***	3.0m	iv. ***Exterior side lot line***	3.0m

7.11.5 MAXIMUM HEIGHT

7.11.5.1 ***Principal buildings***	9.2m	**7.11.5.2** ***Accessory buildings*** and ***Structures***	5.0m

7.12 NORTHWEST BOULEVARD COMPREHENSIVE DEVELOPMENT (CDNW) ZONE

CDNW ZONE

7.12.1 INTENT

The intent of this ***Zone*** is to allow ***Mixed-use*** neighbourhood-scale commercial development, residential development or a combination thereof that is consistent with the Northwest Boulevard Local Area Plan Bylaw No. 1845, 2016.

The Northwest Boulevard Comprehensive Development ***Zone*** provides further zoning regulations to ensure the comprehensive implementation of the Local Area Plan. Both land use bylaws must be complied with when developing in this ***Zone***.

7.12.2 PERMITTED USES

7.12.2.1 *Principal uses*

The following ***Principal uses*** and no others shall be permitted in this ***Zone***:

Commercial

i. ***Custom indoor manufacturing.***
ii. ***Food and beverage service - liquor primary.***
iii. ***Food and beverage service - food primary*** (including catering).
iv. ***Liquor manufacturing, minor.***
v. ***Personal service establishment.***
vi. ***Retail*** with ***Gross floor area*** less than 200 sq.m.

Residential

vii. ***Single family dwelling.***
viii. ***Duplex.***
ix. ***Multi-family dwelling.***
x. ***Community care facility.***
xi. ***Senior citizen facility.***

Institutional

xii. ***Health and medical services.***
xiii. ***Indoor recreation or entertainment.***
xiv. ***Senior citizen facility.***

Mixed-use

xv. A permitted residential use, combined with a non-residential permitted use.

7.12.2.2 *Accessory uses*

The following ***Accessory uses*** and no others shall be permitted in this ***Zone***:

i. ***Accessory building.***
ii. ***Home occupation.***
iii. ***Attached accessory dwelling unit.*** Limited to a ***Single family dwelling.***
iv. ***Short term rental.*** **BL#1977**

7.12.2.3 Northwest Boulevard Local Area Plan Conformance

i. All permitted uses and siting of permitted uses, ***Buildings*** and ***Structures***, shall be in conformance with Northwest Boulevard Local Area Plan Bylaw No. 1845, 2016, as amended from time to time.

7.12.3. ZONE REGULATIONS

	7.12.3.1 Min. Lot Width	**7.12.3.2 Min. Lot Area**	**7.12.3.3 Max. Lot coverage**
i. Commercial	7.6m	232 sq.m.	75%
ii. ***Mixed-use***	7.6m	232 sq.m.	75%
iii. ***Institutional***	15.0m	464 sq.m.	75%
iv. Residential	7.6m with rear lane	232 sq.m.	60%
	12.2m without rear lane		

7.12.3.4 Maximum Density: 60 ***Dwelling units*** per hectare

7.12.3.5 DELETED **BL#2007**

7.12 NORTHWEST BOULEVARD COMPREHENSIVE DEVELOPMENT (CDNW) ZONE

CDNW ZONE

7.12.4. SETBACKS

7.12.4.1 *Principal buildings*					
		Front	**Rear**	**Interior Side**	**Exterior Side**
i. Commercial	Min.	6.1m	3.0m	0.0m	4.5m
ii. Commercial	Max.	N/A	N/A	N/A	N/A
iii. ***Mixed-use***	Min.	0.0m	3.0m	0.0m	0.0m
iv. ***Mixed-use***	Max.	3.0m	N/A	N/A	3.0m
v. ***Institutional***	Min.	0.0m	3.0m	3.0m	0.0m
vi. ***Institutional***	Max.	3.0m	N/A	N/A	3.0m
vii. Residential	Min.	3.0m	6.1m	1.5m	3.0m
viii. Residential	Max.	N/A	N/A	N/A	N/A

7.12.4.2 *Accessory buildings*					
		Front	**Rear**	**Interior Side**	**Exterior Side**
i. Commercial	Min.	6.1m	3.0m	1.5m	4.5m
ii. ***Mixed-use***	Min.	6.1m	1.5m	1.5m	3.0m
iii. ***Institutional***	Min.	6.1m	1.5m	1.5m	3.0m
iv. Residential	Min.	6.1m	1.5m	1.5m	3.0m

7.12.5. MAXIMUM HEIGHT

BL #2007

7.12.5.1 *Single family dwelling*	9.2m
7.12.5.2 *Duplex dwelling*	9.2m
7.12.5.3 *Multi-family dwelling*	11.0m
7.12.5.4 *Mixed-use principal building*	12.2m
7.12.5.5 *Institutional principal building*	11.0m
7.12.5.6 Commercial *principal building*	12.2m
7.12.5.7 *Accessory buildings* and ***Structures***	5.0m

7.12.6 USABLE PRIVATE OPEN SPACE

7.12.6.1 ***Usable private open space*** must be provided for each ***Dwelling unit*** on a ***Lot***, which shall reflect a minimum of 10% of the ***Gross floor area*** of the ***Dwelling unit*** and in no case shall be less than 5.6 sq. m.

7.12.7 USABLE COMMON OPEN SPACE

7.12.7.1 10 sq. m. of ***Usable common open space***, with a minimum dimension of 4.0m in any direction, shall be provided per ***Multi-family dwelling unit*** and shall:

i. be contained entirely on the ***Lot***;
ii. be accessible at all times to the occupants of the ***Lot***;
iii. not be located within a ***Setback***; and,
iv. be separated from ground floor windows, streets, service areas, and parking with landscaping or low-level fencing.

7.12.7.2 Indoor common recreational, leisure and social spaces may be considered for up to 25% of the required ***Usable common open space*** as a variance to Section 7.12.7.1, as part of a development permit.

7.13 INDUSTRIAL GENERAL (IG) ZONE

IG ZONE

7.13.1 INTENT

The intent of this ***Zone*** is to allow a variety of low impact industrial uses and ***Accessory uses***, appropriate to Creston's small town character, to generate employment for local residents.

7.13.2 PERMITTED USES

7.13.2.1 ***Principal uses***

The following ***Principal uses*** and no others shall be permitted in this ***Zone***:

i. ***Building services***.
ii. Bulk petroleum sales and service, including propane.
iii. ***Cannabis operation***.
iv. Car wash.
v. ***Food processing, storage, and sales.***
vi. ***Gas station.***
vii. Greenhouse - commercial.
viii. Hardware and building materials sales.
ix. Industrial services.
x. ***Light manufacturing.***
xi. ***Liquor manufacturing, minor.***
xii. ***Liquor manufacturing, major.***
xiii. Log home manufacturing.
xiv. ***Medical marihuana production facility.***
xv. ***Mixed-use.*** **BL#2064**
xvi. Public works yard.
xvii. Recycling facility.
xviii. Self-storage.
xix. Small engine repair.
xx. ***Towing service.***
xxi. ***Transportation services.***
xxii. ***Vehicle sales, service or repair.***
xxiii. ***Warehousing or wholesale.***
xxiv. ***Campground***, in accordance with Campground Bylaw No. 1149, 1990, as amended from time to time, specific only to the property located at 1322 Northwest Boulevard, legally described as Lot A, District Lot 892, Kootenay District, Plan 2175, Except Plans 5225 and NEP61409 (PID: 015-452-212).
xxv. Concrete plant, specific only to the properties located at: 212 Collis Street, legally described as Lot B, District Lot 892, Kootenay District, Plan 10045 (PID: 007-963-254); and, 501 Helen Street, legally described as Lot 2, District Lot 892, Kootenay District, Plan NEP61735 (PID: 024-142-026).

7.13.2.2 ***Accessory uses***

The following ***Accessory uses*** and no others shall be permitted in this ***Zone***:

i. ***Accessory building.***
ii. ***Business or professional office.***
iii. ***Retail.***
iv. Outdoor storage.
v. ***Single family dwelling.*** Considered a ***Principal building*** for ***Setback*** and maximum ***Height*** calculations. **BL#2064**

7.13.2.3 Exceptions: Industrial Uses

i. Uses which are noxious or otherwise undesirable because of smoke, noise, glare, vibration, dirt, odour, or electrical interference are not permitted.
ii. Uses which are an offensive trade within the meaning of the *Health Act of British Columbia*, as amended from time to time, shall not be permitted.

7.13.3 ZONE REGULATIONS

7.13.3.1 Minimum Lot Area: 1000 sq. m.

7.13.3.2 Minimum Lot *Frontage*: 20m

7.13.3.3 Maximum *Lot Coverage*: 75%

7.13.3.4 Maximum Density: 1 ***Dwelling unit*** per ***Lot***

7.12.3.5 Minimum *Principal Dwelling Gross Floor Area*: 75 sq. m.

7.13 INDUSTRIAL GENERAL (IG) ZONE

IG ZONE

7.13.4 MINIMUM SETBACKS

7.13.4.1 All *Buildings* and *Structures*	
i. ***Front lot line***	6.0m
ii. ***Rear lot line***	4.5m
iii. ***Interior side lot line***	1.5m
iv. ***Exterior side lot line***	4.5m

7.13.4.2 Exceptions

i. Where a ***Lot*** abuts a railway corridor at the ***Rear lot line***, a loading dock may be located 0.0m from the ***Rear lot line***.
ii. Where a ***Lot*** abuts a residential or commercial ***Zone***, no ***Building*** or ***Structure*** shall be sited less than 4.5m from the abutting ***Lot line***.

7.13.5 MAXIMUM HEIGHT

7.13.5.1 *Principal buildings*	12.2m	**7.13.5.2 *Accessory buildings*** and ***Structures***	12.2m

7.14 INDUSTRIAL HEAVY (IH) ZONE



7.14.1 INTENT

The intent of this ***Zone*** is to allow industrial uses with regulated emissions and heavily loaded truck traffic that generate local employment and are essential to the commerce of Creston. The intent of this ***Zone*** is to allocate Industrial - Heavy uses in locations that do not impact Creston's small town character.

7.14.2 PERMITTED USES

7.14.2.1 *Principal uses*
The following ***Principal uses*** and no others shall be permitted in this ***Zone***:

i. Aggregate storage.
ii. Concrete plant.
iii. ***Heavy manufacturing.***
iv. Public works yard.
v. Sawmill.

7.14.2.2 *Accessory uses*
The following ***Accessory uses*** and no others shall be permitted in this ***Zone***:

i. ***Accessory building.***
ii. ***Business or professional office.***
iii. Outdoor storage.

7.14.3 ZONE REGULATIONS

7.14.3.1 Minimum Lot Area: 2000 sq. m.

7.14.3.2 Minimum Lot *Frontage*: 20m

7.14.3.3 Maximum *Lot Coverage*: 70%

7.14.4 MINIMUM SETBACKS

7.14.4.1 All *Buildings* and *Structures*	
i. ***Front lot line***	6.0m
ii. ***Rear lot line***	6.0m
iii. ***Interior side lot line***	6.0m
iv. ***Exterior side lot line***	3.0m

7.14.4.2 Setback Exception

i. Where the parcel abuts a residential or commercial ***Zone***, no ***Building*** or ***Structure*** shall be sited less than 10.0m from the ***Lot*** boundary.

7.14.5 MAXIMUM HEIGHT

7.14.5.1 *Principal buildings*	12.2m	**7.17.5.2 *Accessory buildings*** and ***Structures***	12.2m

7.15 COMMUNITY USE (CU) ZONE

CU ZONE

7.15.1 INTENT

The intent of this ***Zone*** is to allow for ***Community uses***, which are compatible with the surrounding neighbourhood and are within walking distance of downtown, and provide space for essential firefighter training facilities.

7.15.2 PERMITTED USES

7.15.2.1 ***Principal uses***
The following ***Principal uses*** and no others shall be permitted in this ***Zone***:

i. ***Assembly use***.
ii. Cemetery, columbarium, or crematorium.
iii. ***Community care facility***.
iv. Farmers' market.
v. Firefighter training facility.
vi. ***Health and medical services.***
vii. Hospital.
viii. ***Indoor recreation or entertainment.***
ix. ***Mixed-use*** limited to the owner, operator or caretaker of the non-residential ***Principal use***, or temporary accommodation for medical professionals as accessory to a ***Health and medical services use***. Limited to two (2) per ***Lot.***
x. ***Outdoor recreation or entertainment.***
xi. Public transportation depot.
xii. ***Senior citizen facility.***
xiii. ***Thrift store*** (non-profit).

7.15.2.2 ***Accessory uses***
The following ***Accessory uses*** and no others shall be permitted in this ***Zone***:

i. ***Accessory building.***
ii. ***Auction sales.***
iii. ***Business or professional office.***
iv. Emergency accommodation (temporary use).
v. ***Food and beverage service - food primary*** (including catering).
vi. ***Food and beverage service - liquor primary***.
vii. Mobile catering.
viii. ***Single family dwelling***, limited to the owner, operator or caretaker of the ***Principal use***. Limited to one (1) per ***Lot***. Considered a ***Principal building*** for maximum ***Height*** calculations.
ix. Trade show.
x. ***Mobile food vendor.*** **BL#1986**
xi. ***Mobile retail vendor.*** **BL#1986**

7.15.2.3 Conditional Uses
i. Event camping is permitted for up to two (2) continuous nights during special events at the facility on the ***Lot***, up to a maximum of three (3) social events per calendar year.

7.15.3 *ZONE* REGULATIONS

7.15.3.1 Minimum Lot Area: 560 sq. m.

7.15.3.2 Minimum Lot *Frontage*: 15m

7.15.3.3 Maximum Density: 2 ***Dwelling units*** per lot (does not apply to ***Senior citizen facility***).

7.15.3.4 ***Senior Citizen Facility*** **Maximum Density:** 90 sleeping units per hectare

7.15.3.5 Maximum *Lot Coverage*: 75%

7.15.3.6 ***Minimum Principal Dwelling Unit Gross Floor Area:*** 75 sq. m**.**

7.15.4 MINIMUM SETBACKS

7.15.4.1 All *Buildings* and *Structures*	
i. ***Front lot line***	3.0m
ii. ***Rear lot line***	3.0m
iii. ***Interior side lot line***	3.0m
iv. ***Exterior side lot line***	3.0m

7.15.5 MAXIMUM HEIGHT

7.15.5.1 *Principal buildings*	12.2m	**7.15.5.2 *Accessory buildings*** and ***Structures***	5.0m

7.16 RAILWAY CORRIDOR (RC) ZONE

RC ZONE

7.16.1 INTENT

The intent of this ***Zone*** is to recognize the continued operation of commercial railways, and to allow the development of parks, trails and other linear recreational uses.

7.16.2 PERMITTED USES

7.16.2.1 ***Principal uses***
The following ***Principal uses*** and no others shall be permitted in this ***Zone***:

i. Facility associated with the operation of a railway including main line trackage, sidings maintenance facility and passenger terminal.
ii. Parks, trails and linear recreation uses.

7.16.2.2 ***Accessory uses***
The following ***Accessory uses*** and no others shall be permitted in this ***Zone***:

i. ***Accessory building.***

READ A FIRST TIME this 26th day of April, 2022.

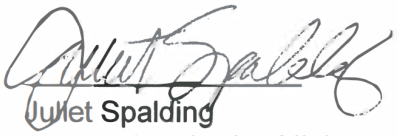
READ A SECOND TIME this 10th day of May, 2022.

PUBLIC HEARING was held this 14th day of June, 2022.

AMENDED AND READ A THIRD TIME this 14th day of June, 2022.

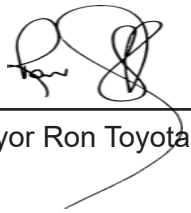
THIRD READING REPEALED AND BYLAW READ A THIRD TIME AS AMENDED this 21st day of June, 2022.

APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE this 23rd day of June, 2022.



Juliet Spalding
Approval Authority, Ministry of Transportation and Infrastructure.

ADOPTED this 28th day of June, 2022.



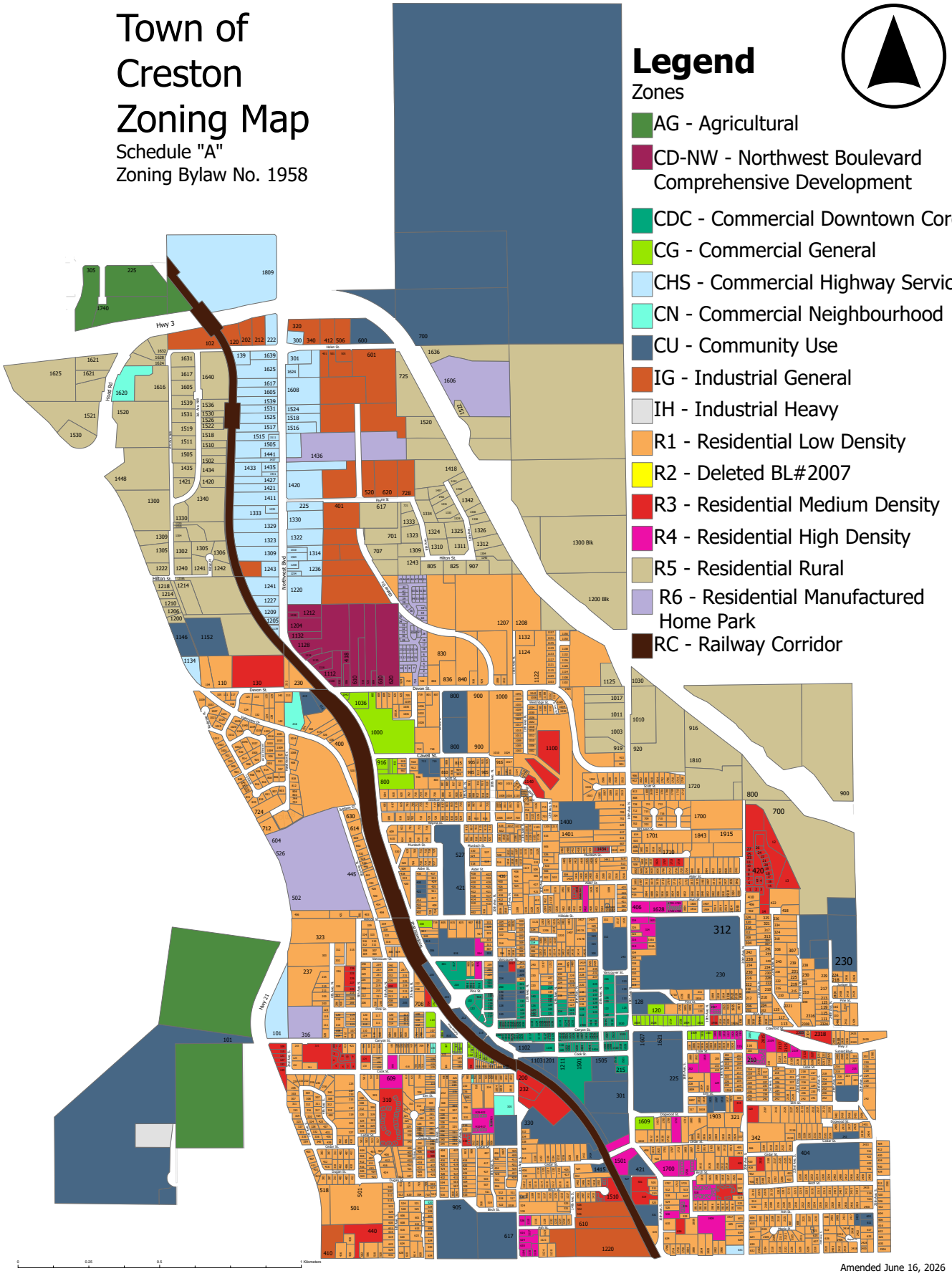
Mayor Ron Toyota



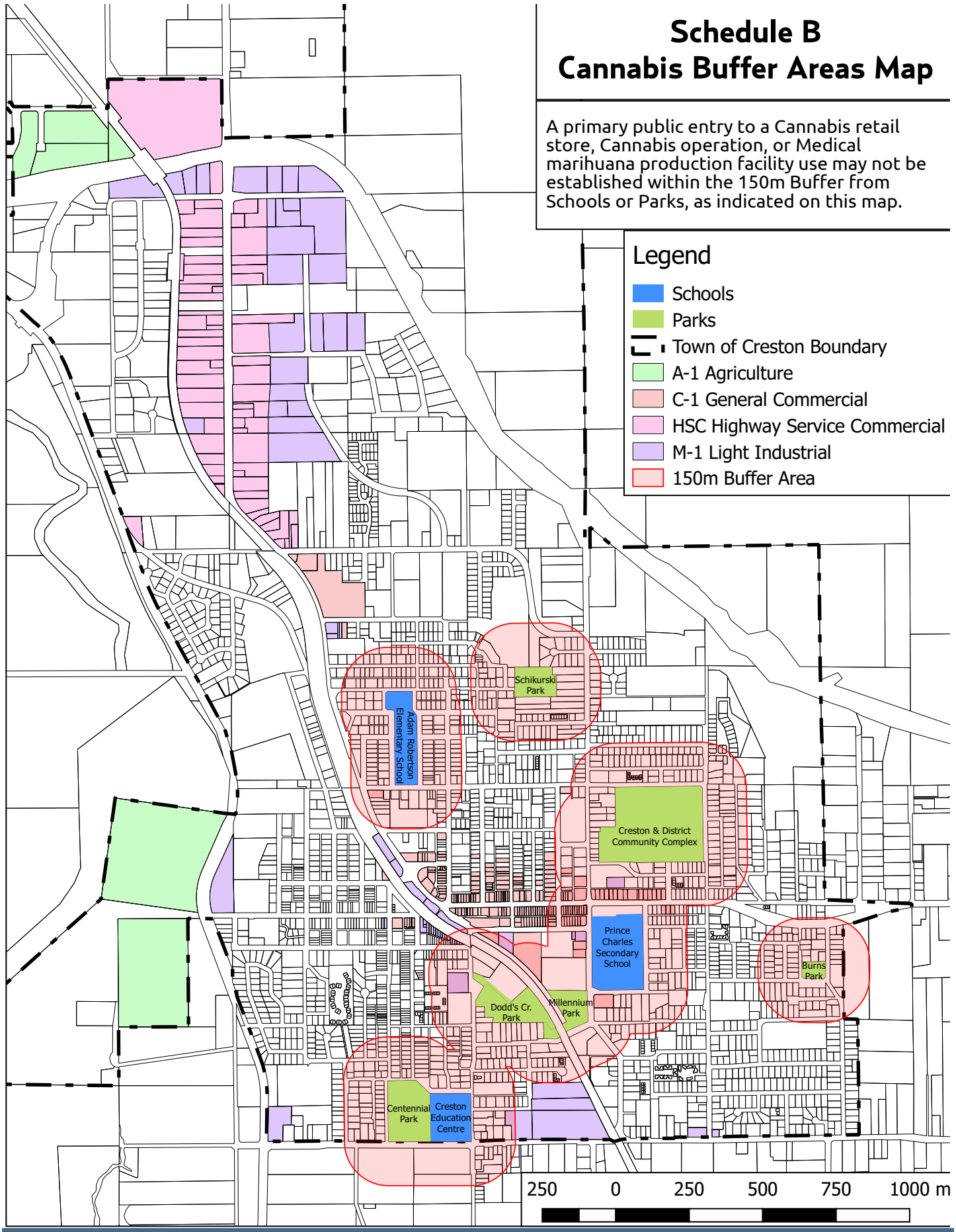
Michael Moore, Chief Administrative Officer

Town of Creston Zoning Map

Schedule "A"
Zoning Bylaw No. 1958



Amended June 16, 2026


Schedule B
Cannabis Buffer Areas Map
A primary public entry to a Cannabis retail store, Cannabis operation, or Medical marihuana production facility use may not be established within the 150m Buffer from Schools or Parks, as indicated on this map.
Legend
Schools
Parks
Town of Creston Boundary
A-1 Agriculture
C-1 General Commercial
HSC Highway Service Commercial
M-1 Light Industrial
150m Buffer Area
Schikurski Park
Adam Robertson Elementary School
Creston & District Community Complex
Prince Charles Secondary School
Burns Park
Dodd's Cr. Park
Millennium Park
Centennial Park
Creston Education Centre
250 0 250 500 750 1000 m

SCHEDULE C - CHS ZONE SITE SPECIFIC RESIDENTIAL USE

List of Lots

The following are the ***Lots*** in the Commercial Highway Service (CHS) ***Zone*** referred to in Part 7.10 of this Bylaw, being the ***Lots*** on which ***Single family*** and ***Multi-family dwellings*** are permitted, if existing on August 11, 2015:

BL#1986

Civic Address	Legal Description	Number of Units Existing on Aug. 11/15
1205 Northwest Blvd.	Lot 1, District Lot 9554, Kootenay District, Plan 4186, PID: 014-919-940	1 *Single family dwelling*
1227 Northwest Blvd.	Lot 2, District Lot 9554, Kootenay District, Plan 11764, PID: 012-690-431	1 *Single family dwelling*
1234 Northwest Blvd.	Lot 1, District Lot 892, Kootenay District, Plan NEP18787, PID: 015-854-744	1 *Single family dwelling*
1236 Northwest Blvd.	Lot 2, District Lot 892, Kootenay District, Plan NEP18787, PID: 015-854-752	1 *Single family dwelling*
1238 Northwest Blvd.	Lot 1, District Lot 892, Kootenay District, Plan 6397, PID: 011-159-693	1 *Single family dwelling*
1310 Northwest Blvd.	Lot 1, District Lot 892, Kootenay District, Plan 4089, PID: 008-449-953	1 *Single family dwelling*
1314 Northwest Blvd.	Lot B, Block B, District Lot 892, Kootenay District, Plan 2175, except Plans 4089, NEP66106, NEP85264, EPP15695 and EPP38286, PID: 015-418-359	1 *Single family dwelling*
1322 Northwest Blvd.	Lot A, District Lot 892, Kootenay District, Plan 2175, except Plans 5225 and NEP61409, PID: 015-452-212	2 *Single family dwelling*
1329 Northwest Blvd.	Lot 4, District Lot 892, Kootenay District, Plan 2177, PID: 011-127-287	3 *Single family dwelling*
1333 Northwest Blvd.	Lot 3, District Lot 892, Kootenay District, Plan 2177, except Plan 6897, PID: 015-532-810	1 *Single family dwelling*
1432 Northwest Blvd.	Parcel B (See 95111-I) of Lot 1, District Lot 892, Kootenay District, Plan 1256, PID: 009-913-335	1 *Single family dwelling*
1435 Northwest Blvd.	Lot 4, District Lot 892, Kootenay District, Plan 4088, PID: 012-835-737	1 *Single family dwelling*
1437 Northwest Blvd.	Lot 1, District Lot 892, Kootenay District, Plan 2926, except Plan 4260, PID: 015-029-964	1 *Single family dwelling*
1505 Northwest Blvd.	Lot 1, District Lot 892, Kootenay District, Plan 4260, PID: 014-953-463	9 *Apartment dwellings*
1506 Northwest Blvd.	Lot 2, District Lot 892, Kootenay District, Plan 16809: PID: 006-782-906	1 *Single family dwelling* and 7 *Multi-family dwellings*
1515 Northwest Blvd.	Lot B, District Lot 892, Kootenay District, Plan NEP23747, PID: 023-703-407	1 *Single family dwelling*
1516 Northwest Blvd.	Lot A, District Lot 892, Kootenay District, Plan 13647, PID: 010-631-216	1 *Single family dwelling* and 9 *Apartment dwellings*

Civic Address	Legal Description	Number of Units Existing on Aug. 11/15
1524 Northwest Blvd.	Lot A, District Lot 892, Kootenay District, Plan 7977, PID: 009-939-377	1 *Single family dwelling*
1525 Northwest Blvd.	Parcel A (See XF27588), District Lot 892, Kootenay District, Plan 2926, PID: 017-963-966	1 *Single family dwelling*
1531 Northwest Blvd.	Lot 5, District Lot 892, Kootenay District, Plan 2926, PID: 015-036-154	1 *Single family dwelling*
1539 Northwest Blvd.	Lot 5A, District Lot 892, Kootenay District, Plan 2926, PID: 009-937-731	1 *Single family dwelling*

INDEX OF AMENDING BYLAWS

Bylaw #1961 ..... Adopted October 11, 2022
Bylaw #1975 ..... Adopted August 22, 2023
Bylaw #1977 ..... Adopted March 12, 2024
Bylaw #1980 ..... Adopted September 26, 2023
Bylaw #1986 ..... Adopted March 12, 2024
Bylaw #2006 ..... Adopted April 23, 2024
Bylaw #2007 ..... Adopted June 4, 2024
Bylaw #2011 ..... Adopted January 14, 2025
Bylaw #2023 ..... Adopted February 25, 2025
Bylaw #2027 ..... Adopted May 13, 2025
Bylaw #2038 ..... Adopted October 14, 2025
Bylaw #2051 ..... Adopted June 16, 2026
Bylaw #2052 ..... Adopted June 16, 2026
Bylaw #2064 ..... Adopted October 27, 2026

NOTE TO USERS

“WHEREAS each bylaw consolidation shall be proof, in the absence of evidence to the contrary, of the original bylaw, of all bylaws amending it and of the fact of passage of the original and all amending bylaws”, pursuant to ‘Authority to Consolidate Municipal Bylaws No. 1533', which was adopted on the 11th day of June, 2001.