

THE CORPORATION OF THE CITY OF ROSSLAND

BYLAW #2518

WHEREAS Council wishes to repeal Bylaw No. 1912 “Zoning Bylaw” as amended, and wishes to adopt a new Zoning Bylaw pursuant to the Local Government Act.

AND WHEREAS Council has held a Public Hearing pursuant to the Local Government Act.

NOW THEREFORE Council of the City of Rossland, in open meeting assembled hereby enacts as follows:

SHORT TITLE

- 1. This Bylaw shall be cited as the “City of Rossland Zoning Bylaw No. 2518, 2011.”

ATTACHMENTS

- 2. a) The following schedules attached hereto are hereby made part of this bylaw and adopted as the Zoning Bylaw for the City of Rossland:
 - .1 Schedule A (Zoning Bylaw text)
 - .2 Schedule B (Zoning Bylaw map)

ENACTMENT

- 3. Bylaw No. 1912 cited as “The City of Rossland Zoning Bylaw” and amendments thereto as it applies to the City of Rossland is hereby repealed.

READ A FIRST TIME, this 11th day of October, 2011
READ A SECOND TIME this 11th day of October, 2011
PUBLIC HEARING HELD ON this 14th day of November, 2011
READ A THIRD TIME this 14th day of November, 2011
APPROVED PURSUANT TO THE TRANSPORTATION ACT, this 17th day of November, 2011

Signed Original Attached
Approving Officer - Ministry of Transportation and Highway

RECONSIDERED AND FINALLY ADOPTED, this 28th day of November, 2011

AMENDMENTS

BYLAW NUMBER	DATE	DESCRIPTION
2521	Dec 19, 2011	P5 Residential, MA1-Add cabin
2535	June 11, 2012	Existing small lot parcel coverage-R1
2543	February 25, 2013	R5 Zone Equivalent Units
2553	May 27, 2013	Building Parcel Coverage Definition
2558	November 12, 2013	MA-1 Jumbo – Add another cabin
2567	May 12, 2014	Secondary suite size increase
2563	Aug 11, 2014	CD6 – Cook Ave Residential
2581	April 13, 2015	CD3 – Resort Holiday Park

CONTENTS

1.0	BASIC PROVISIONS.....	1
1.1	Application	1
1.2	Conformity	1
1.3	Severability	1
1.4	Units of measure.....	1
1.5	Applicable Regulations	1
1.6	Non-Conforming Uses.....	1
1.7	Rules of Interpretation	1
2.0	ADMINISTRATION.....	3
2.1	Inspection	3
2.2	Violation.....	3
2.3	Offence	3
2.4	Penalty	3
2.5	Compliance with other Legislation	3
2.6	Bylaw Amendment	4
3.0	DEFINITIONS	5
4.0	GENERAL REGULATIONS.....	26
4.1	Use of Land, Buildings and Structures	26
4.2	Temporary Uses, Buildings Or Structures.....	30
4.3	Conversion of Buildings	31
4.4	Prohibited Uses.....	31
4.5	Regulation of the Size, Shape and Siting of Buildings and Structures	31
4.6	Consolidation of Parcels Prior to Development.....	33
4.7	Exemption of Existing Parcels	33
4.8	Exemption from Minimum Parcel Area	33
4.9	Cluster, Comprehensive Mixed Use & Comprehensive Residential Development.....	34
4.10	Signs.....	35
4.11	Screening, Landscaping, Fencing and Retaining Walls	36
4.12	Riparian Area Regulations.....	38
4.13	Lighting	38
4.14	Animal Proof Enclosures and Containers.....	38
4.15	Hillside Terrain	39
4.16	Snow Management.....	39
5.0	ESTABLISHMENT OF ZONES.....	40
5.1	Establishment of Zones.....	40
5.2	Location of Zones.....	40
5.3	Zone Boundaries.....	41
6.0	RESIDENTIAL	42
6.1	R-1 SINGLE DETACHED RESIDENTIAL	42
6.2	R-1I DETACHED INFILL RESIDENTIAL.....	44
6.3	R-1B/B SINGLE DETACHED BED BREAKFAST	47
6.4	R-1R DETACHED RESIDENTIAL RURAL.....	49
6.5	R-2 TWO FAMILY DETACHED RESIDENTIAL.....	51
6.6	R-2S TWO FAMILY DETACHED RESIDENTIAL SMALL LOT	53
6.7	R-3 RESIDENTIAL MULTIPLE FAMILY	55
6.8	R-MH RESIDENTIAL MOBILE HOME PARK.....	57
6.9	R-4 RESIDENTIAL MIXED DENSITY	58
6.10	R-5 RESIDENTIAL RESORT MIXED DENSITY	61
6.11	GH GUEST HOME SUB-ZONE.....	65
7.0	COMMERCIAL	66
7.1	C-1 COMMERCIAL DOWNTOWN CORE.....	66

7.2	C-2 COMMERCIAL SERVICE	69
7.3	C-3 COMMERCIAL RESORT ACCOMMODATION/COMMERCIAL	71
7.4	C-4 COMMERCIAL TRANSITION	74
7.5	C-5 COMMERCIAL NEIGHBOURHOOD ORIENTED.....	77
8.0	LIGHT INDUSTRIAL	79
8.1	M1 LIGHT INDUSTRIAL	79
9.0	PUBLIC, INSTITUTIONAL, PARK & OPEN SPACE	81
9.1	P-1 PUBLIC AND INSTITUTIONAL	81
9.2	P-2 PARKS AND OPEN SPACE	83
9.3	P-3 RESORT RECREATION.....	84
9.4	P-4 RESOURCE MANAGEMENT AREA	85
9.5	P-5 RESOURCE MANAGEMENT AREA-Residential	86
10.0	COMPREHENSIVE DEVELOPMENT	87
10.1	CD-1 – COMPREHENSIVE DEVELOPMENT ZONE 1.....	87
10.1.1	CD-1 -Low Density Residential – LDR-1.....	90
10.1.2	CD-1 – Multi-Family Residential – MFR-1	92
10.1.3	CD-1 – Alpine Village Core – AVC-1.....	94
10.1.4	CD-1 – Lower Alpine Village Core ‘A’ – AVC-2.....	97
10.1.5	CD-1 – Lower Alpine Village Core ‘B’ – AVC-3.....	99
10.1.6	CD-1 – Upper Alpine Village Core – AVC-4.....	101
10.1.7	CD-1 – Mountain Activity Area – MA-1.....	103
10.1.7.1	CD-1 – Mountain Activity Area – MA-1 JUMBO.....	104
10.1.8	CD-1 – Open Space – OS-1	105
10.1.9	CD-1 – Resort Parking – RP-1	106
10.1.10	CD-1 – Resort Light Industrial– RI-1	107
10.2	COMPREHENSIVE DEVELOPMENT CD-2.....	108
10.2.1	CD-2 – Gateway Residential 1 – GW-1.....	110
10.2.2	CD-2 – Gateway Residential 2 – GW-2.....	112
10.3	COMPREHENSIVE DEVELOPMENT CD-3.....	113
10.3.1	CD-3 – Residential Fringe Area – RFA	114
10.3.2	CD-3 – Resort Rural Residential – RRR.....	116
10.3.3	CD-3 – Resort Holiday Park - RHP	120
10.4	COMPREHENSIVE DEVELOPMENT CD-4 – Multiple Family/Limited Commercial	122
10.5	COMPREHENSIVE DEVELOPMENT CD-5 – Mixed One and Two Family Dwellings.....	124
10.6	COMPREHENSIVE DEVELOPMENT CD-6 – COOK AVE-Mixed Residential	126
11.0	OFFSTREET PARKING AND LOADING	130
11.1	Application of Regulations	130
11.2	Exemptions from Parking and Loading Requirements.....	130
11.3	Calculating the Number of Required Parking and Loading Spaces	130
11.4	Access and Circulation	134
11.5	Payment of Money in Lieu of Parking Spaces.....	134
11.6	Surfacing of Off-Street Parking and Loading Spaces.....	134
11.7	Dimension of Parking Spaces.....	135
11.8	Location of Parking Spaces	136
11.9	Parking for Visitors of Multi-Family and Mixed Use Dwellings.....	136
11.10	Parking for Disabled Persons	136
11.11	Snow Removal	137
11.12	Other Regulations	137
11.13	Driveway	138
11.14	Loading Space Area.....	138
11.15	Storage of Vehicles and Materials	139
11.16	Bicycle Parking	139

1.0 BASIC PROVISIONS**1.1 Application**

1.1.1 This Bylaw applies to all land, **Buildings** and **Structures** and the surface of water within the boundaries of the City of Rossland.

1.2 Conformity

1.2.1 Land, including the surface of water, shall not be used and **Buildings** and **Structures** shall not be constructed, altered, located or used except as specifically permitted in this Bylaw.

1.3 Severability

1.3.1 If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remaining portions of this Bylaw.

1.4 Units of measure

1.4.1 Metric units are used for all measurements in this Bylaw.

1.5 Applicable Regulations

1.5.1 Where this bylaw sets out two or more regulations that could apply to a situation, the most stringent regulation shall apply.

1.5.2 Where this bylaw sets out both general and specific regulations that could apply to a situation, the specific regulation shall apply.

1.6 Non-Conforming Uses

1.6.1 A lawful use of land, **Buildings** or **Structures** existing or lawfully under construction at the time of the adoption of this Bylaw, although such use does not conform to the provisions of this Bylaw, may be continued, subject to the provisions of the Local Government Act.

1.7 Rules of Interpretation

1.7.1 Words used in the present tense include the other tenses and derivative forms; words used in the singular include the plural and vice versa; and the word "person" includes a corporation, firm, partnerships, trusts, and other similar entities as well as an individual. Words have the same meaning whether they are capitalized or not.

- 1.7.2** The words "shall" and "is" require mandatory compliance except where a variance has been granted pursuant to the Local Government Act.
- 1.7.3** The phrase "used for" includes "arranged for", "designed for", "maintained for", or "occupied for".
- 1.7.4** Words, phrases, and terms neither defined in this section nor in the Local Government Act, Community Charter or the Interpretation Act, shall be given their usual and customary meaning for the purpose of interpreting this bylaw.
- 1.7.5** Where a regulation involves two or more conditions, provisions, or events connected by the conjunction "and" means all the connected items shall apply in combination; "or" indicates that the connected items may apply singly or in combination; and "either-or" indicates the items shall apply singly but not in combination.