

DIVISION FOUR – COMMERCIAL ZONES**401. VILLAGE COMMERCIAL (VC)****Permitted Uses**

- (1) Subject to the provisions of Division Three of this bylaw; and in consideration of land use policies in the “*Silver Star Official Community Plan*” and common definitions of industries from the “*North American Industry Classification System 2002*”;
- the following uses and no others shall be permitted in the Village Commercial zone:
- (a) Accessory Buildings and Structures.
 - (b) Accommodation Uses - including Hotels; Hostels; Conference Facilities; Apartments; and Townhouses where each Apartment building or Townhouse complex shall consist of six or more dwelling units. One dwelling unit is permitted for the owner, operator or employee of the principle and permitted use on the parcel in the principle building.
 - (c) Food Service and Drinking Place Uses - including Restaurants with or without entertainment; Bars; Beer and Wine Gardens; Cabarets; Cocktail Lounges; Pubs; and Night Clubs except that Restaurants with entertainment and Drinking Place Uses are not permitted on a parcel that abuts a parcel in a Residential zone.
 - (d) Retail Trade Uses – including Print and Picture Frame Stores; Food and Beverage Stores; Health and Personal Care Stores; Clothing and Clothing Accessories Stores; Sporting Goods, Hobby, Book and Music Stores; General Merchandise Stores; Florists; Office Supplies, Stationery and Gift Stores; Art Stores; and Beer and Wine-Making Supplies Stores.
 - (e) Transportation Uses – including Transit and Ground Passenger Transportation Industries; Scenic and Sightseeing Transportation Industries; Helicopter Landing Pads, Support Activities for Transportation Industries; Postal Services; Courier and Messenger Services; and Parking Garages and Lots.
 - (f) Community Service Uses – including Administrative Offices; Tourism Services; Information and Cultural Industries; Finance and Insurance Services; Offices of Real Estate Agents and Brokers; Activities Related to Real Estate Industries; Professional, Scientific and Technical Services; Management of Companies and Enterprises Services; Office Administrative Services; Facilities

Support Services; Employment Services; Travel Arrangement and Reservation Services; Investigation and Security Services; Educational Services; Offices of Physicians, Dentists and other Health Practitioners; Home Health Care Services; Health Clinics; Personal Care Services; Dry Cleaning and Laundry Services; Photo Finishing Services; and Religious Services.

- (g) Arts, Entertainment and Recreation Service Uses – including Performing Arts Companies (with or without facilities); Theatres; Museums; Art Museums and Galleries; Amusement Arcades; Lottery Outlets; Fitness and Recreation Sports Centres; and Skiing Facilities (including all support services).

Buildings per Parcel

- (2) Only one principle use building and one accessory building shall be permitted on a parcel; except
- where Covenant for public access has been registered pursuant to Division H of the “*Silver Star Official Community Plan*” or a Development Permit has been issued to facilitate public access pursuant to Section J.5 of the Plan, there shall be no limit on the number of buildings on a parcel, subject to compliance with all other requirements outlined in this bylaw.
- (3) Notwithstanding the provisions of Section 401(2) of this bylaw, the number of buildings permitted on Lot 1, Plan KAP 75038, District Lot 1355, 5262 and 5309, O.D.Y.D. (*Silver Bird Lodge*) shall be unlimited and shall be conforming to this bylaw.

Parcel Area and Frontage

- (4) Parcels proposed to be subdivided within this zone shall have:
- (a) a minimum parcel area of not less than 560.0 m²;
 - (b) a parcel frontage of not less than 15.0 m; and
 - (c) pursuant to Section 944 of the “*Local Government Act*”, a parcel fronting a highway should have a minimum frontage of not less than 10% of the perimeter of the parcel on the highway.

Height and Setbacks

- (5) The height of buildings and structures shall not exceed 16.0 m. There shall be no limit on the number of basement storeys being situated below the first storey.

- (6) All accessory buildings and structures shall not exceed 5.0 m in height.
- (7) Building setbacks shall be provided with sufficient depth whereby all snow shed from the roof will be retained on the subject parcel.
- (8) Buildings located on a pedestrian mall as outlined in Section E of the *“Silver Star Official Community Plan”* shall be provided with a minimum setback of 10.0 m on this mall and the side yard setback for these buildings may be reduced to zero.
- (9) A greater setback required by a Development Permit pursuant to the provisions of Section J of the *“Silver Star Official Community Plan”* will take precedence over the setbacks outlined in Section 401(10) of this bylaw.
- (10) Except where a greater distance is required pursuant to Sections 315, 401(7), 401(8) and 401(9) of this bylaw or a lesser distance is permitted pursuant to Section 401(8) of this bylaw, no building or structure shall be located within:
 - (a) 3.0 m of any property lines; or
 - (b) 10.0 m where a property line abuts a parcel in a Residential zone.

Other Requirements

- (11) Storage yards are not permitted in the Village Commercial zone except construction materials as regards a valid Building Permit issued for the subject parcel which has not expired or been revoked.
- (12) Off-street parking and loading shall be provided and maintained in accordance with Division Eight of this bylaw and in conformance with the Public Parking policies outlined in Section H of the *“Silver Star Official Community Plan”*.
- (13) Signage shall comply with Division Nine of this bylaw.
- (14) Pursuant to Section 909 of the *“Local Government Act”*, screening and landscaping shall be provided and maintained in accordance with Division Ten of this bylaw to provide separation between commercial uses and to enhance the natural environment; and
where a Development Permit has been issued for the character of landscaping as outlined in Section J.3 of the *“Silver Star Official Community Plan”*, landscaping shall be maintained in accordance with Division Ten of this bylaw.