

CITY OF PORT MOODY**BYLAW NO. ____**

A bylaw to guide the provide land use regulations for the city in a systematic and orderly way for the benefit of the community as a whole by assuring that the use and development of land and structures in the city occur in proper relationship to one another.

1.0 TITLE

This Bylaw may be cited as the "City of Port Moody Zoning Bylaw 2011, No. ____".

2.0 REPEAL

Bylaw No. 1890, cited as "City of Port Moody Zoning Bylaw, 1988" and all amendments thereto are hereby repealed.

"Greater Vancouver Regional District Zoning Bylaw No. 511" and all amendments thereto are hereby repealed.

3.0 ADMINISTRATION**3.1 Application**

3.1.1 The City of Port Moody is divided into zones indicated on Schedule "A".

3.1.2 Where a zone boundary is designated as adjacent to a highway the centre line of such highway shall be the zone boundary.

3.1.3 Where a zone boundary does not follow a legally defined line and where the distances are not specifically indicated, the location of the boundary shall be determined by scaling from the zoning shown in Schedule "A".

3.1.4 Where a zone boundary abuts the sea, such zoning discontinues at the natural boundary and the foreshore zone for the adjacent area commences unless otherwise shown on the zoning in Schedule "A".

3.1.5 Where two or more regulations within this Bylaw conflict, the more restrictive regulation shall apply.

3.2 Severability

If any section, subsection, sentence, clause or phrase of this Bylaw is found invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

3.3 Obligation

Nothing in this Bylaw exempts any person from complying with the applicable requirements of any other bylaws of the City of Port Moody and any enactment of the federal or provincial government.

3.4 Buildings and Structures

3.4.1 No **building** or **lot** shall be constructed, reconstructed, altered, moved, built upon, or extended by the owner, occupier, or other person such that it contravenes the provisions of this Bylaw.

3.4.2 No **lot** shall have constructed or placed upon it by the owner, occupier or other person, a greater density of buildings and structures than that permitted by the zone which applies to the parcel.

3.5 Measurements

All measurements in this Bylaw are expressed in the Standard International Units (metric) system. The approximate equivalent in the Imperial system, shown in brackets following each metric standard, is included for convenience only, and does not form part of this Bylaw.

3.6 Subdivision

No land shall be subdivided in contravention of this Bylaw.

3.7 Violation

A person who is an owner or occupier of land commits an offense under this Bylaw if that person does any of the following:

3.7.1 Uses land, the surface of the water, a **building** or **structure** other than for the purpose specified for the zone in which the land, surface of water, building or structure is located;

3.7.2 Constructs, reconstructs, alters, moves or extends a **building** or **structure** so that the **building** or **structure** contravenes the provisions of this Bylaw;

3.7.3 Constructs or places on a parcel, **buildings** or **structures** which exceed the density permitted by the zone in which the parcel is located;

3.7.4 Causes or permits any act or thing to be done in contravention of any provision of this Bylaw;

3.7.5 Fails to comply with an order, direction, notice, or permit given under this Bylaw.

3.7.6 Prevents or obstructs or attempts to prevent or obstruct a person authorized by the Community Charter from entering unto the property.

3.8 Appeals, Amendments and Permits

Exemptions, variances, permits and amendments may be approved pursuant to this Bylaw, City of Port Moody Development Approval Procedures Bylaw 2003, No. 2543, or the Local Government Act, or Community Charter and any amendments thereto.

3.9 Penalties

A person committing an offence against this Bylaw shall be liable to a fine or fines as set out in City of Port Moody Municipal Ticket Information Bylaw 1996, No. 2298.

4.0 DEFINITIONS

The following definitions shall be used to interpret the regulations of this Bylaw. Those definitions that cite other statutes, legislation or bylaws are subject to change and shall be considered amended as changes are adopted by **Council** or the provincial or federal government.

For ease of use, all words appearing in **bold** are defined terms under this Bylaw

"ACCESSORY" means customarily incidental to or subordinate to a permitted principle use of land or of a **building** or **structure** permitted on the same **lot**.

"ACCESSORY BOARDING USE" means part of a **dwelling unit** in which rented furnished sleeping accommodation, with or without meals, is provided as permanent accommodation to a maximum of four persons.

"ACCESSORY BUILDING" means a **building** or **structure**, the use of which is customarily accessory to the principal permitted use of the lands, **buildings** or **structures** located on the same **lot**.

"ACCESSORY HOME OCCUPATION USE" means any activity carried on for financial gain that is **accessory** to the principal **residential use** of a **lot** and which satisfies the requirements of Section 5.4.6 of this Bylaw.

"ACCESSORY OFF-STREET PARKING USE" means a use providing for a vehicle parking needs generated by or servicing a permitted use or **building**, whether on the same **lot** or as a partial or sole use of a different **lot**, as permitted by Section 6.0 of this Bylaw.

"ACCESSORY ONE-FAMILY RESIDENTIAL" means a **dwelling unit** that is **accessory** to the principal use being made of the **lot** upon which the **accessory** residential unit is located.

"ACCESSORY UNENCLOSED STORAGE USE" means an **accessory** use providing for the outdoor storage of goods or materials utilized by the **principal use** on a **lot**.

"ACTIVE FLOODPLAIN" means an area of land within a boundary that is indicated by the visible **high water mark** or water level of a **stream** that is reached during annual flood events as evidenced by **riparian area** conditions described in the definition of **riparian area**.

"ADAPTIVE COMMERCIAL USE" means the following uses: office, **personal service use**, **group childcare**, and **retail service use**.

"ADULT ENTERTAINMENT ESTABLISHMENT" means any premises used for adult entertainment involving strippers or exotic dancers.

"**ADULT ENTERTAINMENT USE**" means the use of any premises for the offering for rent, use, viewing or sale of an object (other than a contraceptive device), commodity, good, material, device, machine or entertainment which is designed or intended to be used in, or is a depiction of, a sexual act as defined in the regulations enacted pursuant to the Motion Picture Act R.S.B.C. 1996, C. 314 and, for greater certainty, includes a body massage parlour and social escort service.

"**ADULT MOTION PICTURE**" means a motion picture which comes within the definition of "Adult Motion Picture" contained in the Motion Picture Act, R.S.B.C. 1996, c. 314.

"**ADULT THEATRE**" means a **building** or open area used or intended to be used for the projection of adult motion pictures as defined under the Motion Picture Act, R.S.B.C. 1996, c. 314, where there is one or more film viewers made available for use by the public.

"**ADULT VIDEO STORE**" means any premises licensed as an adult film retailer under the Motion Picture Act R.S.B.C. 1996, c.314, where adult motion pictures or videos or films that produce or reproduce adult motion pictures are available for sale, rental or use.

"**ANIMAL DAYCARE USE**" means the business of caring for household pets during the day and which may include **accessory** grooming and **accessory** veterinary services.

"**ANTENNA**" means a device used in commercial wireless communications which transmits and/or receives radio frequency signals, including a microwave dish.

"**APARTMENT**" means a **multiple-family residential use** used for three or more **dwelling units**, and includes such a **building** as subdivided under the Condominium Act, but excludes a **townhouse**.

"**ASSEMBLY USE**" means a use which is not government-owned or operated and which provides for the assembly of persons for religious, charitable, philanthropic, cultural, recreational, or private educational purposes; includes **churches**, auditoriums, youth centres, **theatres**, halls, group care, **private schools**, **kindergartens**, play schools, day nurseries, **child care** and similar uses.

"**AUTOMOBILE ACCESSORY**" means any device or thing customarily attached to or carried within a motor vehicle for the purpose of improving its mechanical operation, enhancing its appearance or increasing its safety.

"**AUTOMOBILE-ORIENTED COMMERCIAL USE**" means a use providing for the retail sale of automobiles, trucks, automobile parts and accessories, and includes facilities to service, wash or repair automobiles; excludes gas pumps.

"**AUTOMOBILE REPAIR SHOP**" means a **building** used or intended to be used for repairs to licenced motor vehicles, but excludes motor vehicle manufacture or auto body construction.

"**BASEMENT**" means that portion of a **building** between two floor levels which is partly underground, but which has at least one half of its height from finished floor to finished ceiling above the adjacent **grade**.

"**BED AND BREAKFAST**" means a business operation carried on by the members of a family as an **accessory home occupation** to provide temporary sleeping accommodations, with or without meals being provided, all provided for a prescribed charge on a daily basis, where the maximum length of occupancy by any patron is not more than 30 days in a 12-month period.

"**BICYCLE LOCKER**" means a fully enclosed space designed for the storage of one bicycle and accessible only to the operator of the bicycle.

"**BICYCLE PARKING, LONG TERM**" means a space designed for the parking of one bicycle by permanent users of a **building**, such as employees and residents.

"**BICYCLE PARKING, SHORT TERM**" means a freely accessible space designated for the parking of one bicycle, available for public use.

"**BICYCLE ROOM**" means an area providing two or more **long term bicycle parking** spaces and used only for bicycle storage.

"**BODY MASSAGE**" means the kneading, rubbing, massaging, manipulating, touching or stimulating by any means of the human body for remuneration by any person, but does not include body work (as defined by the City of Port Moody Business Licensing Bylaw, 1980, No. 1508) treatment given by any person duly licensed or registered under any statute of the Province of British Columbia governing the foregoing activities.

"**BODY MASSAGE PARLOUR**" means any premises in which body massage occurs.

"**BUILDING**" means a structure wholly or partly enclosed by a roof and used for the shelter or accommodation of persons, animals or chattels and includes a portion of a building.

"**CHILD CARE USE**" means a day use facility, including a **group childcare, residential childcare**, preschool, **kindergarten**, child-minding, out of school care and specialized child care as defined, licensed and regulated under the Community Care Facility Act R.S.B.C. 1996, c.60 and further that the use is operated within a completely enclosed building except for outdoor play areas.

"**CHURCH**" means a **building** wherein persons regularly assemble for religious worship, and which is maintained and controlled by a religious body organized to sustain public worship.

"**CITY**" means the City of Port Moody.

"**CIVIC USE**" means a use providing for public functions provided by a government body; includes federal, provincial, regional and municipal functions, public works yards, public schools and colleges, public hospitals, community centres, swimming pools, libraries, museums, parks, playgrounds, **child care**, cemeteries, police stations and waterways.

"**CLUB**" means a building or establishment used by an association or organization for fraternal, social, or recreational purposes.

"**COMMERCIAL ATHLETIC AND RECREATION USE**" means a use within an enclosed **building** for sports and active recreation where patrons are predominantly participants and any spectators are incidental and attend on a non-recurring basis. Uses may include athletic clubs, dance studios, health and fitness clubs, roller skating and roller blading, skate boarding and racquet clubs, and training of instructors in related activities.

"**COMMERCIAL USE**" means a use providing for the sale of goods and services, for the servicing and repair of goods, or for commercial office functions. Commercial Use includes: retail commercial, commercial education and instruction, and medical services. Commercial Use excludes: manufacturing, salvaging, warehousing, and the sale, servicing and repair of automobile, industrial and agricultural machinery, and service station use.

"**COMMERCIAL VEHICLE**" means a vehicle engaged in carrying or designed to carry goods, wares or merchandise and licenced as a commercial vehicle.

"**COMMERCIAL WIRELESS COMMUNICATION FACILITY**" means **antennas, communications towers** and/or **communications equipment cabinets** and/or shelters used for commercial operation of wireless communication services and excludes wireless communication facilities established by the City or other public agencies or public corporations.

"**COMMON INDOOR RECREATION SPACE**" means a room or or **building** used for the recreational and gathering needs of residents within a specific development.

"**COMMUNICATIONS TOWER**" means a **structure** designed and constructed specifically to support **antennas**. A communications tower includes monopole and lattice structures.

"**COMMUNICATIONS EQUIPMENT CABINET**" means a cabinet, shelter, or space in a **building** which is accessory to **antennas** and which contains equipment needed for the operation of a wireless communication facility.

"**COMMUNITY SEWER SYSTEM**" means a sewage collection and disposal system owned and operated by a municipality or regional district.

"**COMMUNITY WATER SYSTEM**" means a system of waterworks owned and operated by a municipality or regional district.

"**COMPREHENSIVE DEVELOPMENT USE**" means the development of an area embracing one or more land use classifications as an integrated unit based upon a comprehensive development plan.

"**CONCEALED PARKING**" means a principal or **accessory off-street parking use** located underground or within a principal **building**.

"**CONFORMING BUILDING OR USE**" means a **building** or use which conforms with all the regulations of this Bylaw for the zoning district in which such building or use is located.

"**CONGREGATE CARE USE**" means a **private hospital**, or group home, or facilities licensed under the Community Care Facility Act or the Community Care and Assisted Living Act where on-site staff provide care to residents.

"**CONVENIENCE RETAIL**" means the retail sale of those goods required on a day to day basis and includes the sale of prepared and fresh foods, beverages, groceries, magazines, lottery tickets, and tobacco.

"**COUNCIL**" means the elected officials of the City of Port Moody.

"**CRAWL SPACE**" means a space between two floors, where there is less than 1.5 metres (5.0 ft.) in height between the floor and the ceiling.

"**DECK**" is an exterior floor structure enclosed by a parapet or railing.

"**DEVELOPMENT ACREAGE RESERVE**" means **lots** of 0.81 hectares (2.0 ac) or more in area that require detailed planning before more intensive development is to occur.

"**DRIVE-THROUGH RESTAURANT**" means a **building** providing for restaurant use, drive-through takeout facilities or consumption of food in vehicles parked on the lot.

"**DWELLING UNIT**" means one or more **habitable rooms**, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.

"**DWELLING, MULTIPLE CONVERSION**" means a **building** converted to contain any combination of **sleeping units**, bachelor units or **dwelling units**.

"**ELECTRONIC GAMING**" means any activity or game of chance which offers a potential payment of money or other valuable consideration, and is carried out or played on an electronic or mechanical device or machine, but excluding the purchase and sale of lottery tickets pursuant to a government lottery scheme.

"**FENCE**" means a **structure**, not being a **building**, intended for the purpose of total or partial physical and/or visual separation or enclosure of a property or lot or portion thereof; includes a wall, not being part of a **building**, but does not include a retaining wall.

"**FINANCIAL INSTITUTION**" means a bank to which the Bank Act applies or a credit union to which the Credit Union Act applies.

"**FIREWORKS**" means manufactured goods intended to be used for pyrotechnic effect that are classified by the Canada Explosives Regulations as "low hazard fireworks for recreation [class 7.2.1] such as fireworks showers, fountains, golden rain, lawn lights, pinwheels, roman candles, volcanoes and sparklers".

"**FISH**" means all life stages of:

- (a) salmonids,
- (b) game fish, and
- (c) regionally significant fish.

"**FISH HABITAT**" means the areas in or about a **stream** such as spawning grounds and nursery, rearing, food supply and migration areas, on which fish depend directly or indirectly in order to carry out their life processes.

"**FLOOR AREA**" means the total area of all floors in a **building**, measured to the exterior of the **building**. Floor area includes: all occupied portions of the building and all areas giving access thereto such as corridors, hallways, landings, foyers, **staircases**, **stairwells**, enclosed **decks**, mezzanines, elevator shafts, **accessory buildings**, areas used for vehicular and **long term bicycle parking**, and equipment shelters and/or cabinets accessory to **wireless communications antennas**. Floor area excludes: **basements**, **crawl space**, a maximum of 42 sq.m. (452.1 sq.ft.) of floor area on a lot, per dwelling unit, used for vehicular and bicycle parking, and areas within underground structures.

"**FLOOR AREA RATIO**" means the figure obtained when the **floor area** of all **buildings** on a **lot** is divided by the area of the **lot**.

"**FRONTAGE**" means the length of a **lot** boundary which immediately adjoins a **highway** other than a **lane** or walkway.

"**FRONT YARD**" means that portion of a **lot** extending from one side lot line to the other, between the **front lot line** and a line parallel thereto abutting the furthest projecting building face of the principle **structure**.

"**GARDEN SUPPLY BUSINESS**" means the sale of nursery stock, flowers and garden supplies.

"**GASOLINE SERVICE STATION**" means a **building** used principally for the retail sale of fuels, lubricating oils and accessories for motor vehicles and servicing of motor vehicles, including a car wash, but excludes retail and wholesale sales of other products and all body repairs and painting of motor vehicles.

"**GRADE**" means the average elevation of the point at which the foundation of a **building** or **structure** intersects with the ground, prior to fill or excavation or development on the lot, or as the grade was established in the previous 24 months. Grade is determined by averaging the elevations at the four corners of a **building** or **structure**, or in cases of irregular shaped **buildings** or **structures** the average elevation of all points on the perimeter of the **building** or **structure**.

"**GROUP CHILDCARE**" means a licensed day use child care facility that accommodates more than eight children.

"**HABITABLE ROOM**" means a room designed for living, sleeping, eating or food preparation, and excludes bathrooms, utility rooms, workrooms, furnace rooms and storage rooms.

"**HEIGHT**" means the vertical distance from the **grade** adjoining a **building** or **structure** to the mean point between the highest point of a roof and the highest ceiling line.

"**HEIGHT**" with reference to a landscape screen means the vertical distance between the top of such screen and the highest natural ground elevation to within 1.0 m. (3.3 ft.) of the base of the screen.

"**HIGH WATER MARK**" means the high water mark identified on the plan of subdivision or the plan accompanying the instrument conveying Crown Land in fee simple, most recently filed in a Land Title Office before the adoption of this Bylaw.

"**HIGHWAY**" means a public **street**, path, walkway, trail, **lane**, bridge, road, thoroughfare, or any other public way, but does not include a private right-of-way on private property

"**HOSPITAL**" means a non-profit institution operated for the reception and treatment of persons suffering from physical illness or disability, designated as a hospital under the Hospital Act, and excludes **private hospitals**.

"**HOSPITAL, PRIVATE**" means a **building** in which two or more patients, other than a spouse, parent, child of the owner operator thereof, are living at the same time, and includes a nursing home or convalescent home or rest home, but excludes a **hospital**.

"**HOTEL**" means a building in which lodging, with or without meals, is provided and offered to the public for compensation and which is open to transient guests.

"**INDUSTRIAL USE**" means a use providing for the processing, fabricating, assembly, storing, transporting, distributing, **wholesaling**, testing, servicing, repairing, wrecking, or salvaging of goods, materials, or things; includes without limitation the operation of truck terminals, docks, railways, passenger depots, and bulk loading and storage facilities.

"**KINDERGARTEN**" means an educational establishment for pre-school children, not used for supplemental care.

"**LANE**" means a **highway** providing secondary access to a **lot**, at the side or rear of the **lot**.

"**LICENSEE RETAIL STORE**" means an establishment licensed by the BC Liquor Control and Licensing Branch that is permitted to sell all types of packaged liquor.

"**LIGHT INDUSTRIAL USE**" means a use providing for the manufacturing, processing, fabricating, assembly, storage, distribution, **wholesaling**, transporting, testing, servicing, repairing, wrecking, or salvaging of goods, materials, or things, which is wholly enclosed within a **building** or buildings unless otherwise specified in this Bylaw. May also include uses relating to film and television production, medical laboratories, and the research and development and manufacturing associated with electronic and consumer products.

"**LIQUOR PRIMARY ESTABLISHMENT**" means an establishment licensed by the BC Liquor Control and Licensing Branch where the service of liquor, as opposed to food, is the primary focus of the business.

"**LIVE-WORK UNIT**" means a **dwelling unit** where the business establishment is located at **grade** and the **dwelling unit** is the principal residence of the business operator and which satisfies the requirements of Section 5.4.7 of this Bylaw.

"**LOCKED-IN LOT**" means any property, (composed of one or more contiguous **lots**), not developed with a **multiple family residential** (excluding a **multiple conversion dwelling**), and which is:

(1) located either between lots used for **multiple family residential**; or between a **lot** used for **multiple family residential** and a **highway**, or a property zoned for other than **residential use**; and

(2) where the property includes a **corner lot**, has less than 836.1 sq.m. (9,000.0 sq. ft.) or a **frontage** less than 22.9 m. (75.1 ft.); or where the property does not include a **corner lot**, has less than 836.1 sq.m. (9,000.0 sq.ft.) or a **frontage** less than 21.3 m. (69.8 feet).

"**LOT**" means an area of land registered as a separate parcel in the Land Title Office, and includes a bare land strata lot. In the case of strata lots other than a bare land strata lot, the parcel from which the strata plan is derived constitutes the lot.

"**LOT AREA**" means the total horizontal area within the boundaries of a **lot**.

"**LOT, CORNER**" means the **lot** at the intersection of two or more **highways** excluding **lanes**.

"**LOT COVERAGE**" is the sum of all areas that are within the outside perimeter of all **buildings** on a **lot**, including all **decks, structures**, and projections, but excluding eaves up to 1.2 m. (3.9 ft.) in depth and stairs.

"**LOT DEPTH**" means the mean distance between the **front and rear lot lines**.

"**LOT LINE - EXTERIOR SIDE**" means the **lot** line or lines, other than the **front and rear lot line**, common to a **lot** and a **highway**.

"**LOT LINE - FRONT**" means the **lot** line common to a **lot** and an abutting **highway**. Where a **lot** has **lot** lines abutting two or more **highways** the **front lot line** shall be the shortest of such lines.

"**LOT LINE - FRONT - PANHANDLE LOT**" means a **lot** line adjoining and approximately perpendicular to the access strip, but excluding any **lot** line in the access strip.

"**LOT, INTERIOR**" means a **lot** other than a **corner lot**.

"**LOT LINE - INTERIOR SIDE**" means a **lot** line other than a **rear lot line**, common to more than one **lot** or to a **lot** and a **lane** or **street**.

"**LOT LINE - REAR**" means the **lot** line or lines opposite to and most distant from the **front lot line**, or, where the rear portion of the **lot** is bounded by intersecting lot lines, the point of such intersection.

"**LOT, THROUGH**" means a **lot** abutting two parallel or approximately parallel **highways**.

"**LOT WIDTH**" means the distance between side lot lines at the front **building setback** line, measured at right angles to the **lot depth**.

"**MARINA**" means any installation which provides moorage space for watercraft either free of charge or by payment of fee, but excludes use of any watercraft as living quarters at the marina.

"**MEDICAL OFFICES AND DRUG DISPENSING USE**" means a use providing for professional medical and dental examination and treatment of persons and the dispensing of medically prescribed drugs.

"**MOBILE HOME**" means a factory built one-family **dwelling unit**, suitable for year-round occupancy and capable of being drawn or moved from place to place.

"**MOBILE HOME PARK USE**" means a **lot** on which is installed or intended to be installed, two or more **mobile homes**.

"**NATURAL BOUNDARY**" means the visible **high-water mark** of any lake, river, **stream**, or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed of the lake, river, **stream**, or other body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself.

"**NON-CONFORMING BUILDING OR USE**" means any **building** or use which does not conform with all applicable regulations of this Bylaw.

"**OFFICE USE**" means a room or rooms in which business, clerical, or professional activities are conducted that do not include the sale of goods from the premises and does not include **personal service uses**.

"**OFF-STREET PARKING USE**" means a use of a **lot** providing for parking needs generated by uses located on that **lot**; includes **parking spaces**, turning areas for access to parking spaces and access and egress driveways.

"**PANHANDLE LOT**" means a **lot** which gains **highway** access through a strip of land narrower than the **side yards** required for the **lot**.

"**PARKING AREA**" means an uncovered area of a **lot** used for parking vehicles of persons occupying or visiting the **lot**.

"**PARKING GARAGE**" means a **building**, the principal use of which is the parking or storage of vehicles.

"**PARKING SPACE**" means a space for the parking of one motor vehicle but does not include aisle space for access and manoeuvring of motor vehicles.

"**PAWNBROKER**" means every person who carries on the business of taking goods or chattels in pawn, whether or not the provisions of the Pawnbrokers Act apply to him.

"**PERMANENT STRUCTURE**" for the purposes of a **Streamside and Protection and Enhancement Area**, means any **building** or **structure** that was lawfully constructed, placed or erected on a secure and long lasting foundation on land in accordance with any local government bylaw or approval condition in effect at the time of construction, placement or erection.

"**PERSONAL SERVICE USE**" means commercial establishments that cater to the personal needs of customers, such as hair styling and beauty salons, massage therapy, physiotherapy, body work (as defined by the City of Port Moody Business Licensing Bylaw, 1980, No. 1508), shoe repair and tailors.

"**PICNICKING ENDORSEMENT**" means the consumption of wine in a designated outdoor picnic area of a winery site holding a winery license issued by the BC Liquor Control and Licensing Branch.

"**PRINCIPAL USE**" means the primary purpose for which land, **buildings** or **structures** are ordinarily used.

"**PROFESSIONAL ENGINEER**" means a person who is registered or licenced as a professional engineer of the Association of Professional Engineers and Geoscientists of the Province of British Columbia.

"**PUBLIC SERVICE USE**" means a use providing for the essential servicing of the City with water, sewer, electrical, telephone and similar services established by the City or a corporation operating under the Utilities Commission Act; includes broadcast transmission facilities (excluding commercial wireless communication facilities), sewer, water main and power line easements, pump houses, sub-stations, telephone exchanges, and traffic controls.

"**RAVINE**" means a narrow, steep sided valley that is commonly eroded by running water and with slope grades greater than 3:1.

"**REAR YARD**" means that portion of a **lot**, extending from one side **lot** line to the other, between the **rear lot line** and a line parallel to the **rear lot line** abutting the furthest rear projecting **building** face of the **principle structure**.

"**RESIDENTIAL CHILDCARE**" means **child care uses** that accommodates not more than eight children and may be located in any single, two, or multiple family residential zone, where permitted.

"**RESIDENTIAL FLOOR AREA**" means the sum of the **floor areas** of all **dwelling units** in all **buildings** on a **lot**; includes areas occupied by internal walls and partitions within a dwelling unit and one-half of exterior walls, but

excludes **decks**, common **stairwells**, elevator shafts, common corridors, **crawl space**, **concealed parking** areas and common recreation or service facilities.

"**RESIDENTIAL, MULTIPLE-FAMILY**" means a building used for residential purposes and consisting of two or more **dwelling units**.

"**RESIDENTIAL, ONE-FAMILY**" means a detached building used for residential purposes and consisting of one **dwelling unit**.

"**RESIDENTIAL, TWO-FAMILY**" means a detached building used for residential purposes and divided into two **dwelling units**.

"**RESIDENTIAL USE**" means a use providing for the accommodation and home life of a person or persons, and for the activities customarily incidental and subordinate to that use; includes incidental horticulture, recreation, enclosed storage, and the keeping of animals as household pets when such animals are normally kept within a **dwelling unit**.

"**RESTAURANT**" means an eating establishment where food is prepared, sold and served to the public within the premises or delivered to other premises, but excludes facilities for the consumption of food in motor vehicles parked on the site and drive-through takeout facilities.

"**RETAIL SERVICE USE**" means a use providing for the retail sale of goods, or for commercial services and includes, without limitation, appliance stores, art galleries and studios, bakery shops, barbers, billiard halls, book shops, bowling alleys, offices, business schools, cafes, camera shops, clothing stores, coffee shops, dance studios, day-use spa services, delicatessens, department stores, domestic pet grooming, dressmakers, drugstores, dry cleaners, financial institutions, fish markets, florist, fraternal lodges, grocery stores, hairdressers, hardwares, health and fitness clubs, health clinics, home furnishing stores, laundromats, locksmiths, meat markets, music studios, personal shops, printers, restaurants, shoemakers, social clubs, stationary stores, supermarkets, tailors, **theatres**, toy stores, variety stores, veterinary hospital, and video retailers which may include a joint holder as defined in the Motion Picture Act Regulations (B.C. Reg.260/86); and excludes gasoline service station use.

"**RIPARIAN AREA**" means the area adjacent to a **stream** that may be subject to temporary, frequent or seasonal inundation, and supports plant species that are typical of an area of inundated or saturated soil conditions, and that are distinct from plant species on freely drained adjacent upland sites because of the presence of water.

"**ROADWAY**" means the portion of a **highway** that is improved, designed or ordinarily used for vehicular traffic.

"**SCHOOL, PRIVATE**" means a school, other than a public school, where academic, commercial or technical school subjects are taught or which is

maintained for philanthropic or religious purposes and may include a boarding school.

"**SCREENING**" means a continuous **fence**, wall, compact evergreen hedge or combination thereof, supplemented with landscape planting.

"**SECONDARY SUITE**" means a separate **dwelling unit** located within a **building** which is a single real estate entity used primarily for **residential use** and which contains only one other **dwelling unit** and which satisfies the requirements of Section 5.4.9 of this Bylaw.

"**SENIOR CITIZENS HOUSING**" means a **dwelling unit / sleeping unit** within a building for elderly persons, which is complemented by common and/or individual cooking and recreation facilities, and which is provided by a corporation wholly owned by a government body, or by an agency of a government body or by a corporation constituted exclusively for charitable purposes".

"**SETBACK**" means the required minimum distance between a **building, structure**, or use and a **lot** boundary line.

"**SIDE YARD**" means that portion of a **lot** extending from the **front yard** to the **rear yard**, between the side line of the **lot** and a line parallel to the side line of the lot abutting the furthest projecting **building** face of the **principle structure**.

"**SLEEPING UNIT**" means one or more **habitable rooms** containing facilities for living and sleeping, but not including facilities for cooking or eating or a bathroom unit, and occupied or intended to be occupied by one or two boarders.

"**SOCIAL ESCORT SERVICE**" means the use of any premises for the provision of male or female escorts for social occasions.

"**STAIRCASE**" means an open flight or series of flights of steps or stairs leading from one floor to another including the landings, handrails, and support balustrades.

"**STAIRWELL**" means a **staircase** enclosed within a vertical shaft of surrounding walls or partitions.

"**STORAGE YARD**" means an area outside a building where contractors' or construction materials, public service and utility equipment, or other materials, vehicles, equipment or machinery are stored, sold or distributed; excludes an automobile wrecking yard, display yard or a junk yard.

"**STOREY**" means the space between a floor level and the ceiling above it, excluding a **basement** or **crawl space**.

"**STREAM**" includes any of the following that provides **fish habitat**:

- (a) a watercourse, whether it usually contains water or not;

- (b) a pond, lake, river, creek or brook;
- (c) a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph (a) and (b).

"**STREAM, FISH BEARING**" means a **stream** in which fish are present or potentially present if introduced barriers or obstructions are either removed or made passable for fish.

"**STREAM, NON-FISH BEARING**" means a **stream** that:

- a) is not inhabited by fish; and
- b) provides water, food and nutrients for a downstream fish bearing **stream** or other water body.

"**STREAM, PERMANENT**" means a **stream** that typically contains continuous surface waters or flows for a period of six or more months of the year in duration.

"**STREAM, NON-PERMANENT**" means a **stream** that typically contains continuous surface waters or flows for periods less than six months of the year in duration.

"**STREAMSIDE PROTECTION AND ENHANCEMENT AREA**" (SPEA) means an area adjacent to a **stream** that links aquatic to terrestrial ecosystems and includes both the **riparian area** vegetation and the adjacent upland vegetation that exerts an influence on the **stream**, the width of which is determined according to Sections 5.2 of this Bylaw.

"**STREET**" means a public **highway** intended to give primary access to **lots** or to provide a **roadway** more than 9.15 m. (30.0 ft.) in width.

"**STRUCTURE**" means any construction fixed to, supported by, or sunk into land or water, excludes **fences** and walls less than 1.22 m. (4.0 ft.) in height and concrete and asphalt paving or similar surfacing of a lot.

"**SUBDIVISION**" means the division of land into two or more **lots**.

"**TEMPORARY SHELTER**" means a facility offering temporary overnight accommodation to a maximum of 30 people, not to exceed 31 consecutive days of operation between the months of October and March, inclusive of any one season.

"**THEATRE**" includes cinemas; excludes drive-in theatres.

"**TOP OF BANK**" means:

Diagrams to accompany this definition are under review

- a) the point closest to the boundary of the **active floodplain** of a **stream** where a break in the slope of the land occurs such that the grade beyond

the break is flatter than 3:1 at any point for a minimum distance of 15.0 metres (49.2 ft.) measured perpendicularly from the break, and

- b) for a floodplain area not contained in a **ravine**, the edge of the **active floodplain** of a **stream** where the slope of the land beyond the edge is flatter than 3:1 at any point for a minimum distance of 15.0 metres (49.2 ft.) measured perpendicularly from the edge.

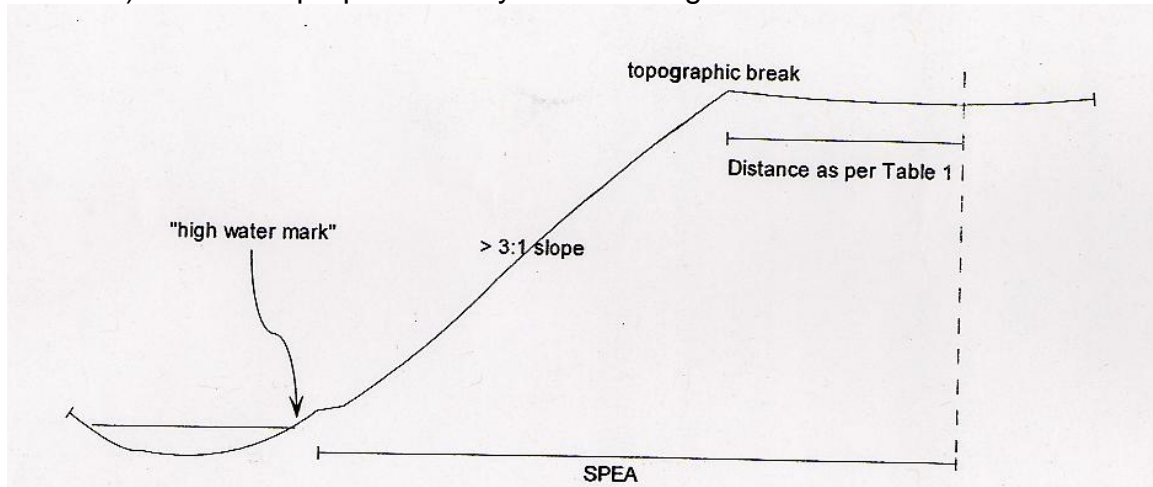


Figure 1. Sample cross section for **Top of Bank (a)** and **Top of Ravine Bank**

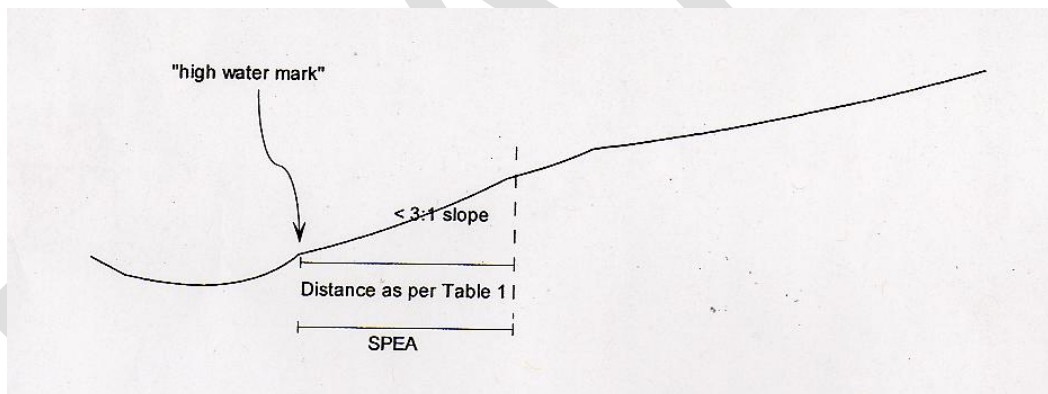


Figure 2. Sample cross section for **Top of Bank (b)**

"TOP OF RAVINE BANK" means the first significant break in a **ravine** slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15.0 metres (49.2 ft.) measured perpendicularly from the break, and the break does not include a bench within the **ravine** that could be developed.

"TOWNHOUSE" means a **multiple-family residential** use in a **building** used for three or more **dwelling units** separated from one another by party walls extending from foundation to roof, with each unit having a separate direct entrance from grade.

"TRADE SCHOOL" means an industry training program accredited under the authority of the Industry Training Authority Act.

"**UNDERGROUND PARKING**" means an **off-street parking** use located under cover below the finished ground elevation of the lot.

"**USABLE OPEN SPACE**" means a compact, level (no slope greater than 10 percent), unobstructed area or areas available for use by all of a building's occupants, providing for greenery, recreational space and other leisure activities normally carried on outdoors; excludes areas used for **off-street parking**, **off-street loading**, service driveways, required **front yards**, and roof areas unless otherwise permitted in this Bylaw.

"**VEGETATION, EXISTING**" means native and non-native vegetation.

"**VEGETATION, POTENTIAL**" is considered to exist if there is a reasonable ability for regeneration either naturally or with assistance through enhancement, and is considered to not exist on that part of an area covered by a **permanent structure**.

"**VIDEO RETAILER USE**" means the retail sale or rental of digital video discs, videocassettes, videotapes or other forms of visual recording.

"**WETLAND**" means land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support and under normal conditions that supports vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, fens, estuaries, and other similar areas that are not part of the **active floodplain** of a **stream**.

"**WHOLESALE USE**" means the storage and sale of goods to a retailer, rather than to a consumer.

"**WINERY LOUNGE ENDORSEMENT**" means the consumption of wine in an indoor area and/or a patio of a winery site holding a winery license issued by the BC Liquor Control and Licensing Branch.

"**WIRELESS COMMUNICATION REPEATER FACILITY**" means a repeater or enhancer installation with not more than two antennas, a microwave dish and a **communications equipment cabinet** and/or shelter intended to provide wireless communication services to a limited area.

5.0 GENERAL REGULATIONS

5.1 Size, Shape, and Siting of Buildings and Structures

5.1.1 Sight lines

Except as provided by section 5.1.6.a., no **building, structure**, or storage area shall be constructed within a triangular area adjoining the intersection of two **highways** and bounded by 5.0 m. (16.4 ft.) of the **front lot line**, 5.0 m. (16.4 ft.) of the side lot line, and the resulting hypotenuse.

5.1.2 Non-conforming size, shape, or siting

No **building** or **structure** shall be constructed, reconstructed, altered, moved or extended so as to render any existing **building** or **structure** on the same **lot** non-conforming.

5.1.3 Buildings per lot

Only one **building** may be sited on one **lot**, except as otherwise permitted in this Bylaw.

5.1.4 Siting exceptions

Notwithstanding any other provision of this Bylaw:

- a) Chimneys, cornices, leaders, gutters, pilasters, belt course, or sills projecting beyond the face of a **building**, may be sited not more than 0.91 m. (3.0 ft.) closer to an adjoining lot than otherwise permitted, providing that the feature shall be no closer than 0.91 m. (3.0 ft.) to an adjoining **lot**, except as otherwise permitted.
- b) Bay windows or window boxes may be sited not more than 0.91 m. (3.0 ft.) closer to a **front** or **rear lot line** than otherwise permitted, providing that the bay windows or window boxes shall be no closer than 0.91 m. (3.0 ft.) to a **front** or **rear lot line**, except as otherwise permitted.
- c) Steps, eaves, **decks**, or canopies, may be sited not more than 1.82 m. (6.0 ft.) closer to a **front, rear and exterior side lot line** than otherwise permitted as measured to the outer edge of the step, eave, deck, or canopy, provided that the distance from a lot line shall not be reduced more than 1.2 m. (3.9 ft.). Steps, eaves, **decks**, or canopies abutting an **interior side lot line** may be reduced by not more than 50% of the required minimum distance provided that the distance from an **interior side lot line** shall not be reduced more than 0.91 m. (3.0 ft.).

- d) In one family residential zones and two family residential zones, mechanical equipment, such as heat pumps, air conditioners and pool equipment, when not enclosed within a principle or **accessory building**, shall be located within the **rear yard**, and shall conform to the setback requirements for **accessory buildings**, but at no time shall mechanical equipment be sited closer than 1.5 m. (4.9 ft.) from a **lot** line.
- e) An underground structure may be sited in any portion of a **lot** provided that the top surface of such **structure** shall at no point extend or be visible above ground. In-ground swimming pools are not considered underground structures.
- f) Freestanding lighting poles, warning devices, antennas, masts, utility poles, wires, flagpoles, signs and sign structures, except as otherwise limited in this Bylaw or in other Bylaws, may be sited on any portion of a **lot** in a zone in which they are permitted.
- g) Any structure or landscaping feature not more than 0.6 m. (2.0 ft.) in **height** shall not be included in **lot** coverage or subject to setback requirements.

5.1.5 Height exceptions

In all zones, except one-family residential and two-family residential zones, the height of buildings and structures permitted elsewhere in this Bylaw may be exceeded for cranes, towers, retaining walls, radio and television antennas (except in residential zones), church spires, belfries and domes, monuments, chimney and smoke stacks, flag poles, stadium bleachers, lightning poles, elevator shafts, mechanical equipment, mechanical rooms and stair towers.

5.1.6 Fences

- a) On a **corner lot**, within 6.0 m. (19.7 ft.) as measured from the point of **lot** line intersection and measured along the **lot** line:
 - i) a **fence** must not exceed 1.2 m. (3.9 ft.) in height; and
 - ii) trees and other vegetation must be trimmed so that there is no visual obstruction between 1.0 m. (3.3 ft) and 2.0 m. (6.6 ft.) above the adjoining **highway** pavement level.
- b) In all zones, except the General Industrial (M1) zone or in a public park located in any zone, a **fence** must not exceed a **height** of 1.2 m. (3.9 ft.), except that a **fence** not exceeding a **height** of 1.82 m. (6.0 ft.) may be sited:
 - i) to the rear of the front face of the **building** on an **interior lot**;

- ii) to the rear of the front and exterior side faces of a building on a **corner lot**.
- c) In the General Industrial (M1) zone, a **fence** must not exceed a **height** of 3.05 m. (10.0 ft).
- d) In a public park located in any zone, there shall be no limit on the maximum **height** of a metal chain link fence.
- e) Materials used to construct a **fence** are limited to wood, masonry materials (excluding poured concrete), metal, pre-cast manufactured perforated or decorative concrete blocks or panels, or any combination thereof. Barbed wire, razor wire, electrified, or similar materials are prohibited in all zones except the General Industrial (M1) zone.

5.1.7 Accessory building use

- a) A permitted **accessory building** use may only be erected after a **building** for a permitted principal use is built on a **lot**.
- b) A permitted **accessory building** use shall be sited a minimum of 1.0 m (3.3 ft) from a principal **building** on the same **lot**, with the separation extending from the ground to the sky.

5.1.8 Wireless Communication Facilities

5.1.8.a. Communications Antenna

An **antenna** is permitted in any zone except One-Family Residential (RS), Two-Family Residential (RT), One and Two-Family Residential (RS5) and Adaptive Use Commercial (C6) Zones provided that:

- a) it is attached to, or placed atop, a **building** or **structure** at a point not less than three **storeys** above **grade**;
- b) it does not extend out more than 0.3 m. (1.0 ft.) from a **building** face to which it is attached;
- c) it covers or occupies a maximum of 0.93 sq. m. (10.0 sq. ft.) on a **building** face unless screened from view;
- d) the total area a cluster of **antennas** may occupy, on a **building** face, does not exceed 3.72 sq. m. (40.0 sq. ft.) or 25% of the **building** face, whichever is smaller unless screened from view;
- e) it does not extend above the parapet line of a **building** face to which it is attached unless screened from view; and

- f) it must not extend more than 1.5 m (4.9 ft.) above the highest point of the **building** roof on top of which it is attached.

5.1.8.b. Communications Tower

A **communications tower** other than a monopole is permitted only in the P1 Zone and provided that:

- a) it is not more than 45.7 m. (149.9 ft.) in **height** above grade;
- b) it is set back a minimum of 200.0 m. (656.2 ft.) from any zone in which one-family residential, two-family residential or multiple-family residential are a permitted use;
- c) it is set back a minimum of 50.0 m. (164.0 ft.) from any lot line;
- d) a maximum of one **communications tower** is permitted per legal parcel of land; and
- e) it is not permitted in public parkland.

A monopole **communications tower** is permitted in the P1 and M1 Zones provided that:

- f) it is not more than 25.0 m. (82.0 ft.) in **height** above **grade**;
- g) it is set back a minimum of 100.0 m. (328.1 ft.) from any zone in which one-family residential, two-family residential or multiple-family residential are a permitted use;
- h) it is set back a minimum of 6.0 m. (19.7 ft.) from any lot line;
- i) a maximum of one **communications tower** is permitted per legal parcel of land; and
- j) it is not permitted on public parkland.

5.1.8.c. Communications Equipment Cabinet

Communication equipment cabinets and/or shelters are permitted in all zones set out in Section 5.1.8 as an accessory use to an **antenna** mounted on a **building** or **structure** provided that:

- a) where located externally to an existing building, the maximum permitted **height** of a **communications equipment cabinet** and/or shelter is 3.0 m. (9.8 ft.);

- b) if attached to an existing building, the **communications equipment cabinet** and/or shelter must be screened from view and/or clad or incorporated into the **building** design; and
- c) if located at **grade** the **communications equipment cabinet** and/or shelter must be screened from view by a combination of landscaping and fencing or shrouding.

5.1.8.d. Wireless Communications Repeater Facility

A **wireless communications repeater facility** is permitted on freestanding lighting or utility poles within a public **highway** or roadway in any zone provided that:

- a) a maximum of two **antennas** are permitted per repeater facility;
- b) **antennas** shall not exceed 0.15 m. (0.49 ft.) in width or 1.2 m. (3.9 ft.) in length;
- c) a maximum of one microwave dish **antenna** not exceeding 0.6 m. (2.0 ft.) in diameter is permitted per repeater facility;
- d) a maximum of one **communications equipment cabinet** not exceeding 1.5 m. (4.9 ft.) in **height** or 1.0 m. (3.3 ft.) in width is permitted per repeater facility; and
- e) if located at **grade** the **communication equipment cabinets** and/or shelters must be screened from view by a combination of landscaping and fencing or shrouding.

5.2 Siting of Buildings and Structures: Stream and Marine Protection

5.2.1 The establishment of **Streamside Protection and Enhancement Areas** applies to "development" as defined in the Riparian Areas Regulation B.C. Reg. 376/2004.

5.2.2 Notwithstanding any other siting provisions of this Bylaw, in existing developed neighbourhoods and for infill developments on sites less than 2.0 ha. (4.9 ac.) in size, no building, structure or impervious or semi-pervious parking or storage area shall be constructed:

- a) within 7.5 m. (24.6 ft.) of the **natural boundary** of the sea; and
- b) within 30 m. (98.4 ft.) of the **natural boundary** of Mossom Creek or Noons Creek;
- c) within **Stream Protection and Enhancement Areas** which shall be established by measuring 15.0 m. (49.2 ft.) perpendicularly away from

the **top of bank** or **top of the ravine** bank, as applicable, on either side of a stream.

- i. The setback restrictions in this subsection do not apply where the top of the bank adjacent to the watercourse exceeds the elevation requirement within the specified setback distance. In that case, the setback shall be 15.0 m. (49.2 ft.) from the top of the bank.

5.2.3 Notwithstanding any other siting provisions of this Bylaw, in areas of new development and for infill developments on sites greater than 2.0 ha. (4.9 ac.) in size, no **building, structure** or impervious or semi-pervious parking or storage area shall be constructed:

- a) within 7.5 m. (24.6 ft.) of the **natural boundary** of the sea; and
- b) within **Streamside Protection and Enhancement Areas** which shall be determined with reference to the following existing and potential vegetation conditions by measuring perpendicularly away from the **top of bank** or **top of the ravine bank**, as applicable, on either side of a **stream**:
 - A. intact and continuous areas of existing or potential vegetation equal to or greater than 50.0 m. (164.0 ft.) wide;
 - B. limited but continuous areas of existing or potential vegetation equal to or greater than 30.0 m. (98.4 ft.) wide or discontinuous but occasionally wider areas of existing or potential vegetation between 30.0 m. (98.4 ft.) and 50.0 m. (164.0 ft.) wide;
 - C. narrow but continuous areas of existing or potential vegetation equal to 15.0 m. (49.2 ft.) wide or discontinuous but occasionally wider areas of existing or potential vegetation between 15.0 m. (49.2 ft.) and 30.0 m. (98.4 ft.) wide;
 - D. very narrow but continuous areas of existing or potential vegetation up to 5.0 m. (16.4 ft.) wide or discontinuous but occasionally wider areas of existing or potential vegetation between 5.0 m. (16.4 ft.) and 15.0 m. (49.2 ft.) interspersed with permanent structures.
- c) With reference to existing or potential vegetation conditions in subsection (b), **Streamside Protection and Enhancement Areas** must be established as follows:
 - A. If Subsection (b)(A) or (B) applies, at least 30.0 m. (98.4 ft.) wide measured perpendicularly away from the **top of bank** for

- all fish bearing **streams** or for non-fish bearing **streams** that are permanent;
- B. If Subsection (b)(A), (B) or (C) applies, at least 15.0 m. (49.2 ft.) wide measured perpendicularly away from the **top of bank** for non-**fish** bearing **streams** that are non-permanent;
- C. If Subsection (b)(C) applies, at least 15.0 m. (49.2 ft.) wide measured perpendicularly away from the **top of bank** for non-**fish** bearing **streams** that are permanent;
- D. If Subsection (b)(C) or (D) applies, the greater of the widths determined under (b)(C) or (D) or at least 15.0 m. (49.2 ft.) wide measured perpendicularly away from the **top of bank** for all **fish** bearing **streams**;
- E. If Subsection (b)(D) applies, at least 5.0 m. (16.4 ft.) and up to 15.0 m. (49.2 ft.) wide measured perpendicularly away from the **top of bank** for all non-**fish** bearing **streams**.
- d) If a **stream** is in a **ravine** that is less than 60.0 m. (196.8 ft.) in total width from **top of the ravine bank** to the top of the opposite **ravine** bank, not including the **stream** channel within the **active floodplain** boundaries, protection is to be consistent with Subsection 5.2.3(c)(A) through (E), where appropriate, from the **top of the ravine bank**.
- e) If a **stream** is in a **ravine** that is more than 60.0 m. (196.8 ft.) in total width from **top of the ravine bank** to the top of the opposite **ravine** bank, not including the **stream** channel within the **active floodplain** boundaries, a **Stream Protection and Enhancement Area** must be at least 15.0 m. (49.2 ft.) wide measured perpendicularly away from the **top of the ravine bank**.

Summary of Streamside Protection and Enhancement Area Widths (*References provisions set out in Section 5.2.3)			
Existing or potential streamside vegetation conditions <i>As determined by Section 5.2.3 (b)*</i>	Streamside Protection and Enhancement Area Widths		
	<u>As determined by Section 5.2.3 (c)*</u>		
	Fish Bearing Stream	Non-Fish Bearing Stream	
		Permanent Stream	Non-Permanent Stream
≥ 50 m. or ≥ 30-50 m. <u>Section 5.2.3 (b) (A),(B)*</u>	At least 30 m. <u>Section 5.2.3 (c) (A)*</u>	At least 15 m. <u>Section 5.2.3 (c) (B)*</u>	
≥15 m. and <30 m. <u>Section 5.2.3 (b) (C)*</u>	Greater of existing width or potential width or 15 m. Section 5.2.3 (c) (D)*	15 m. <u>Section 5.2.3 (c) (C)*</u>	
<15 m. <u>Section 5.2.3 (b) (D)*</u>		At least 5 m. and up to 15 m. <u>Section 5.2.3 (c) (E)*</u>	

5.3 Siting of Buildings and Structures: Flood Protection

Section 5.3 – Technical Review Ongoing
Purpose of technical review is to improve the consistent application of flood protection provisions, ensure coordination with OCP, and to consider rising sea level research

5.4 Regulations for Permitted Uses of Land, Buildings, and Structures

5.4.1 Permitted Uses of Land, Buildings and Structures

Park uses and public utility uses are permitted in all zones, provided however, that in the case of a natural gas pipeline, above ground components, including without limiting the generality of the foregoing, compressor stations and pump stations are not permitted.

5.4.2 Prohibited Use of Land, Buildings and Structures

- 1) No person shall use any land, **building** or **structure** for purposes of electronic gaming, except as may be specifically permitted by this Bylaw, at anytime or from time to time.
- 2) The retail sale and/or manufacturing of firearms and ammunitions and related uses are prohibited in all zones.
- 3) No use shall be located in part or in total in a tent or trailer except as specifically permitted in this Bylaw.
- 4) No **residential use** shall be located on a **lot** not serviced by a **community water system** and **community sewer system**, except as permitted under certain conditions in the One and Two-Family Residential Zone (RS5) and One-Family Cluster Residential (RS6).
- 5) No **residential use** shall be located on a **lot** not serviced by a **community water system** and **community sewer system**, except for A1 (Acreage Reserve) and P1 (Public Service) zoned lots located west of April Road.

5.4.3 Conversion of Buildings

Buildings may be converted, altered or remodelled for another use provided that the converted building shall conform to all the provisions and regulations prescribed for the zone in which it is located and with all city bylaws.

5.4.4 Outdoor Retail Storage

A **commercial use** with retail storage space outside or in an open structure shall have all **lot** areas used for such use surfaced with asphalt, concrete, or other dust-free material.

5.4.5 Boarding use

- a) A boarding use shall be completely enclosed within a **building** used for **one-family residential use** or **two family residential use**; and

- b) shall accommodate not more than four boarders of a **one-family residential building**, or two boarders in each **dwelling unit** of a **two-family residential building**.

5.4.6 Accessory Home Occupation Use

- a) General regulations for both Type 1 and Type 2 uses:
 - i. Shall be completely enclosed in a **building** or **structure**;
 - ii. Shall not involve the outdoor storage of materials or equipment;
 - iii. Shall not involve the sale of goods on the premises;
 - iv. In the case of rental premises, the business license applicant shall be required to obtain the permission in writing of the owner of the premises before a business license under this section may be issued.
- b) Accessory home occupation use - Type 1
 - i. Shall occupy less than 20% of the **floor area** of the principal building or be conducted wholly in an accessory building;
 - ii. Shall be conducted by at least one (1) resident of the **residential use** to which it is **accessory**, and employ not more than two (2) non-residents; and
 - iii. Shall comply with the Home Occupation Sign requirements of City of Port Moody Sign Bylaw 1998, No. 2403.
- c) Accessory home occupation use – Type 2
 - i. Shall be confined to **office use**;
 - ii. Shall be conducted by one (1) resident only of the **residential use** to which it is accessory and have no employees;
 - iii. No goods are to be displayed on the premises; and
 - iv. No signs are to be displayed on the premises.

5.4.7 Live Work Units

Where a **live-work unit** use is permitted, the following conditions shall apply:

- a) Permitted uses include art galleries and studios, **office use**, and **personal service use**. **Retail Service Use** is not permitted.
- b) Shall be completely enclosed in a **dwelling unit**.
- c) Shall not involve the outdoor storage of materials or equipment.
- d) In the case of rental premises, the business license applicant shall be required to obtain the permission in writing of the owner of the premises before a business license under this section may be issued.
- e) Shall be conducted by at least one (1) resident of the **dwelling unit** and employ not more than two (2) non-residents.
- f) Shall comply with the requirements of City of Port Moody Sign Bylaw 1998, No. 2403.

5.4.8 Bed and Breakfast

Where a **bed and breakfast** use is permitted, the following conditions shall apply:

- a) not more than six patrons shall be accommodated within one **dwelling unit**;
- b) not more than three bedrooms shall be used for the **bed and breakfast** operation;
- c) no cooking facilities or other facilities for the keeping of food shall be provided for within the bedrooms intended for the said operation;
- d) parking of cars, trucks, house trailers, campers or boats operated by the patrons shall be provided for within the private property of the bed and breakfast ;
- e) no patron shall stay within the same **dwelling unit** for more than 30 days in a 12 months period; and
- f) a valid business license has been issued for the use.

5.4.9 Secondary Suites

Where permitted in this Bylaw, **secondary suites** must meet the following criteria:

- a) a **secondary suite** shall be located within a **building** of residential occupancy containing only one other **dwelling unit** and shall have total floor space not exceeding 90.0 sq. m. (968.8 sq. ft.) in finished living area. This area does not include any areas used for common storage, common laundry facilities or common areas used for access;
- b) a **secondary suite** shall have total floor space not exceeding 40% of the habitable floor space of the building. Floor space for the purpose of this calculation does not include attached garages;
- c) a **secondary suite** must be located within the same real estate entity as the principal **residential use** and cannot be subdivided from the building it is part of under the Strata Property Act; and
- d) one additional off-street parking space, in accordance with the off-street parking criteria set out in Section 6 of this Bylaw, shall be provided for the exclusive use of a **secondary suite**.

5.4.10 Video Retailer

Where **video retailer use** is permitted, the following conditions shall apply when the retailer is also licensed as a joint holder to carry adult films:

- a) the area of the premises devoted to the sale or leasing of adult films shall not exceed 14.9 sq.m. (160.4 sq.ft.);
- b) that adult films and any advertising materials in connection with them will be physically and visually segregated from persons under eighteen years of age who may be permitted elsewhere on the premises of the retailer;
- c) that the adult film area specified under (a) shall not contain projectors, machines or other technology by which adult films may be viewed or projected; and
- d) that appropriate signs are posted at the door to the adult film area prohibiting the entrance of persons under eighteen years of age.

6.0 OFF-STREET PARKING REQUIREMENTS

6.1. General

6.1.1 Unless otherwise specified in this Bylaw, or as approved by the City as permitted by Bylaw No. 1919, when any **building** or commencement of a use takes place on a lot, off-street parking shall be provided and maintained in accordance with the regulations in Section 6.0: Off-Street Parking Requirements.

6.1.2 An off-street loading space shall not be considered as off-street **parking space** for the purpose of calculating the **parking space** required.

6.2. Existing Buildings, Structures, and Uses

6.2.1 These regulations do not apply to **buildings, structures**, or uses existing on the effective date of this Bylaw, except that:

- a) **Off-street parking** shall be provided and maintained in accordance with this Bylaw for any addition to such existing **building** or **structure**, or any change or addition to such existing use.
- b) **Off-street parking** existing on the effective date of this Bylaw shall not be reduced below the applicable off-street parking requirements of this Bylaw.

6.3. Location and Siting of Parking Facilities

6.3.1 An **accessory off-street parking use** shall be located on the same **lot** as the **building** or use to which it is **accessory**, except as otherwise permitted in this Bylaw.

6.3.2 An **accessory off-street parking use**, except where **accessory** to a **residential use**, may be located on a different **lot**, provided that:

- a) the **lot** on which the **accessory off-street parking use** is located adjoins or has full or partial common **frontage** directly across a **street** or **lane** from the **lot** on which the permitted use exists;
- b) a covenant in favour of the **City** is registered against both the **lot** on which the **building** or use is located, and the separate **lot** on which the **accessory off-street parking use** is located; and
- c) convenient pedestrian access is available between the **lots**.

6.3.3 An **accessory off-street parking use** which is not in the form of concealed parking, except in the case of Acreage Reserve Districts, One-Family

Residential Districts, or Two-Family Residential Districts, and except as otherwise required in this Bylaw, shall:

- a) not be located within 1.5 m. (5 ft) of a **front lot line**, a **rear lot line**, or an **interior side lot line**; and
- b) not be located within 3.0 m (9.8 ft) of an **exterior side lot line**.
- c) be screened by a continuous landscape strip not less than 1.5 m (5 ft) wide, planted with shrubs and trees and is broken only for access driveways and walkways.

6.3.4 **Accessory off-street parking** shall be sited and constructed so as to permit unobstructed access to and egress from each **parking space** at all times, except as otherwise permitted.

6.3.5 **Accessory off-street parking** may be configured in tandem for each **dwelling unit** of a **townhouse** housing development provided that that each **dwelling unit** has one directly accessible parking space and that visitor parking is not in tandem.

6.4. Required Number of Off-Street Parking Spaces

6.4.1 When the number of required **parking spaces** results in fractional space, any fraction shall require one additional **parking space**. **Parking spaces** shall be provided according to building types and land uses as outlined in Table 1.3: Required Off-Street Parking.

6.4.2 Where a **building** or buildings on a lot include more than one use, the required number of spaces shall be the sum of the requirements for each use.

6.5. Design Criteria

6.5.1 An **off-street parking use**:

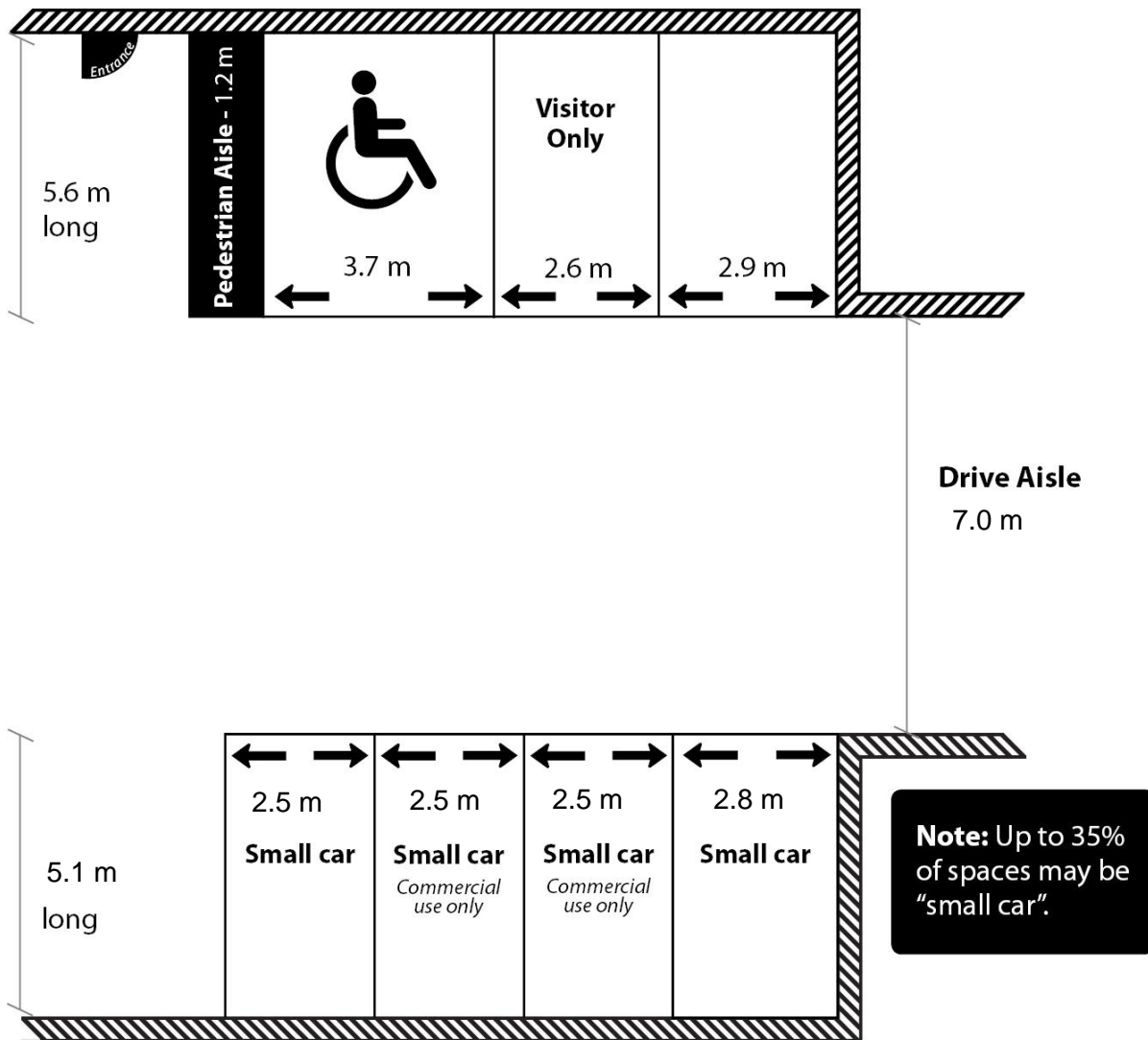
- a) Shall provide **parking spaces** designed to meet the following dimensions:
 - i. Perpendicular and angle **parking spaces** shall be not less than 2.6 m. (8.5 ft.) wide and 5.6 m. (18.4 ft.) long, and.
 - ii. Parallel **parking spaces** shall be not less than 2.4 m. (7.8 ft.) wide, 6.5 m. (21.3 ft.) long, and 2.1 m. (6.9 ft.) high.
 - iii. Obstructions, such as posts or columns, shall be limited to the front or rear 1.2 m. (4 ft.) of a **parking space** and may protrude into the width a distance of not more than 0.15 m. (6 in.).

- iv. When a **parking space** adjoins a **fence** or **structure** over 0.37 m. (1.2 ft.) in **height**, the width of the **parking space** shall be increased by 0.3 m. (1 ft.).
- b) Shall provide minimum aisle widths in accordance with Table 1.1: Aisle Width Dimensions.

Table 1.1: Aisle Width Dimensions				
	Parking Angle			
	0 (Parallel)	90	60	45
Drive Aisle Type	Drive Aisle Width Dimensions			
1-way	3.7 m	7.0 m	5.2 m	3.7 m
2-way	6.0 m	7.0 m	6.0 m	6.0 m
2-way(multiple family residential only)		6.7 m		

- c) A maximum of 35 percent of the total required **off-street parking spaces** may be identified for small car use. Small car use **parking spaces** shall be not less than 2.5 m. (8.2 ft.) wide and 5.1 m. (16.7 ft.) in length and shall have pavement markings to identify small car use only. Small car use parking spaces should be evenly distributed to avoid an overconcentration in one area.
- d) Required off-street **parking spaces** for visitors shall be clearly and permanently marked as for visitor use only.
- e) Required off-street **parking spaces** for **commercial uses**, including **office, retail service use, and commercial athletic and recreation use** in mixed-use developments shall be clearly and permanently marked as for commercial use only.
- f) Shall have each **parking space** and all internal access and egress driveways surfaced with asphalt, concrete, pavers, permeable pavers, or other dust-free material, and drained so as to properly dispose of all surface water.

Diagram: Off-Street Parking



Note: Diagram for illustrative purposes only. Not to scale.

6.6. Driveways

6.6.1 For one family residential zones, access to and egress from a **highway** shall be provided via not more than one (1) driveway of not less than 4.0 m. (13.1 ft.) in width nor more than 6.5 m. (21.3 ft.) in width.

6.6.2 For multi-family residential, commercial, business, or industrial districts, access to and egress from a **highway** shall be provided via not more than two (2) driveways of not less than 4.0 m. (13.1 ft.) in width nor more than 9.0 m. (29.5 ft.) in width. Provided that one additional driveway may be added for each 464.5 sq. m. (5,000 sq. ft.) of **parking space** area in excess of 929 sq. m. (10,000 sq. ft.).

6.6.3 Where points of access and egress about a landscape screen shall have such screening not more than 0.60 m. (2 ft.) in **height** for a distance of not less than 2.0 m. (6.6 ft.) from all points of access and egress.

6.6.4 Access to a **through lot** or **corner lot** is to be provided via the **lane**.

- a) Where access to a **through lot** is not feasible from a **lane** due to changes in **grade**, access may be provided via the **front yard**, or the **exterior side yard** in the case of a **corner lot**.

6.7. Required Off-Street Disability Parking Space

6.7.1 For a **commercial, institutional, assembly, civic, or apartment** use a proportion of the required **parking spaces** shall be provided for physically disabled persons, such **parking spaces** to be in accordance with the following table.

Total Required Off-Street Parking Spaces	Disability Parking Spaces
1-39	1
40-74	2
75-124	3
125-174	4
Over 175	1 additional space for any portion of each additional 50 parking spaces.

6.7.2 Required off-street disability **parking spaces** shall not be less than 3.7 m. (12.1 ft.) in width and 5.6 m. (18.4 ft.) in length.

6.7.3 Required off-street disability **parking spaces** shall be clearly marked with a pole mounted sign as set out in Schedule 2 of Division (23) of the Motor Vehicle Act Regulations (B.C. Regulation 26/58).

6.7.4 Required off-street disability **parking spaces** shall be constructed and located so as to permit convenient, barrier free, access to a **building** entrance.

6.7.5 A clear pedestrian aisle of 1.2 m. (3.9 ft.) wide shall adjoin each accessible **parking space**. Where two accessible parking spaces are adjacent, the pedestrian aisle may be shared with a total width of 1.5 m. (4.9 ft.).

Table 1.3: Required Off-Street Parking

Type of Building or Use	Required Number of Off-Street Parking Spaces
Residential	
One-family residential	1 space per dwelling unit
Two-family residential	1 spaces per dwelling unit
Secondary suites	1 space per secondary suite
Mobile home parks	1 space per dwelling unit
Townhouse	1.6 spaces per dwelling unit plus 0.2 visitor spaces per dwelling unit
Apartment	1.3 spaces per dwelling unit plus 0.2 visitor spaces per dwelling unit
Senior citizens housing	1 space per 4 dwelling units or sleeping units plus 0.2 visitor spaces per 4 dwelling units or sleeping units
Live-Work Unit	1.3 spaces per dwelling unit plus 0.2 visitor spaces per dwelling unit
Commercial	
Commercial use, retail service use, office use, personal service use, animal daycare use, and commercial athletic and recreation use	1 space per 37 sq. m. (398.3 sq. ft.) of floor area , except as shown on the map in Schedule B to this Bylaw, where the requirement will be 1 space per 74 sq. m. (796.5 sq. ft.) of floor area
Bed and Breakfast	1 space per bedroom used for the bed and breakfast operation
Liquor primary establishments	1 space per each 6 seats
Service stations	1 space per 111 sq. m. (1,194.8 sq. ft.) of lot area
Hotel	1 space per sleeping unit plus 1 space per 37 sq. m. (398.3 sq. ft.) of floor area used for restaurant purposes

Marinas	1 space per 2 berths, plus 1 space per 2 rental boats, plus 1 space per 46 sq. m. (495.1 sq. ft.) of floor area of commercial or service commercial buildings, (10% of these spaces must be of double length), plus 25 spaces per launching facility or ramp for day users, 80% of which must be of double length
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Industrial

Industrial and Light Industrial	1 space per 93 sq. m. (1,001.0 sq. ft.) of floor area plus 1 space per 37 sq. m. (398.3 sq. ft.) of floor area used for commercial or office purposes
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Institutional

Civic use	1 space per 37 sq. m. (398.3 sq. ft.) of floor area
Hospital	1 space per 5 beds, plus one space for each two staff doctors plus one space per employee.
Assembly use	1 space per 37 sq. m. (398.3 sq. ft.) of floor area .
Group Childcare	1 space per employee
Elementary and Middle School	1.25 spaces per teacher
High school, Trade School and Post-Secondary School	1 space for every 10 students for staff and visitor parking; and 1 space for every 8 students for student parking.

7.0 OFF-STREET LOADING REQUIREMENTS

7.1 General

Unless otherwise specified in this Bylaw, off-street loading spaces shall be provided and maintained in accordance with the following regulations.

- 7.1.1 Off-street loading spaces shall not be used as off-street parking areas.

7.2 Existing Buildings, Structures, and Uses

7.2.1 This section does not apply to **buildings, structures**, or uses existing on the effective date of this Bylaw, except that:

- a) Off-street loading shall be provided and maintained in accordance with this Bylaw for any addition to such existing **building** or **structure**, or any change or addition to such existing use.
- b) Off-street loading existing on the effective date of this Bylaw shall not be reduced below the applicable off-street loading requirements of this Bylaw.

7.3 Location and Siting of Loading Facilities

7.3.1 Required off-street loading areas shall be provided on the same **lot** as the **building** for which they are required.

7.4 Required Number of Off-Street Loading Spaces

7.4.1 Where more than one **building** or use is located on a **lot**, the required number of spaces may be combined.

7.4.2 Loading spaces shall be provided according to **building** and uses as follows:

- a) Excluding those sites used for the purposes listed in Clause (b) below, on every lot used as a **retail service use, commercial use**, or any similar use, the minimum number of spaces shall be:

Total Gross Floor Area of Building(s)	Spaces Required
less than 464.5 sq m (5,000 sq ft.)	0
464.5 sq m (5,000 sq ft.) to 1,393.5 sq. m. (15,000 sq. ft.)	1
1,393.6 sq. m. (15,001 sq. ft.) to 464.5 sq m to 2,322.5 sq m (25,000 sq ft)	2
Each additional 2,322.5 sq m (25,000 sq ft) or	1 additional

fraction thereof in excess of 1,162 sq m
(12,508 sq ft)

- b) On every site used as a place of public assembly, **hospital, industrial, warehouse, institution, public utility, school, or similar use**, the minimum number of spaces shall be:

Total Gross Floor Area of Building(s)	Spaces Required
Up to 2,787 sq m (30,000 sq ft)	1
Each additional 2,787 sq m (30,000 sq ft) or fraction thereof in excess of 1,394 sq m (15,005.4 sq ft)	1 additional

7.5 Design Criteria

7.5.1 Every off-street loading area shall:

- a) Not be located within the required **front yard** or **side yard**;
- b) Be constructed so as to permit unobstructed access to and egress from each loading space at all times;
- c) Be constructed so as to permit unobstructed movement for emergency vehicles;
- d) Provide vehicular ingress and egress to a **street** or **lane**;
- e) Be of adequate size with adequate access to accommodate the types of vehicles which will be loading and unloading but in no case shall the loading space be less than 3.0 m. (9.8 ft.) in width, 9.2 m. (30.2 ft.) in length, and 4.3 m. (14.1 ft.) in height;
- f) Be sited at an elevation or elevations equivalent to a floor level in the **building** or to a utility elevator serving each floor;
- g) Be provided with sufficient manoeuvring space adjacent to such use to avoid conflicts with use of off-street **parking spaces**, utility infrastructure, landscaping, garbage receptacles, **streets** and **lanes**;
- h) Be so graded and drained as to dispose of all surface water. In no case shall drainage be allowed to cross sidewalks;
- i) Have a surface of asphalt, concrete, or other dust-free material; and
- j) Have each loading space clearly delineated by painted lines and signing.

8.0 OFF-STREET BICYCLE PARKING

8.1 General

Only those uses identified in Table 1.4: Required Off-Street Bicycle Parking are required to provide the number and type of off-street bicycle parking spaces as provided for in Table 1.4.

When the number of required parking spaces results in fractional space, any fraction shall require one additional parking space.

8.2 Long Term Bicycle Parking Standards

Long term bicycle parking spaces shall be provided in a **bicycle room** or in individual **bicycle lockers**, in each case meeting the following standards:

a. Bicycle Room

- i. **Long term bicycle parking** located within a **bicycle room** shall be within a well-lit, covered area which is only accessible to residents or employees of premises in the building through a lock and key or a programmed entry system, and that provides individual bicycle parking spaces for securing the bicycle by the owner of the bicycle.
- ii. The **bicycle room** shall be designed to accommodate a maximum of 40 bicycles, not including those within **bicycle lockers**.
- iii. The **bicycle room** shall be securely enclosed by solid opaque walls or a compound enclosed by metal mesh.
- iv. The **bicycle room** shall be used for the storage of bicycles only.
- v. The entry door and frame to the **bicycle room** shall be constructed of steel and be a minimum of 0.9 m. (3 ft.) wide.
- vi. The entire interior of the **bicycle room** shall be well-lit and be visible from the entry.
- vii. A maximum of 30 percent of the **long term bicycle parking** spaces in a **bicycle room** shall provide for the parking of bicycles horizontally on the floor.
- viii. A minimum of 20 percent of the **long term bicycle parking** shall be **bicycle lockers**.
- ix. Each **long term bicycle parking** space shall be independently accessible from an aisle having a minimum width of 1.2 m. (3.9 ft.).

- x. Each **long term bicycle parking** space that is not a **bicycle locker** shall comprise a bicycle parking rack constructed of sturdy theft-resistant material and anchored to the floor with theft resistant anchoring. The bicycle rack shall allow the frame and one wheel of the bicycle to be locked to the rack with a standard U-shaped shackle lock and shall be installed a minimum of 0.6 m. (2.0 ft.) from any wall.
- xi. Each **long term bicycle parking** space shall have at least 1.9 m. (6.2 ft.) vertical clearance, and be at least 0.6 m. (2.0 ft.) in width and 1.8 m. (6.0 ft.) in length if the bicycles are to be placed horizontally, and 1.0 m. (3.3 ft.) in length if the bicycles are to be placed vertically.
- xii. Electric outlets shall be provided in all **bicycle rooms** such that no parking space is more than 5.0 m. (16.4 ft.) from an outlet.
- xiii. Each **bicycle room** shall have a sign located on the entry door stating: "Bicycle Parking Only. For Fire Safety purposes, the storage of other goods or materials is strictly prohibited"

b. Bicycle Locker

- i. The minimum inside dimension of a **bicycle locker** shall be 0.6 m. (1.9 ft.) in width at the door end, 0.2 m (0.6 ft.) in width at the opposite door, 1.8 m. (6.0 ft.) in length and 1.2 m. (3.9 ft.) in height.
- ii. Each **bicycle locker** shall be at least 2.0 m. (6.5 ft.) away from the edge of the nearest bicycle parking space.
- iii. **Bicycle lockers** shall be constructed of solid, opaque, and theft resistant material with a lockable door which opens to full width and height of the locker.
- iv. Each **bicycle locker** shall have a sign located on the door stating: "Bicycle Parking Only. For Fire Safety purposes, the storage of other goods or materials is strictly prohibited"

8.3 Short Term Bicycle Parking Standards

Each **short term bicycle parking** space shall be in compliance with the following:

- a. Each **short term bicycle parking** space shall be provided in the form of a rack which provide minimum measurements of 0.6 m. (1.9 ft.) in width and 1.8 m. (5.9 ft.) in length.
- b. Each **short term bicycle parking** rack shall be independently accessible by means of an aisle with a minimum width of 1.2 m. (3.9 ft.) which is separate from a pedestrian access to the premises for which the parking space is required.

- c. Racks providing two or more **short term bicycle parking** spaces shall be constructed of solid, opaque and theft resistant material and shall have sturdy theft-resistant anchoring to the floor or ground. The bicycle rack shall enable the bicycle frame and one wheel to be locked to the rack with a standard U-shaped shackle lock.
- d. Each **short term bicycle parking** space shall be provided in a convenient, well-lit location. Where possible, bicycle racks shall be located in a covered location. If the **short term bicycle parking** spaces are not readily visible from the principle entrance to the premises for which the spaces are required, appropriate directional signage shall be provided.

Table 1.4: Required Off-Street Bicycle Parking

TYPE OF BUILDING OR USE	REQUIRED NUMBER OF OFF-STREET BICYCLE PARKING SPACES	
	Long Term Bicycle Parking	Short Term Bicycle Parking
Residential		
Townhouses	No requirement	A minimum of 6 spaces for any development containing a minimum of 20 dwelling units .
Apartments	1.25 spaces per dwelling unit	A minimum of 6 spaces for any development containing a minimum of 20 dwelling units .
Senior citizens housing	No requirement	A minimum of 6 spaces for any development containing a minimum of 20 dwelling units .
Commercial		

Commercial use, retail service use, office use and commercial athletic and recreation use	1 space for every 750.0 sq.m. (8,072.9 sq.ft.) of floor area .	A minimum of 6 spaces for any building or group of buildings containing at least 1,000 sq.m. (10,763.9 sq.ft.) of floor area .
Liquor primary establishments	1 per 10 employees	A minimum of 6 spaces
Hotel	1 space for every 30 dwelling unit or sleeping unit , or any combination thereof.	A minimum of 6 spaces for any development with a minimum of 75 dwelling units or sleeping units

Industrial

Industrial and light industrial	A minimum of 1 space for each 1,000 sq.m. (10,763.9 sq.ft.) of floor area in the building or 1 space for every 25 employees on a maximum work shift, whichever is greater.	No Requirement.
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Institutional

Hospital	A minimum of 1 spaces for every 25 employees on a maximum work shift.	A minimum of 6 spaces at each public entrance.
Assembly use	No Requirement	A minimum of 6 spaces.
Elementary and Middle School	1 space for every 25 employees.	A minimum of 0.6 bicycle parking spaces for every 10 students on a maximum attendance period.

High school	1 space for every 25 employees.	A minimum of 0.6 bicycle parking spaces for every 10 students on a maximum attendance period.
Trade school	1 space for every 750 sq.m. (8,072.9 sq.ft.) of floor area .	A minimum of 6 spaces for any building or group of buildings containing at least 1,000 sq.m. (10,763.9 sq.ft.) of floor area .

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9.0 DISTRICTS

The whole area within the boundaries of the City is divided into districts with the following zone designations:

Acreage Reserve Districts	
AI	Acreage Reserve
A2	Development Acreage Reserve
A3	Development Acreage Reserve
One-Family Residential Districts	
RS1	One-Family Residential
RS2	One-Family Residential
RS3	One-Family Residential
RS4	One-Family Residential
RS5	One and Two-Family Residential
RS6	One Family Residential Cluster
RS7	One-Family Residential
Two-Family Residential Districts	
RT1	Two-Family Residential
Multiple-Family Residential Districts	
RMI	Multiple-Family Residential
RM2	Multiple-Family Residential
RM3	Multiple-Family Residential
RM4	Multiple-Family Residential
Commercial Districts	
C1	Local Commercial
C2	Neighbourhood Commercial
C3	Community Commercial
C4	Service Station Commercial
C5	Automobile-Oriented Commercial
C6	Adaptive Use Commercial
C7	Commercial Marina – Reed Point
C8	Commercial Marina – loco
C9	Adult-Oriented Activity
Business Enterprise District	
B1	Business Enterprise
Industrial Districts	
M1	General Industrial
M2	Light Industrial/Commercial
T1	Transportation - Railway
Public Service Districts	
PI	Public Service
P2	Special Public Service
Town Centre Districts	
TC1	Town Centre One

Section 9 – Districts

Review & Compilation of all CD Zones into Zoning Bylaw is ongoing

Comprehensive Development Districts	
CD1	Comprehensive Development Zone 1 (675 Noons Creek Drive)
CD2	Comprehensive Development Zone 2
CD2R	Comprehensive Development Zone 2R
CD3	Comprehensive Development Zone 3
CD4	Comprehensive Development Zone 4
CD5	Comprehensive Development Zone 5
CD 8	Comprehensive Development Zone 8
CD 9-NS	Comprehensive Development Zone 9NS
CD 10	Comprehensive Development Zone 10
CD 11	Comprehensive Development Zone 11
CD 12	Comprehensive Development Zone 12
CD 13	Comprehensive Development Zone 13
CD 14	Comprehensive Development Zone 14
CD 15	Comprehensive Development Zone 15
CD 20	Comprehensive Development Zone 20
CD 22	Comprehensive Development Zone 22
CD-23	Comprehensive Development Zone 23
CD-24	Comprehensive Development Zone 24
CD-26	Comprehensive Development Zone 26
CD-27	Comprehensive Development Zone 27
CD-28	Comprehensive Development Zone 28
CD-29	Comprehensive Development Zone 29
CD-30	Comprehensive Development Zone 30
CD-31	Comprehensive Development Zone 31
CD-32	Comprehensive Development Zone 32
CD 33	Comprehensive Development Zone 33
CD 34	Comprehensive Development Zone 34
CD 35	Comprehensive Development Zone 35
CD 36	Comprehensive Development Zone 36
CD 37	Comprehensive Development Zone 37
CD 38	Comprehensive Development Zone 38
CD 39	Comprehensive Development Zone 39
CD 40	Comprehensive Development Zone 40
CD 44	Comprehensive Development Zone 44
CD 49	Comprehensive Development Zone 49
CD 50	Comprehensive Development Zone 50
CD 54	Comprehensive Development Zone 54

10.0 PARCELS CREATED BY SUBDIVISION

Each **lot** created by **subdivision** shall have minimum **lot area**, **lot width** and other dimensions in accordance with the following table:

Zoning District	Lot Area	Lot Width
Acreage Reserve District		
AI	8.0 hectares	15.0 metres
A2	0.81 hectares	15.0 metres
A3	0.40 hectares	15.0 metres
One-Family Residential Districts		
RS1	555.0 square metres	15.0 metres
RS2	510.0 square metres	15.0 metres
RS3	375.0 square metres	12.0 metres
RS4	0.2 hectares	12.0 metres
RS5	Refer to Section 12.5.3	15.0 metres
RS6	2.0 hectares	350 metres
RS7	929.0 square metres	15.0 metres
Two-Family Residential Districts		
RT1	744.0 square metres	15.0 metres
Multiple-Family Residential Districts		
RMI	744.0 square metres	15.0 metres
RM2	744.0 square metres	15.0 metres
RM3	1,000.0 square metres	30.0 metres
RM4	1,485.0 square metres	37.0 metres
Commercial Districts		
CI	555.0 square metres	15.0 metres
C2	744.0 square metres	15.0 metres
C3	800.0 square metres	15.0 metres
C4	1,100.0 square meters	15.0 metres
C5	744.0 square metres	15.0 metres
C6	555.0 square metres	15.0 metres
C7	4,046.0 square metres	37.0 metres
C8	4,046.0 square metres	37.0 metres
C9	744.0 square metres	15.0 metres
Business Enterprise District		
BI	1,148 square metres	27.4 metres
Industrial Districts		
M1	1,858.0 square metres	27.4 metres
M2	1,148 square metres	27.4 metres
T1	2.0 hectares	23.0 metres
Public Service Districts		
PI	744.0 square metres	15.0 metres
P2	744.0 square metres	15.0 metres
Town Centre District		
TC1	2,500.0 square metres	20.0 metres

Comprehensive Development Districts		
Requirements for Comprehensive Development Zones under review		
CD9	250.0 square metres	10.0 metres
CD-23	433.0 square metres	11.4 metres
CD-24		
CD-28	3,500 square metres	40.0 meters
CD-29	3,000 square meters	40.0 meters
CD-30	555.0 square metres	15.0 metres
CD-31	3,000 square metres	30.0 metres
CD 32	520 square metres	14.9 metres
CD 33	335 square metres	13.0 metres
CD 36	1,200 square metres	40.0 metres
CD 37	900 square metres	2.5 metres
CD 38	1,250 square metres	40.0 metres
CD 39	3,200 square metres	20.0 metres
CD 40	5,000 square metres	75.0 metres
CD 44	5,189.99 square metres	18.289 metres
CD 54	4,050.0 square metres	100.6 metres

11.0 ACREAGE RESERVE DISTRICTS (A)

Subject to other provisions of this Bylaw, on each **lot**, in any district designated as an A District, the following regulations and permitted uses shall apply.

11.1 ACREAGE RESERVE (AI)

11.1.1 Intent

The intent of this zone is to limit development until either detailed planning occurs or environmental questions concerning the development of a site are resolved. Due to the lack of services, excessive slope, and inappropriateness of small-lot development for present stage urban growth, this land is best suited for one-family residential development on parcels of 8.0 ha. (19.8 ac.) in **lot area** or more.

11.1.2 Permitted Uses

- 1) **One-family residential**
- 2) **Residential childcare**
- 3) **Accessory boarding**
- 4) **Accessory home occupation - Type 2**
- 5) **Accessory off-street parking**
- 6) One of the following:
 - a. **Secondary suite;**
 - b. **Accessory home occupation use - Type 1;**
 - c. **Accessory boarding use; or**
 - d. **Bed and Breakfast.**

11.1.3 Height of Buildings

The **height** of a **building** shall not exceed the lesser of 10.5 m. (34.5 ft.) or three **storeys**.

11.1.4 Setbacks

Front, side, and rear yards shall be provided of not less than 7.5 m. (24.6 ft.) each in depth.

11.1.5 Permitted Accessory Building

One **accessory building** is permitted, as follows:

- 11.1.5.a. An **accessory building** shall be located within the **rear yard** of a **one-family residential** use.
- 11.1.5.b. The maximum **lot coverage** of an **accessory building** shall be 60.0 sq. m. (645.8 sq. ft.).
- 11.1.5.c. The **height** of an **accessory building** shall not exceed 4.5 m. (14.8 ft.).

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11.2 DEVELOPMENT ACREAGE RESERVE (A2)

11.2.1 Intent

The intent of this zone is to delineate parcels of 0.81 ha (2.0 ac.) in **lot area** or more that require detailed planning.

11.2.2 Permitted Uses

- 1) **One-family residential**
- 2) **Residential childcare**
- 3) **Accessory boarding**
- 4) **Accessory home occupation – Type 2**
- 5) **Accessory off-street parking**
- 6) One of the following:
 - a. **Secondary suite;**
 - b. **Accessory home occupation use - Type 1;**
 - c. **Accessory boarding use; or**
 - d. **Bed and Breakfast.**

11.2.3 Height of Building

The **height** of a **building** shall not exceed the lesser of 10.5 m. (34.5 ft.) or three **storeys**.

11.2.4 Setbacks

Front, side, and rear yards shall be provided of not less than 7.5 m. (24.6 ft.) each in depth.

11.2.5 Permitted Accessory Building

One **accessory building** is permitted, as follows:

- 11.2.5.a An **accessory building** shall be located within the **rear yard** of a **one-family residential use**.
- 11.2.5.b The maximum **lot coverage** of an **accessory building** shall be 60 sq. m. (645.8 sq. ft.).
- 11.2.5.c The **height** of an **accessory building** shall not exceed 4.5 m. (14.8 ft.).

11.3 DEVELOPMENT ACREAGE RESERVE (A3)

11.3.1 Intent

The intent of this zone is to delineate lots of 0.40 ha (0.99 ac) or more in **lot area** that require site specific planning.

11.3.2 Permitted Uses

- 1) **One-family residential**
- 2) **Residential childcare**
- 3) **Accessory boarding**
- 4) **Accessory home occupation - Type 2**
- 5) **Accessory off-street parking**
- 6) One of the following:
 - a. **Secondary suite;**
 - b. **Accessory home occupation use - Type 1;**
 - c. **Accessory boarding use; or**
 - d. **Bed and Breakfast.**

11.3.3 Height of Building

The **height** of a **building** shall not exceed 10.5 m. (34.5 ft.) or three **storeys**.

11.3.4 Setbacks

Front, side, and rear yards shall be provided of not less than 7.5 m. (24.7 ft.) each in depth.

11.3.5 Permitted Accessory Building

One **accessory building** is permitted, as follows:

- 11.3.5.a An **accessory building** shall be located within the rear yard of a one-family residential use.
- 11.3.5.b The maximum **lot coverage** of an **accessory building** shall be 60 sq. m. (645.8 sq. ft.).
- 11.3.5.c The **height** of an **accessory building** shall not exceed 4.5 m. (14.8 ft.).

12.0 ONE-FAMILY RESIDENTIAL DISTRICTS (RS)

Subject to other provisions of this Bylaw, on each **lot**, in any district designated as RS District, the following regulations and permitted uses shall apply and any uses not specifically permitted are prohibited.

12.1 ONE-FAMILY RESIDENTIAL (RSI)

12.1.1 Intent

The intent of this zone is to designate land that, because of location, established development, existing community water and sanitary sewer systems capable of serving the area at full development, is best suited for one-family residential development on lots of 555.0 sq. m. (5,973.9 sq. ft.) or more.

12.1.2 Permitted Uses

- 1) One-family residential
- 2) Residential childcare
- 3) Accessory home occupation use - Type 2
- 4) Accessory off-street parking
- 5) One of the following:
 - a. Secondary suite;
 - b. Accessory home occupation use - Type 1;
 - c. Accessory boarding use; or
 - d. Bed and Breakfast.

12.1.3 Lot Coverage

The maximum permitted **lot coverage** is 40 percent.

12.1.4 Floor Area Ratio

The maximum permitted **floor area ratio** is 0.5.

12.1.5 Height of Building

The **height** of a **building** shall not exceed 10.5 m. (34.5 ft.) or three **storeys**.

12.1.6 Front Yard Setback

A **front yard** shall be provided of not less than 6.0 m. (19.7 ft.) in depth.

12.1.7 Side Yard Setbacks

- 1) **Side yards** shall be provided with a minimum width of 10 percent of the lot. This width need not exceed 1.5 m. (4.9 ft.).
- 2) On a **corner lot**, the **side yard** adjoining the flanking **street** shall be not less than 3.0 m. (9.8 ft.) in width.

12.1.8 Rear Yard Setback

A **rear yard** shall be provided of not less than 7.5 m. (24.6 ft.) in depth.

12.1.9 Permitted Accessory Building

One **accessory building** is permitted, as follows:

- 1) An **accessory building** shall be located within the **rear yard** of a **one-family residential use**.
- 2) The maximum **lot coverage** of an **accessory building** shall be 7 percent of the **lot area** on **lots** with an area in excess of 600 sq. m. (6,458.3 sq.ft.), to a maximum **floor area** of 60 sq. m.(645.8 sq.ft.). On **lots** less than 600 sq. m. (6,458.3 sq.ft.), maximum coverage shall be the lesser of 10% or 42 sq. m. (452.1 sq.ft.).
- 3) The **height** of an **accessory building** shall not exceed 4.5 m. (14.8 ft.).
- 4) **Side yards** shall be provided with a minimum width of 10 percent of the lot. This width need not exceed 1.5 m. (4.9 ft.).
- 5) On a **corner lot**, the **side yard** adjoining the flanking **street** shall be not less than 3.0 m. (9.8 ft.) in width.
- 6) A **rear yard** setback shall be provided of not less than 1.5 m. (4.9 ft.) in depth.
- 7) One additional **accessory building** shall be permitted when the **floor area** does not exceed 10.0 sq. m. (107.6 sq.ft.)

12.2 ONE-FAMILY RESIDENTIAL (RS2)

12.2.1 Intent

The intent of this zone is to accommodate conventional one-family residential **structures** on lots of 510.0 sq. m. (5,489.8 sq. ft.) or more.

12.2.2 Permitted Uses

- 1) **One-family residential**
- 2) **Residential childcare**
- 3) **Accessory home occupation use - Type 2**
- 4) **Accessory off-street parking**
- 5) One of the following:
 - a. **Secondary suite;**
 - b. **Accessory home occupation use - Type 1;**
 - c. **Accessory boarding use; or**
 - d. **Bed and Breakfast.**

12.2.3 Lot Coverage

Maximum permitted **lot coverage** is 40 percent.

12.2.4 Floor Area Ratio

The maximum permitted **floor area ratio** is 0.5.

12.2.5 Height of Building

The **height** of a **building** shall not exceed the lesser of 9.0 m. (29.5 ft.) or 3 **storeys**.

12.2.6 Front Yard Setback

A **front yard** shall be provided of not less than 6.0 m. (19.7 ft.) in depth.

12.2.7 Side Yard Setbacks

- 1) **Side yards** shall be provided with a minimum width of 1.5 m. (4.9 ft.).
- 2) On a **corner lot**, the **side yard** adjoining the flanking **street** shall be not less than 3.0 m. (9.8 ft.) in width.

12.2.8 Rear Yard Setback

A **rear yard** shall be provided of not less than 7.0 m. (23 ft.) in depth.

12.2.9 Permitted Accessory Building

One **accessory building** is permitted, as follows:

- 1) An **accessory building** shall be located within the **rear yard** of a **one-family residential** use.
- 2) The maximum coverage of an **accessory building** shall be 7 percent of the **lot area** on lots with an area in excess of 600 sq. m. (6,458.3 sq.ft.), to a maximum **floor area** of 60 sq. m. (645.8 sq.ft.). On **lots** of less than 600 sq. m. (6,458.3 sq.ft.), maximum coverage shall be the lesser of 10% or 42 sq. m. (452.1 sq.ft.).
- 3) The **height** of an **accessory building** shall not exceed 4.0 m. (13.1 ft.).
- 4) **Side yard** setbacks shall be provided with a minimum width of 1.5 m. (4.9 ft.).
- 5) On a **corner lot**, the **side yard** adjoining the flanking **street** shall be not less than 3.0 m. (9.8 ft.) in width.
- 6) A **rear yard** setback shall be provided of not less than 1.5 m. (4.9 ft.) in depth.

12.3 ONE-FAMILY RESIDENTIAL (RS3)

12.3.1 Intent

The intent of this zone is to accommodate conventional **one-family residential structures** on **lots** of 375.0 sq. m. (4,036.6 sq. ft.) or more.

12.3.2 Permitted Uses

- 1) **One-family residential**
- 2) **Residential childcare**
- 3) **Accessory home occupation use - Type 2**
- 4) **Accessory off-street parking**
- 5) One of the following:
 - a. **Secondary suite;**
 - b. **Accessory home occupation use - Type 1;**
 - c. **Accessory boarding use; or**
 - d. **Bed and Breakfast.**

12.3.3 Lot Coverage

- 1) The maximum permitted **lot coverage** is 45 percent.

12.3.4 Floor Area Ratio

The maximum permitted **floor area ratio** is 0.6.

12.3.5 Height of Building

The **height** of a building shall not exceed the lesser of 8.0 m. (26.2 ft.) or 2.5 **storeys**.

12.3.6 Front Yard Setback

A **front yard** shall be provided of not less than 6.0 m. (19.7 ft.) in depth.

12.3.7 Side Yard Setbacks

- 1) **Side yards** shall be provided with a minimum width of 10 percent of the lot. This width need not exceed 1.5 m. (4.9 ft.).
- 1) On a **corner lot**, the **side yard** adjoining the flanking **street** shall be not less than 2.5 m. (8.2 ft.) in width.

12.3.8 Rear Yard Setback

A **rear yard** shall be provided of not less than 7.0 m. (23 ft.) in depth.

12.3.9 Permitted Accessory Building

One **accessory building** is permitted, as follows:

- 2) An **accessory building** shall be located within the **rear yard** of a **one-family residential use**.
- 3) The maximum coverage of an accessory building shall be 7 percent of the **lot area** on **lots** with an area in excess of 600 sq. m. (6,458.3 sq.ft.), to a maximum floor area of 60 sq. m. (645.8 sq.ft.). On lots of less than 600 sq. m. (6,458.3 sq.ft.), maximum coverage shall be the lesser of 10% or 42 sq. m. (452.1 sq.ft.).
- 4) The **height** of an **accessory building** shall not exceed 4.0 m. (13.1 ft.).
- 5) **Side yards** shall be provided with a minimum width of 10 percent of the lot. This width need not exceed 1.5 m. (4.9 ft.).
- 6) On a **corner lot**, the **side yard** adjoining the flanking **street** shall be not less than 2.5 m. (8.2 ft.) in width.
- 7) A **rear yard** setback shall be provided of not less than 1.5 m. (4.9 ft.) in depth.
- 8) One additional **accessory building** shall be permitted when the **floor area** does not exceed 10.0 sq. m. (107.6 sq.ft.).

12.3.10 Alderside Road

- 1) On RS3 Zoned **lots** fronting Alderside Road, the maximum permitted **floor area ratio** is 0.6, and the maximum permitted lot coverage is 45 percent of the **lot area** as it appears on the survey plan of the property registered with the Land Title Office, as of July 1, 1994.
- 2) On **lots** fronting on that portion of Alderside Road having a gazetted width of 6.0 m. (19.6 ft.), the setback from a **front lot line** is 3.0 m. (9.8 ft), and for **buildings** for **accessory use** which cannot be located at the rear of the property because of the **high water mark**, 1.5 m. (4.9 ft.) setback from the **front lot line**. The gazetted width of 6.0 m. (19.7 ft.) on Alderside Road includes the property legally described as:

Lot 1, Plan LMS3779, NWD, TWP 39

and extends westward from that property on Alderside Road up to and including the property legally described as:

Lot 1, Block A, Plan 5683, DL 226, NWD

- 3) On all RS3 zoned **lots** fronting Alderside Road and Burrard Inlet, the building setback from the **high water mark**, as defined in this Zoning Bylaw, of Burrard Inlet is 3.0 m. (9.8 ft.).

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12.4 ONE-FAMILY RESIDENTIAL (RS4)

12.4.1 Intent

The intent of this zone is to provide for the establishment of **mobile home parks** for residential occupancy in proper relationship to community facilities and surrounding development, on sites of 1.2 ha. (2.9 ac.) or more.

12.4.2 Permitted Uses

- 1) **Mobile home park**
- 2) **Residential childcare**
- 3) **Accessory boarding**
- 4) **Accessory home occupation – Type 2**
- 5) **Accessory off-street parking**

12.4.3 Conditions of Use

- 1) Each **mobile home park** shall provide sewer, water, paved **streets** and walkways, garbage collection and snow clearance to residential subdivision standards.
- 2) Each mobile home development shall provide **usable open space** of not less than 10 percent of the total site area for the use of residents.
- 3) Each **mobile home** shall be not less than 3.6 m (11.8 ft) in width.
- 4) Each **mobile home** shall be located on a separate lot with a paved **mobile home** pad.
- 5) Each **mobile home** shall contain sleeping accommodations, a flush toilet, a tub or shower, kitchen facilities, and plumbing and electrical connections capable of being connected to the plumbing and electrical systems in the development.
- 6) Each **mobile home** shall have skirting extending from the bottom of the unit to the ground, finished with a protective coating.
- 7) Each **mobile home** shall have all attached structures such as **decks**, porches, sun rooms, and storage areas painted or finished so that the appearance and construction complement the main structure.

12.4.4 Site Area

- 1) A mobile home development shall have a minimum site area of 0.2 ha. (0.49 ac.).

12.4.5 Lot Area

- 1) No singlewide **mobile home** shall be located on a lot with an area less than 335 sq. m. (3,606 sq. ft.).
- 2) No doublewide **mobile home** shall be located on a lot with an area less than 405 sq. m. (4,359.6 sq. ft.).

12.4.6 Maximum Height of Building

The **height** of a **building** shall not exceed the lesser of 8.0 m. (26.3 ft.) or two **storeys**.

12.4.7 Front Yard Setback

A **front yard** shall be provided of not less than 6.0 m. (19.7 ft.) in depth.

12.4.8 Side Yard Setbacks

- 1) **Side yards** shall be provided with a minimum width of 10 percent of the average width of the lot. This width need not exceed 1.5 m. (4.9 ft.).
- 2) On a **corner lot**, the **side yard** adjoining the flanking **street** shall be not less than 2.5 m. (8.2 ft.) in width.

12.4.9 Rear Yard Setback

A **rear yard** shall be provided of not less than 7.0 m. (23 ft.) in depth.

12.4.10 Permitted Accessory Building

One **accessory building** is permitted, as follows:

- 1) An accessory building shall be located within the **rear yard** of a **mobile home** use.
- 2) The maximum coverage of an accessory building shall be 7 percent of the lot area on **lots** with a **lot area** in excess of 600 sq. m. (6,458.3 sq.ft.), to a maximum floor area of 60 sq. m. (645.8 sq.ft.). On **lots** not less than 600 sq. m. (6,458.3 sq.ft.), maximum coverage shall be the lesser of 10% or 42 sq. m. (452.1 sq.ft.).
- 3) The **height** of an **accessory building** shall not exceed 4.0 m. (13.1 ft.).

- 4) **Side yards** shall be provided with a minimum width of 10 percent of the lot. This width need not exceed 1.5 m. (4.9 ft.).
- 5) On a **corner lot**, the **side yard** adjoining the flanking **street** shall be not less than 2.5 m. (8.2 ft.) in width.
- 6) A **rear yard** setback shall be provided of not less than 1.5 m. (4.9 ft.) in depth.

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12.5 ONE AND TWO-FAMILY RESIDENTIAL ZONE (RS5)

12.5.1 Intent

The intent of this zone is to allow **one-family residential** and, under certain conditions, **two-family residential** on a **lot**.

12.5.2 Permitted uses

1) One-family residential

a. One of the following:

- **Secondary suite;**
- **Accessory home occupation use - Type 1;**
- **Accessory boarding use; or**
- **Bed and Breakfast.**

2) Two-family residential

3) Residential childcare

4) Accessory home occupation use - Type 2

5) Accessory off-street parking

12.5.3 Site Area

A use in the RS5 Zone shall not be permitted on a **lot**, except where such a **lot** was existing at the effective date of this Bylaw, of less than:

- 1) 1.20 ha. (2.985 ac.) when neither a **community water supply** nor a **community sanitary sewer system** serve the use;
- 2) 0.4 ha. (0.988 ac.) when a **community water supply** but no **community sanitary sewer system** serves the use;
- 3) 560 sq.m. (5,998 sq. ft.) when a **community water supply** and **community sanitary sewer system** serve the use, providing that the use is not **two-family residential**.
- 4) 1,125 sq. m. (11, 996 sq. ft.) for **two-family residential** when a **community sanitary system** serves the use.

12.5.4 Residential Buildings

Not more than one one-family **dwelling unit** or one two-family **dwelling unit** shall be erected on one **lot**.

12.5.5 Lot Coverage

The maximum permitted **lot coverage** is 40 percent.

12.5.6 Floor Areas

- 1) **Dwelling units** shall have a **residential floor area** of not less than 75 sq. m. (803.3 sq.ft.).
- 2) Non-residential buildings other than automobile garages shall be limited to a **floor area** not to exceed the lesser of 50 sq. m. (535.5 sq. ft) or 2% of the **lot area**.

12.5.7 Height of Building

The **height** of a building shall not exceed 10 m. (32.8 ft.) or three **storeys**.

12.5.8 Width of Building

Above the second **storey**, a building shall not exceed a horizontal width or length of 30 m. (98.4 ft.)

12.5.9 Front Yard Setback

A **front yard** shall be provided of not less than 7.5 m. (24.7 ft.) in depth.

12.5.10 Side Yard Setbacks

Side yards shall be provided of not less than:

- 1) 1.5 m. (4.9 ft.) from an **interior side lot line**.
- 2) 3 m. (9.8 ft.) from an **exterior side lot line**.

12.5.11 Rear Yard Setback

A **rear yard** shall be provided of not less than 7.5 m. (24.7 ft.) in depth.

12.5.12 Permitted Accessory Building

Accessory buildings are permitted, as follows:

- 1) One-family residential **buildings** are permitted one **accessory building**.
- 2) Two-family residential **buildings** are permitted two **accessory buildings**.

- 3) The maximum coverage of an accessory building shall be 7 percent of the lot area on lots with an area in excess of 600 square metres, to a maximum floor area of 60 square metres. On lots less than 600 square metres, maximum coverage shall be the lesser of 10% or 42 square metres.
- 4) Permitted **accessory buildings** shall be located within the **rear yard** of a residential use.
- 5) The **height** of an **accessory building** shall not exceed 4.5 m. (14.8 sq. ft.).
- 6) **Side yards** shall be provided with a minimum width of 10 percent of the lot. This width need not exceed 1.5 m. (4.9 ft.).
- 7) A **rear yard** setback shall be provided of not less than 1.5 m. (4.9 ft.) in depth.

12.6 ONE-FAMILY CLUSTER RESIDENTIAL (RS6)

12.6.1 Intent

The intent of this zone is to designate land that, because of location and established development, is best suited for cluster one-family residential.

12.6.2 Permitted Uses

- 1) **One-family residential**
- 2) **Accessory home occupation use – Type 2**
- 3) **Accessory off-street parking**

12.6.3 Site Area

A use in the zone shall not be permitted on a lot of less than 2 ha. (4.9 ac.).

12.6.4 Residential Buildings

The maximum number of **dwelling units** on one **lot** shall not exceed:

- 1) one per 0.6 ha (1.5 ac.) where neither a **community water supply** nor a **community sanitary sewer system** serve the use.
- 2) one per 0.2 ha (0.5 ac.) where a **community water supply** but no **community sanitary system** serves the use.

12.6.5 Lot Coverage

The maximum permitted **lot coverage** is 35 percent.

12.6.6 Height of Building

The **height** of a **building** shall not exceed 10 m. (32.8 ft.) or three **storeys**.

12.6.7 Width of Building

A **building** shall not exceed a horizontal width or length of 20 m. (65.2 ft.)

12.6.8 Front Yard Setback

A **front yard** shall be provided of not less than 7.5 m. (24.6 ft.) in depth.

12.6.9 Side Yard Setbacks

Side yards shall be provided of not less than:

- a) 1.5 m. (4.9 ft.) from an **interior side lot line**; and
- b) 3 m. (9.8 ft.) from an **exterior side lot line**.

12.6.10 Rear Yard Setback

A **rear yard** shall be provided of not less than 7.5 m. (24.6 ft.) in depth.

12.6.11 Separation Between Buildings

Buildings shall be sited not less than 3.0 m. (9.8 ft.) from another **building** on the same **lot**.

12.6.12 Floor Areas

- 1) **Dwelling units** shall have a residential **floor area** of not less than 75 sq. m. (803.3 sq. ft.).
- 2) Non residential **buildings** other than automobile garages shall be limited to a building area of 50 sq. m. (535.0 sq. ft.) per such **building**, with the total number of such **buildings** not to exceed half the number of principal **buildings** permitted per **lot**.

12.6.13 Off-street Parking

Off-street parking shall be provided on the same lot as the use being served and shall comprise two parking spaces per **dwelling unit**.

12.7 ONE-FAMILY RESIDENTIAL ZONE (RS7)

12.7.1 Intent

The intent of this zone is to designate land for one-family residential development on lots of 929 square metres (10,000 sq. ft.) or more in North Shore Neighbourhood 2.

12.7.2 Permitted Uses

- 1) **One-family residential**
- 2) **Accessory home occupation use (Type II)**
- 3) **Accessory off-street parking**
- 4) One of the following:
 - a. **Secondary suite;**
 - b. **Accessory home occupation use (Type I);**
 - c. **Accessory boarding use; or**
 - d. **Bed and Breakfast.**

12.7.3 Lot Coverage

The maximum permitted **lot coverage** is 40 percent.

12.7.4 Floor Area Ratio

The maximum permitted **floor area ratio** is 0.5.

12.7.5 Height of Building

The **height** of a **building** shall not exceed 10.5 m. (34.5 ft.) or three **storeys**.

12.7.6 Front Yard Setback

A **front yard** shall be provided of not less than 6.0 m. (19.7 ft.) in depth.

12.7.7 Side Yard Setbacks

- 1) **Side yards** shall be provided with a minimum width of 10 percent of the width of the lot. This width need not exceed 1.5 m. (4.9 ft.)
- 2) On a **corner lot**, the side yard adjoining the flanking street shall be not less than 3.0 m. (9.8 ft.) in width.

12.7.8 Rear Yard Setback

A **rear yard** shall be provided of not less than 7.5 m. (24.7 ft.) in depth.

12.7.9 Permitted Accessory Building

One **accessory building** is permitted, as follows:

- 1) An **accessory building** shall be located within the **rear yard** of a **one-family residential use**.
- 2) The maximum **lot coverage** of an **accessory building** shall be 7 percent of the lot area on **lots** with an area in excess of 600 sq. m. (6,458.3 sq.ft.), to a maximum **floor area** of 60 sq. m. (645.8 sq.ft.). On lots less than 600 sq. m. (6,458.3 sq.ft.), maximum **lot coverage** shall be the lesser of 10% or 42 sq. m. (452.1 sq.ft.).
- 3) The **height** of an **accessory building** shall not exceed 4.5 m. (14.8 ft.).
- 4) **Side yard** setbacks shall be provided with a minimum width of 10 percent of the **lot** width. This width need not exceed 1.5 m. (4.9 ft.).
- 5) On a **corner lot**, the **side yard** adjoining the flanking **street** shall be not less than 3.0 m. (9.8 ft.) in width.
- 6) A **rear yard** setback shall be provided of not less than 1.5 m. (4.9 ft.) in depth.

12.7.10 Total Permitted Density

The maximum permitted density of development in the entirety of the RS7 zone is 50 **dwelling units**.

24) Parcel Density

No subdivision of land in the RS7 zone shall be approved if the subdivision would necessarily result in fewer than 40 **dwelling units** ultimately being constructed in the zone.

13.0 TWO-FAMILY RESIDENTIAL DISTRICT (RT)

Subject to other provisions of this Bylaw, on each **lot**, in any district designated as a RT District, the following regulations and permitted uses shall apply and any uses not specifically permitted are prohibited.

13.1 TWO-FAMILY RESIDENTIAL (RT1)

13.1.1 Intent

The intent of this zone is to accommodate two-family residential **structures** on **lots** of 744.0 sq. m. (8,008.4 sq. ft.) or more.

13.1.2 Permitted Uses

- 1) **Two-family residential**
- 2) **Residential childcare**
- 3) **Accessory boarding**
- 4) **Accessory home occupation – Type 2**
- 5) **Accessory off-street parking**

13.1.3 Lot Coverage

The maximum permitted **lot coverage** is 40 percent.

13.1.4 Height of Building

The **height** of a **building** shall not exceed the lesser of 10.5 m. (34.5 ft.) or three **storeys**.

13.1.5 Front Yard Setback

A **front yard** shall be provided of not less than 6.0 m. (19.7 ft.) in depth.

13.1.6 Side Yard Setbacks

- 1) **Side yards** shall be provided with a minimum width of 1.2 m. (3.9 ft.)
- 2) On a **corner lot**, the **side yard** adjoining the flanking **street** shall be not less than 3.0 m. (9.8 ft.) in width.

13.1.7 Rear Yard Setback

A **rear yard** shall be provided of not less than 7.5 m. (24.7 ft.) in depth.

13.1.8 Permitted Accessory Building

Two **accessory buildings** are permitted, as follows:

- 1) An **accessory building** shall be located within the **rear yard** of a **two-family residential use**.
- 2) The maximum coverage of an **accessory building** shall be 7 percent of the lot area on lots with an area in excess of 600 sq. m. (6,458.3 sq.ft.), to a maximum floor area of 60 sq. m. (645.8 sq.ft.). On **lots** less than 600 sq. m. (6,458.3 sq.ft.), maximum coverage shall be the lesser of 10% or 42 sq. m. (452.1 sq.ft.).
- 3) The **height** of an **accessory building** shall not exceed 4.5 m. (14.8 sq. ft.).
- 4) **Side yard** setbacks shall be provided with a minimum width of 1.2 m. (3.9 ft.)
- 5) On a **corner lot**, the **side yard** adjoining the flanking **street** shall be not less than 3.0 m. (9.8 ft.) in width.
- 6) A **rear yard** setback shall be provided of not less than 1.5 m. (4.9 ft.) in depth.

14.0 MULTIPLE-FAMILY RESIDENTIAL DISTRICTS (RM)

Subject to other provisions of this Bylaw, on each **lot**, in any district designated as a RM District, the following regulations and permitted uses shall apply and any uses not specifically permitted are prohibited.

14.1 MULTIPLE-FAMILY RESIDENTIAL (RM1)

14.1.1 Intent

The intent of this zone is to accommodate ground oriented low density multiple-family development with a site area of 744.0 sq. m. (8,008.3 sq. ft.) or more.

14.1.2 Permitted Uses

- 1) Multiple-family residential
- 2) Residential childcare
- 3) Accessory home occupation – Type 2
- 4) Accessory off-street parking

14.1.3 Conditions of Use

Each **dwelling unit** shall have a separate outside entrance at ground level.

14.1.4 Lot Coverage

The maximum permitted **lot coverage** is 30 percent.

14.1.5 Maximum Height of Building

The **height** of a building shall not exceed the lesser of 8.0 m. (26.2 ft.) or two **storeys**.

14.1.6 Setbacks

- 1) Setbacks of not less than 6.0 m. (19.7 ft.) in depth shall be provided from all lot lines.
- 2) A minimum distance of 4.5 m. (14.8 ft.) shall be provided between buildings on the site.

14.1.7 Usable Open Space

Usable open space shall be provided of not less than 18.5 sq. m. (200 sq ft) for the exclusive use of each **dwelling unit** and located immediately adjacent to the unit.

14.1.8 Permitted Accessory Building

- 1) The maximum coverage of an **accessory building** shall be 15 percent of the **lot area**.
- 2) The **height** of an **accessory building** shall not exceed 4.57 m. (15 ft.).
- 3) **Setbacks** shall be provided of not less than 6.0 m. (19.7 ft.) from all lot lines and from other **buildings** on the site.

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14.2 MULTIPLE-FAMILY RESIDENTIAL (RM2)

14.2.1 Intent

The intent of this zone is to provide for medium density multiple-family development with a site area of 744.0 sq. m. (8,008.3 sq. ft.) or more.

14.2.2 Permitted Uses

- 1) **Multiple-family residential**
- 2) **Residential childcare**
- 3) **Accessory home occupation – Type 2**
- 4) **Accessory off-street parking**

14.2.3 Conditions of Use

- 1) Each **dwelling unit** shall have a separate outside entrance at ground level.
- 2) The maximum length of a residential structure shall be 30 m. (98.4 ft.).

14.2.4 Lot Coverage

The maximum permitted **lot coverage** is 25 percent.

14.2.5 Maximum Height of Building

The **height** of a building shall not exceed the lesser of 7.0 m. (23 ft.) or two **storeys**.

14.2.6 Setbacks

- 1) **Setbacks** of not less than 6.0 m. (19.7 ft.) in depth shall be provided from all site lot lines.
- 2) A minimum distance of 4.5 m. (14.8 ft.) shall be provided between **buildings** on the site.

14.2.7 Usable Open Space

Usable open space shall be provided of not less than 18.5 sq. m. (199.1 sq. ft.) for the exclusive use of each **dwelling unit** and shall be located immediately adjacent to the unit.

14.2.8 Permitted Accessory Buildings

One **building** or **structure** for **accessory off-street parking** is permitted, as follows:

- 1) The maximum coverage of an accessory building shall be 15 percent of the **lot area**.
- 2) The **height** of an **accessory building** shall not exceed 4.5 m. (14.8 ft).
- 3) **Setbacks** shall be provided of not less than 4.5 m. (14.8 ft.) from all lot lines and from other **buildings** on the site.

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14.3 MULTIPLE-FAMILY RESIDENTIAL (RM3)

14.3.1 Intent

The intent of this zone is to provide for development of ground-oriented townhouses, including stacked units, and low-rise apartments with site area of 1,000 sq. m. (10,764 sq. ft.) or more.

14.3.2 Permitted Uses

- 1) **Multiple-family residential**
- 2) **Residential childcare**
- 3) **Accessory home occupation – Type 2**
- 4) **Accessory off-street parking**

14.3.3 Conditions of Use

- 1) **Multiple-family residential** uses shall be ground-oriented **townhouses**, stacked **townhouses** and/or **apartments**.
- 2) Three or more **dwelling units** shall be contained within each building in a development.
- 3) Each **dwelling unit** shall have a separate outside entrance at ground level.

14.3.4 Lot Coverage

The maximum permitted **lot coverage** is 50 percent.

14.3.5 Maximum Height of Building

The **height** of **building** shall not exceed the lesser of 9.0 m. (29.5 ft.) or two **storeys**.

14.3.6 Setbacks

- 1) **Setbacks** of not less than 6.0 m. (19.7 ft.) in depth shall be provided from all lot lines.
- 2) A minimum distance of 4.5 m. (14.8 ft.) shall be provided between **buildings** on the **lot**.

14.3.7 Usable Open Space

- 1) For developments of 10 **dwelling units** or more, 5.0 sq. m. (53.8 sq. ft.) of **usable open space** per **dwelling unit** shall be provided and maintained for use by residents.
- 2) For ground-oriented **townhouses**, **usable open space** shall be provided of not less than 40 sq. m. (430.5 sq. ft.) for the exclusive use of each **dwelling unit** and be located immediately adjacent to the unit.
- 3) For stacked **townhouses/garden apartments**, **usable open space** shall be provided of not less than 15 sq. m. (161.5 sq. ft.) for the exclusive use of each **dwelling unit** and located to be directly accessible to the unit.

14.3.8 Permitted Accessory Building

One **building** for **accessory off-street parking** is permitted, as follows:

- 1) The **height** of an **accessory building** shall not exceed 4.0 m. (13.1 ft.).
- 2) **Setbacks** shall be provided of not less than 6.0 m. (19.7 ft.) from all lot lines.
- 3) **Setbacks** shall be provided of not less than 4.5 m. (14.8 ft.) from other **buildings** on the **lot**.

14.4 MULTIPLE-FAMILY RESIDENTIAL (RM4)

14.4.1 Intent

The intent of this zone is to provide for the development of multiple-family housing with a maximum **floor area ratio** of 1.0 and a **lot area** of 1,485 sq. m. (15,984.4 sq. ft.) or more.

14.4.2 Permitted Uses

- 1) **Multiple-family residential**
- 2) **Residential childcare**
- 3) **Accessory off-street parking**
- 4) **Accessory home occupation – Type 2**

14.4.3 Conditions of Use

The maximum length of a residential structure shall be 45.0 m. (147.6 ft.).

14.4.4 Lot Coverage

The maximum permitted **lot coverage** is 40 percent.

14.4.5 Floor Area Ratio

The maximum permitted **floor area ratio** is 1.0.

14.4.6 Maximum Height of Building

The **height** of a building shall not exceed the lesser of 10.5 m. (34.5 ft.) or three **storeys**.

14.4.7 Setbacks

- 1) **Setbacks** of not less than 6.0 m. (19.7 ft.) shall be provided from all lot lines.
- 2) A minimum distance of 4.5 m. (14.8 ft.) shall be provided between **buildings** on the site.

14.4.8 Usable Open Space

A minimum of 30 percent of the site shall be provided as **usable open space**.

14.4.9 Common Indoor Recreation Space

- 1) **Common indoor recreation space** shall be provided for the use of residents with a minimum area of 38.0 sq. m (409.0 sq. ft.) for developments of not more than 10 **dwelling units**.
- 2) An additional 2.4 sq. m. (25.8 sq. ft.) of **common indoor recreation space** shall be provided for each **dwelling unit** in excess of ten **dwelling units**.

14.4.10 Permitted Accessory Building

One **building** for **accessory off-street parking** is permitted as follows:

- 1) The maximum **lot coverage** of an **accessory building** shall be 15 percent of the **lot area**.
- 2) The **height** of an **accessory building** shall not exceed 4.5 m. (14.8 ft.).
- 3) **Setbacks** shall be provided of not less than 6.0 m. (19.7 ft.) from all **lot** lines and from other **buildings** on the **lot**.
- 4) **Accessory buildings** shall be sited to the rear of the front face of a principal **building** on the **lot**.

15.0 COMMERCIAL DISTRICTS

Subject to other provisions of the Bylaw, on any **lot**, in any district designated as a C District, the following regulations and permitted uses shall apply and any uses not specifically permitted are prohibited.

15.1 LOCAL COMMERCIAL (C1)

15.1.1 Intent

The intent of this zone is to provide for the convenience shopping of persons residing in the adjacent residential areas and permits only such uses as are necessary to satisfy those limited basic shopping needs, with a site area of 555.0 sq. m. (5,973.9 sq. ft.) or more.

15.1.2 Permitted Uses

- 1) **Convenience retail**
- 2) **Personal service use**
- 3) **Video retailer**
- 4) **Accessory one-family residential**
- 5) **Accessory off-street parking**

15.1.3 Conditions of Use

- 1) **Commercial uses** shall be limited to a maximum sales **floor area** of 140 sq. m. (1,506.9 sq. ft.).
- 2) An **accessory** one-family residential use shall be contained within the same **structure** as the permitted **commercial uses**.

15.1.4 Lot Coverage

The maximum permitted **lot coverage** is 40 percent.

15.1.5 Maximum Height of Building

The **height** of a **building** shall not exceed the lesser of 9.0 m. (29.5 ft.) or 2 **storeys**.

15.1.6 Front Yard Setback

A **front yard** shall be provided of not less than 6.0 m. (19.7 ft.).

15.1.7 Side Yard Setbacks

- 1) **Side yards** shall be provided with a minimum width of 1.2 m. (3.9 ft.).
- 2) On a **corner lot**, the **side yard** adjoining the flanking **street** shall be not less than 3.0 m. (9.8 ft.) in width.

15.1.8 Rear Yard Setback

A **rear yard** shall be provided of not less than 6.0 m. (19.7 ft.).

15.1.9 Accessory Building

One **accessory building** is permitted, as follows:

- 1) An **accessory building** shall be located within the **rear yard**.
- 2) The maximum **lot coverage** of an **accessory building** is 7 percent.
- 3) The **height** of an **accessory building** shall not exceed 4.5 m. (14.8 ft.).
- 4) **Side yard** setbacks shall be provided with a minimum width of 1.2 m. (3.9 ft.).
- 5) On a **corner lot**, the **side yard** adjoining the flanking **street** shall be not less than 3.0 m. (9.8 ft.) in width.
- 6) A **rear yard** setback shall be provided of not less than 1.5 m. (4.9 ft.) in depth.

15.2 NEIGHBOURHOOD COMMERCIAL (C2)

15.2.1 Intent

The intent of this zone is to provide for neighbourhood retail shopping with a site area of 744.0 sq. m. (8,008.3 sq. ft.) or more.

15.2.2 Permitted Uses

- 1) **Retail Service Use**
- 2) **Accessory one-family, two-family or multiple-family residential**
- 3) **Accessory off-street parking**
- 4) **Accessory off-street loading**
- 5) One **licensee retail store** shall be a permitted use on the following property in this zone on property legally described as:

Parcel 71, District Lot 201, Group 1, NWD, Reference Plan 66135

15.2.3 Conditions of Use

- 1) A **commercial use** shall be completely enclosed within a **structure** except for parking and loading facilities.
- 2) A **residential use** shall be limited to **storeys** above the first **storey** of the structure in which it is contained.
- 3) A **residential use** shall be the exclusive use in each **storey** which is so used.
- 4) Signs shall not be permitted on or above **storeys** used for residential units.

15.2.4 Off-Street Parking

- 1) An **off-street parking use** shall be located in the **rear yard** of a **building**.
- 2) An **accessory off-street parking use** shall not occupy more than 90 percent of the surface of the **lot area**.

15.2.5 Lot Coverage

- 1) The maximum **lot coverage** of the first and second **storeys** is 70 percent per **storey**.
- 2) The maximum **lot coverage** of the third **storey** is 35 percent.

15.2.6 Maximum Height of Building

The **height** of a **building** shall not exceed the lesser of 9.5 m. (31.2 ft.) or 3 **storeys**.

15.2.7 Side Yard Setbacks

- 1) No **side yard** shall be required, except that where a **lot** abuts an RS, RT, RM, or P zone, a **side yard** shall be provided with a minimum width of 10 percent of the average width of the **lot**. The width need not exceed 1.5 m. (4.9 ft.).
- 2) On a **corner lot**, the side yard adjoining the flanking **street** shall be not less than 3.0 m. (9.8 ft.) in width.

15.2.8 Rear Yard Setback

A **rear yard** shall be provided of not less than 1.5 m. (4.9 ft.) in depth, except that where a **lot** abuts or is separated by a **lane**, an RS, RT, RM, or P zone, a **rear yard** shall be provided of a minimum depth of 3.5 m. (11.5 ft.).

15.3 COMMUNITY COMMERCIAL (C3)

15.3.1 Intent

The intent of this zone is to provide for medium density commercial or mixed commercial and residential development in **buildings** a maximum of three **storeys** in **height** with a site area of 800.0 sq. m. (8,611.1 sq. ft.) or more.

15.3.2 Permitted Uses

- 1) **Retail Service Use**
- 2) **Accessory one-family, accessory two-family**
- 3) **Accessory live work units**
- 4) **Multiple-family residential**
- 5) **Accessory off-street parking**
- 6) **Accessory off-street loading**
- 7) **Accessory home occupation – Type 2**
- 8) **Hotel**
- 9) One **liquor-primary establishment** and one **licensee retail store** shall be permitted uses on the following property in this zone legally described as:
Block 9, Plan 72, District Lot 201, NWD, Lots 3,4,5,8 E 36' of Lot 9 & Lot 7, Exc S20' Exc W 33'.
- 10) One **Liquor-primary establishment** shall be a permitted use on the following property legally described as:
Lot B, District Lot 210, Group 1, NWD, Reference Plan 78768
- 11) One Canada Post Corporation mail sorting depot shall be a permitted use on the following property in this zone legally described as:
Lot 7, Block 10, DL 201, group 1, NWD Plan 72.

15.3.3 Conditions of Use

- 1) All permitted uses shall be conducted within a completely enclosed building except for parking and loading facilities.
- 2) All goods produced on the premises shall be sold on the same premises.

- 3) All uses shall be oriented to pedestrian needs and be so located and designed to avoid vehicular interference with pedestrian movement.
- 4) Only **retail service uses** and shall be permitted in the **street level storey** adjacent to Clarke Street, St. Johns Street, and Spring Street. In the case of **corner lots** that are adjacent to Clarke Street, St. Johns Street, and Spring Street, only **retail service uses** shall be located in the **street level storey** of the **building** frontage facing the flanking **street**.
- 5) **Accessory Live-Work units** shall be permitted in the **street level storey** adjacent to Spring Street.
- 6) **Office use** shall only be permitted within the **storeys** located above **street level retail service uses**.
- 7) **Residential uses** shall only be permitted within the **storeys** located above **street level retail service uses**.

15.3.4 Maximum Height of Building

The **height** of a **building** shall not exceed the lesser of 9.5 m. (31.2 ft.) or 3 **storeys**.

15.3.5 Front Yard Setback

A **front yard setback** shall be not less 0.0 m (0.0 ft.) and not greater than 3.0 m. (9.8 ft.).

15.3.6 Side Yard Setbacks

- 1) No **side yard** shall be required, except that where a **lot** abuts an RS, RT, RM, or P zone, a **side yard** shall be provided with a minimum width of 10 percent of the average width of the **lot**, to a maximum requirement of 1.5 m. (4.9 ft.).
- 2) On a **corner lot**, the **side yard** adjoining the flanking **street** shall be not less than 3.0 m. (9.8 ft.) in width.

15.3.7 Rear Yard Setback

A **rear yard** shall not be required except where a **lot** abuts or is separated by a **lane** from an RS, RT, RM, or P zone, a **rear yard** shall be provided of a minimum of 3.5 m. (11.5 ft.).

15.3.8 Off-Street Loading and Off-Street Parking

- 1) Where off-street parking is provided wholly at the rear of a **building**, access to all uses within the **building** shall be provided from the rear parking area.

- 2) Accessory off-street loading shall be located entirely in the **rear yard**.

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15.4 SERVICE STATION COMMERCIAL (C4)

15.4.1 Intent

The intent of this zone is to provide for a rational pattern of service station outlets to adequately serve the requirements of the **City** in harmony with surrounding developments on sites with an area of 1,100.0 sq. m. (11,840.3 sq. ft.) or more.

15.4.2 Permitted Uses

- 1) **Gasoline Service Station**
- 2) **Convenience Retail**
- 3) **Accessory off-street parking**

15.4.3 Conditions of Use

- 1) **Convenience retail** use shall be limited to a maximum **floor area** of 55 sq. m. (592.0 sq. ft.) and contained within the principal **building**.
- 2) **Gasoline Service Station** operations, where gasoline or other fuel is dispensed to the public, shall be operated as follows:
 - a) 25% of the fuel dispensing devices must be operated where such fuel is dispensed by either the service station operator himself or by his agent or employee but shall not be dispensed by the public;
 - b) notwithstanding the hours of operation of that portion of the **Gasoline Service Station** operation where fuel is dispensed by the public, the requirements set out in a) must be operated a minimum of twelve (12) consecutive hours each day the **Gasoline Service Station** is open to the public.

15.4.4 Lot Coverage

The maximum permitted **lot coverage** is 40 percent.

15.4.5 Height of Building

The **height** of a **building** shall not exceed the lesser of 7.5 m. (24.6 ft.) or 1 **storey**.

15.4.6 Front Yard Setback

- 1) A **front yard** shall be provided of not less than 9.0 m. (29.5 ft.).

- 2) A **front setback** shall be provided of not less than 4.5 m. (14.8 ft.) to a service station pump or canopy.
- 3) An **accessory off-street parking use** shall in no case be located closer than 6.0 m. (19.7 ft.) to the **front lot line**.

15.4.7 Side Yard Setbacks

Side yards shall be provided of not less than 4.5 m. (14.8 ft.).

15.4.8 Rear Yard Setback

A **rear yard** shall be provided of not less than 5.5 m. (18.0 ft.).

15.5 AUTOMOBILE-ORIENTED COMMERCIAL (C5)

15.5.1 Intent

The intent of this zone is to provide for automobile-oriented commercial uses on major **highways** on sites with an area of 744.0 sq. m. (8,008.3 sq. ft.) or more.

15.5.2 Permitted Uses

- 1) **Automobile-oriented commercial**
- 2) **Commercial**, as set out in Section 15.5.3
- 3) **Hotel**
- 4) **Off-street parking**
- 5) **Accessory off-street parking**
- 6) Accessory off-street loading
- 7) **Accessory enclosed storage**
- 8) One **Liquor-primary establishment** and one **licensee retail store** shall be permitted uses on each of the following properties in this zone legally described as:

Lot 92, District Lot 202, Group 1, NWD, Plan 52281

Lot 1, District Lot 233, Group 1, NWD, Plan LMP 2202

15.5.3 Conditions of Commercial Use

- 1) **Commercial use** shall be limited to:
 - a) the retail sale of building supplies, groceries, fireworks, and automobile parts and accessories;
 - b) restaurants and drive-through restaurants; and
 - c) bowling alleys, dance studios, health clubs, recreation clubs, billiard halls and arcades.
- 2) An **off-street parking use** or an **accessory off-street parking use** shall not occupy more than 90 percent of the surface of the **lot area**.

- 3) An **accessory unenclosed storage use** shall be bounded on all sides by a landscape screen and the storing of goods or materials shall at no point extend more than 2.4 m. (7.8 ft.) above finished ground level.
- 4) Accessory off-street loading shall be located entirely within the **rear yard**.

15.5.4 Lot Coverage

The maximum permitted **lot coverage** shall be 70 percent.

15.5.5 Maximum Height of Building

The **height** of a **building** shall not exceed the lesser of 9.0 m. (29.5 ft.) or 2 **storeys**.

15.5.6 Front Yard Setback

- 1) A **front yard** shall be provided of not less than 6.0 m. (19.7 ft.).
- 2) An **accessory off-street parking use** shall not be located closer than 6.0 m. (19.7 ft.) to the **front lot line**.

15.5.7 Side Yard Setbacks

- 1) No **side yard** shall be required, except that where a **lot** abuts an RS, RT, or RM zone, a **side yard** shall be provided with a minimum width of 6.0 m. (19.7 ft.).
- 2) In the case of a **corner lot**, the **side yard** adjoining the flanking **street** shall be not less than 3.0 m. (9.8 ft.) in width.

15.5.8 Rear Yard Setback

A **rear yard** shall be provided of not less than 6.0 m. (19.7 ft.) in depth.

15.6 ADAPTIVE USE COMMERCIAL (C6)

15.6.1 Intent

The intent of this zone is to allow for the conversion of residential buildings to specified **commercial uses** on sites with a **lot area** of 555.0 sq. m. (5,973.9 sq. ft.) or more. It is intended that minimal exterior alterations will be made to the existing buildings and that the grounds of the building will be preserved, except as needed to meet **accessory off-street parking** and loading requirements.

15.6.2 Permitted Uses

- 1) **Adaptive commercial**
- 2) **Accessory one-family, accessory two-family or accessory multiple-family residential**, located within the principal building
- 3) **Accessory off-street parking**
- 4) Accessory off-street loading

15.6.3 Conditions of Use

- 1) A **building** containing an adaptive commercial use shall have a total **floor area** of not less than 74.0 sq. m. (796.5 sq. ft.).
- 2) A **residential use** shall be the only use in each **storey** so used.
- 3) **Accessory off-street parking** and accessory off-street loading shall be located entirely within the **rear yard**.

15.6.4 Lot Coverage

The maximum permitted **lot coverage** is 40 percent.

15.6.5 Height of Building

The **height** of a **building** shall not exceed 10.5 m. (34.5 ft.) or 2 **storeys**.

15.6.6 Front Yard Setback

A **front yard** shall be provided of not less than 6.0 m. (19.7 ft.) in depth.

15.6.7 Side Yard Setbacks

- 1) **Side yards** shall be provided with a minimum width of 10 percent of the average width of the **lot**. This width need not exceed 1.5 m. (4.9 ft.).

- 2) In the case of a **corner lot**, the **side yard** adjoining the flanking **street** shall be not less than 3.0 m. (9.8 ft.) in width.

15.6.8 Rear Yard Setback

A **rear yard** shall be provided of not less than 7.5 m. (24.6 ft.) in depth.

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15.7 COMMERCIAL MARINA – REED POINT (C7)

15.7.1 Intent

The intent of this zone is to provide for a commercial **marina** and associated uses at Reed Point.

15.7.2 Permitted Uses

- 1) **Marina**
- 2) **Restaurant** and/or coffee shop
- 3) Bait, tackle, food and chandlery store
- 4) Smallcraft boat and engine sales and repair, including marine railway
- 5) Marine fueling station
- 6) Smallcraft dry storage yards
- 7) Launching ramp, elevator, derrick or other launching apparatus
- 8) Administration facilities, including living quarters for manager or watchman
- 9) Boat rentals and passenger charter operations
- 10) Park, picnic grounds and passive recreation areas

15.7.3 Conditions of Use and Other Criteria

The conditions of use and other criteria shall be as set out in Schedule "C" (Criteria for Marina Development) to City of Port Moody Bylaw No. 1991.

15.8 COMMERCIAL MARINA - IOCO (C8)

15.8.1 Intent

The intent of this zone is to provide for the accommodation of a **marina** in the vicinity of the loco Townsite.

15.8.2 Permitted Uses

- 1) **Marina**
- 2) **Accessory one-family residential**
- 3) Accessory off-street loading
- 4) **Accessory off-street parking**

15.8.3 Site Area

A use in the zone shall not be permitted on a **lot** of less than 1.2 ha. (2.9 ac.) in size.

15.8.4 Lot Coverage

The maximum permitted **lot coverage** is 40 percent.

15.8.5 Height of Building

The **height** of a **building** shall not exceed 10 m. (32.8 ft.) or three **storeys**.

15.8.6 Front Yard Setback

A **front yard** shall be provided of not less than 9.0 m. (29.5 ft.) in depth.

15.8.7 Side Yard Setbacks

Side yards shall be provided of not less than:

- 1) 1.5 m. (4.9 ft.) from an **interior side lot line**.
- 2) 3.0 m. (9.8 ft.) from an **exterior side lot line**.

15.8.8 Rear Yard Setback

A **rear yard** shall be provided of not less than 9.0 m. (29.5 ft.) in depth..

15.8.9 Storage

Outdoor storage areas shall be bounded on all sides by a landscape area of shrubs and trees of not less than 1.52 metres (5.0 ft.) or more than 1.83 metres (6.0 ft.) in **height**.

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15.9 ADULT-ORIENTED ACTIVITY (C9)

15.9.1 Intent

The intent of this zone is to allow for adult-oriented businesses on sites with an area of 744.0 sq. m. (8,008.3 sq. ft.) or more.

15.9.2 Permitted Uses

- 1) **Adult entertainment use**
- 2) **Adult theatre**
- 3) **Adult video store**
- 4) **Adult entertainment establishment**
- 5) **Pawnbroker**
- 6) **Accessory off-street parking**
- 7) Accessory off-street loading

15.9.3 Conditions of Adult Entertainment Use

The uses permitted in this zone are subject to compliance with the following regulations:

- 1) no use in the zone is permitted within 400.0 m. (1,312.3 ft.) from a school or public or institutional recreational facility; and
- 2) any signs used to identify any of the uses permitted in this zone must be limited to identification of the premises with no external advertising copy permitted.

15.9.4 Lot Coverage

The maximum permitted **lot coverage** shall be 70 percent.

15.9.5 Maximum Height of Building

The **height** of a **building** shall not exceed the lesser of 9.0 m. (29.5 ft.) or 2 **storeys**.

15.9.6 Front Yard Setback

- 1) A **front yard** shall be provided of not less than 6.0 m. (19.7 ft.);

- 2) An **accessory off-street parking use** shall not be located closer than 6.0 m. (19.7 ft.) to the **front lot line**.

15.9.7 Side Yard Setbacks

- 1) No **side yard** shall be required, except that where a **lot** abuts an RS, RT, or RM zone, a **side yard** shall be provided with a minimum width of 6.0 m. (19.7 ft.).
- 2) In the case of a **corner lot**, the **side yard** adjoining the flanking **street** shall be not less than 3.0 m. (9.8 ft.) in width

15.9.8 Rear Yard Setback

A **rear yard** shall be provided of not less than 6.0 m. (19.7 ft.) in depth.

15.9.9 Accessory Buildings

No **accessory buildings** or uses are permitted in this zone.

16.0 BUSINESS ENTERPRISE DISTRICT

Subject to other provisions of this Bylaw, on any **lot**, in any district designated as a B District, the following regulations and permitted uses shall apply and any uses not specifically permitted are prohibited.

16.1 BUSINESS ENTERPRISE (B1)

16.1.1 Intent

The intent of this zone is to allow for **light industrial uses** and certain other uses considered compatible with light industrial activity on sites with a **lot area** of 744.0 sq. m. (8,008.3 sq. ft.) or more.

16.1.2 Permitted Uses

- 1) **Light industrial use**
- 2) **Office use**
- 3) Garden supply businesses
- 4) **Animal Daycare Use**
- 5) **Trade schools**
- 6) **Accessory one-family residential**
- 7) **Accessory off-street parking**
- 8) Accessory off-street loading
- 9) Accessory unenclosed storage yards for new materials and new equipment
- 10) Public utilities not less than 60.9 m. (200.0 ft.) from any Residential District.
- 11) **commercial athletic and recreation use**, and children's education and entertainment use shall be permitted for properties fronting or abutting the north side of the 2800, 2900 and 3000 blocks of Spring Street and also the parcel identified as:

PARCEL IDENTIFIER: 009-499-181, LOT 2 DISTRICT LOT 233
GROUP 1 NEW WESTMINSTER DISTRICT PLAN 11189

- 12) Retail sales of goods is permitted provided that such sales are:
 - a) limited to those goods manufactured, stored or wholesaled at the same location;

- b) retail space is confined to a **floor area** within and not exceeding twenty-five (25) percent of the total **floor area** used by the business except that for that land located within Lot 3, Plan 6245, District Lot 190, Group 1, NWD where up to twenty-five (25) percent of the total **floor area** of all **buildings** on that **lot** may be devoted to retail space;
- c) the remaining **floor area** is not open to the public and is not used for commercial purposes.

16.1.3 Conditions of Use

- 1) All **light industrial uses** shall be conducted within a completely enclosed building except for permitted accessory unenclosed storage, parking and loading facilities.
- 2) An unenclosed storage or sales yard use:
 - a. shall be located to the rear of the front face of the principal building, but in no case less than 6.0 m. (19.7 ft.) from the **lot line** and 3.0 m. (9.8 ft.) from an **exterior side lot line**;
 - b. shall not have material stored, including sand, gravel and earth, in excess of 2.4 m. (7.8 ft.) in **height**; and
 - c. shall be surfaced and maintained, with either concrete, asphalt, crushed stone and other hard surfaced and dust-free material.
- 3) Where an **interior** or **rear lot line** abuts a residential or institutional zone or is separated by a **lane** or a **street** therefrom, a landscape screen is required, except as set out in Section 16.1.7.
- 4) Accessory one-family residential uses shall be located within the principal building and shall not exceed a floor area of 70 sq.m. (753.5 sq.ft.).

16.1.4 Height of Building

The **height** of a **building** shall not exceed the lesser of 9.5 m. (31.2 ft.) or 3 **storeys**.

16.1.5 Front Yard Setback

A **front yard** shall be provided of not less than 6.0 m. (19.7 ft.).

16.1.6 Side Yard Setbacks

All **buildings** and **structures** shall be sited not less than:

- 1) 0 or 3.0 m (9.8 ft.) from an **interior lot line** but in no case any distance between 0 and 3.0 m (9.8 ft.) except that those **lots** fronting on St. John's Street shall be sited a minimum of 3.0 m (9.8 ft.) from each **interior lot line** or 0 metres from one **interior lot line** and 6.0 metres (19.7 ft.) from the other ; and
- 2) 3.0 m (9.8 ft.) from an **exterior side lot line**.

16.1.7 Rear Yard Setback

A **rear yard** shall be provided of not less than 6.0 m. (19.7 ft.) from the rear of the property line except where the rear property line is contiguous to the railway right-of-way in which case the **building** may be sited 0.0 m. (0.0 ft.) from the rear property line.

16.1.8 Accessory Building

Buildings for a use customarily **accessory** to the principal building are permitted, provided that all **accessory buildings** shall occupy an area of not greater than 10 percent of the **lot area**, and shall not be over 3.7 m. (12.1 ft.) in **height**.

17.0 INDUSTRIAL DISTRICT

Subject to other provisions of this Bylaw, on any **lot**, in any district designated as an M or T District, the following regulations and permitted uses shall apply.

17.1 GENERAL INDUSTRIAL (M1)

17.1.1 Intent

The intent of this zone is to provide land that because of the need for parcel size or a location in relation to waterfront, rail or other transportation routes, is best suited for the accommodation of general industrial activities on sites with an area of 1,858.0 sq. m. (20,000 sq. ft.) or more.

17.1.2 Permitted Uses

- 1) **Industrial**
- 2) **Accessory one-family residential**
- 3) **Accessory off-street parking**
- 4) Accessory off-street loading
- 5) **Accessory unenclosed storage**
- 6) A picnicking endorsement and winery lounge endorsement shall be permitted for any establishment holding a winery license issued by the Liquor Control and Licensing Branch.

17.1.3 Conditions of Use

- 1) An **industrial use** or an **accessory unenclosed storage use** involving the wrecking, salvaging or storing of salvage, scrap or junk other than within a building shall be bounded on all sides by a landscape screen, and the storing of such salvage, scrap or junk shall at no point extend more than 2.4 m. (7.8 ft.) above finished ground level.
- 2) Accessory one-family residential uses shall be located within the principal building and shall not exceed a floor area of 70 sq.m. (753.5 sq.ft.).

17.1.4 Front Yard Setback

A **front yard** shall be provided of not less than 3.0 m. (9.8 ft.) in depth.

17.1.5 Side Yard Setbacks

All buildings and structures shall be sited:

- 1) At either zero metres or not less than 3.0 m. (9.8 ft.) from an **interior side lot line**.
- 2) Not less than 3.0 m. (9.8 ft.) from an **exterior side lot line**.

17.1.6 Rear Yard Setback

A **rear yard** shall be provided of not less than 6.0 m. (19.7 ft.) from the rear property line except where the rear property line is contiguous to a railway right-of-way or where no legal public access is available to the rear of the property in which case the building may be sited 0.0 metres (0.0 ft.) from the rear property line.

17.2 LIGHT INDUSTRIAL/COMMERCIAL (M2)

17.2.1 Intent

The intent of this zone is to allow for **light industrial** and compatible **commercial uses**.

17.2.2 Permitted Uses

1) Light industrial use

- 2) General business office use, including but not limited to accounting, architectural, contractor, data processing, drafting, engineering, and surveying.
- 3) **Accessory off-street parking** and loading
- 4) Accessory unenclosed storage yards for new materials and new equipment
- 5) Public utilities not less than 60.9 m. (200 ft.) from any Residential District

6) Trade schools

7) Veterinary hospitals

8) Retail sales of goods is permitted provided that such sales are:

- a) limited to those goods manufactured, stored or wholesaled at the same location;
 - b) retail space is confined to a floor area within and not exceeding twenty-five (25) percent of the total **floor area** used by the business;
 - c) the remaining **floor area** is not open to the public and is not used for commercial purposes.
- 9) A **building** which is customarily accessory to the above buildings, provided that all accessory buildings shall occupy an area not greater than ten (10) percent of the area of the site and not over 3.7 m. (12.1 ft.) in **height**.
 - 10) In addition to the uses set forth above, where the public entry to the floor of the building is from Spring Street, that floor may also be used for **commercial athletic and recreation** purposes.
 - 11) In addition to the uses set forth above, where the public entry to the floor of a building is from St. Johns Street, that floor and the floor above it may be used only for commercial purposes.

17.2.3 Conditions of Use

- 1) All permitted uses shall be housed completely within an enclosed building except outdoor display for the following uses:
 - a) New and used automobile and truck sales or rentals;
 - b) New and used boat sales or rentals;
 - c) New and used trailer sales or rentals;
 - d) New or used motorcycle sales or rentals, provided that:
 - i) No display occurs in areas approved as required off-street parking or loading areas;
 - ii) All display occurs upon the site area that the business occupies;
 - iii) No display occurs in an approved landscaped area of the site; and that;
 - iv) Display occurs in areas approved as designated display area.
- 2) Outdoor display for commercial uses is allowed in accordance with sub-clauses (i) to (iv) above, provided that outdoor display occurs on a slab not exceeding 37.0 sq. m. (398.3 sq. ft.) and that this slab is located no closer than 3.5 m. (11.5 ft.) to the front property line.
- 3) An unenclosed storage or sales yard use:
 - a) Shall be located to the rear of the front face of the principal building, but in no case less than 6.0 m. (19.7 ft.) from the **front lot line** and 3.0 m. (9.8 ft.) from an **exterior side lot line**.
 - b) Shall not have material stored, including sand, gravel and earth, in excess of 2.4 m. (7.8 ft.) in **height**.
 - c) Shall be surfaced and maintained, with either concrete, asphalt, crushed stone and other hard surface and dust-free material.
 - d) Nothing shall be done which is or shall become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, liquid effluents, dust, fumes, smoke, vibrations, noise, or glare; nor shall anything be done which creates or causes a health, fire, or explosion hazard, electrical interference or undue traffic congestion.

17.2.4 Height of Building

The **height** of a **building** shall not exceed 8.0 m. (26.2 ft.).

17.2.5 Side Yard Setbacks

On a **corner lot**, the **side yard** adjoining the flanking **street** shall be not less than 3.0 m. (9.8 ft.) in width.

17.2.6 Rear Yard Setback

A **rear yard** shall be provided of not less than 6.0 m. (19.7 ft.) from the rear lot line except where the rear lot line is contiguous to a railway right-of-way in which case the building may be sited 0.0 m. (0.0 ft.) from the rear property line.

17.3 TRANSPORTATION – RAILWAY (T1)

17.3.1 Intent

The intent of this zone is to provide for railway and related operations on sites with an area of 2.0 ha. (4.94 ac.) or more.

17.3.2 Permitted Uses

- 1) Railway
- 2) Railway loading and unloading terminal
- 3) Railway passenger station
- 4) Public transit
- 5) **Accessory off-street parking**
- 6) Accessory off-street loading
- 7) **Accessory buildings** and structures

17.3.3 Setbacks and Heights

The minimum **setbacks** and maximum **heights** required for **buildings** and **structures** shall be as follows:

Type of structure	Height	Required Setbacks
Principal	10.0 m. (32.8 ft.)	3.0 m. (9.8 ft.) from all lot lines
Accessory	6.0 m. (19.6 ft.)	3.0 m. (9.8 ft.) from all lot lines

18.0 PUBLIC SERVICE DISTRICTS

Subject to other provisions of the Bylaw, on any **lot**, in any district designated as a (P) District, the following regulations and permitted uses shall apply and any uses not specifically permitted are prohibited.

18.1 PUBLIC SERVICE (PI)

18.1.1 Intent

The intent of this zone is to provide for integrated and comprehensive government, administrative, recreational, cultural and related services and facilities that serve the municipal and regional governments and to provide for the location and development of public land for educational, park and recreational needs on sites with an area of 744.0 sq. m. (8,008.3 sq. ft.) or more.

18.1.2 Permitted Uses

1) Civic

2) Public service

3) Museum, which may include as an accessory use an outdoor craft fair

4) Accessory commercial

5) Accessory one-family residential

6) Accessory off-street parking

7) Accessory off-street loading

8) One **liquor-primary establishment** shall be a permitted use on the following property in this zone legally described as:

Lot C, Plan 39604, District Lot 191, NWD, Except Plan LMP 13046, Blks F, G & Rem 1, Plan 7000, Lots 1 and 2, Blk 1, Plan 9049, Blk H, SK 5431 (Pipeline Reserve)

9) One **restaurant** shall be a permitted use in the north west corner of the Remainder of Lot 4, District Lot 201, Group 1, NWD, Reference Plan 4331 and dedicated as Rocky Point Park.

10) One commercial radio station shall be a permitted use on the following property within this zone legally described as:

Parcel A, District Lot 191, Group 1, NWD Plan BCP 24977 PID: 026-776-626

18.1.3 Conditions of Use

- 1) Accessory commercial uses shall serve the same clientele as the main principal use.
- 2) An accessory commercial use shall occupy a maximum **floor area** of 140.0 sq. m. (1,506.9 sq. ft.) except for the Port Moody Recreation site where an accessory commercial use shall have a maximum **floor area** of 650 sq. m. (6,996.5 sq. ft.) on this site which is comprised of the following lands:

Lot 69, District Lots 347 and 191, Group 1, NWD, Plan 62165;
Parcel C, District Lot 191, Group 1, NWD, Plan 39604;
Lots F, G & H, District Lot 191, Group 1, NWD, Plan 7000;
Lot "I" Except: Firstly: Part Subdivided by Plan 9049 and Secondly: Part Subdivided by Plan LMP 13046, District Lot 191, Group 1, NWD, Plan 7000; and
Lots 1 and 2, District Lot 191, Group 1, NWD, Plan 9049.

18.1.4 Lot Coverage

The maximum permitted **lot coverage** shall be 50 percent.

18.1.5 Height of Building

The **height** of a **building** shall not exceed the lesser of 15.0 m. (49.2 ft.) or 5 **storeys**.

18.1.6 Front Yard Setback

A **front yard** shall be provided of not less than 6.0 m. (19.7 ft.) in depth.

18.1.7 Side Yard Setbacks

- 1) **Side yards** shall be provided with a minimum width of 1.5 m. (4.9 ft.).
- 2) In the case of a **corner lot**, the **side yard** adjoining the flanking **street** shall be not less than 3.0 m. (9.8 ft.) in width.

18.1.8 Rear Yard Setback

A **rear yard** shall be provided of not less than 6.0 m. (19.7 ft.) in depth.

18.2 SPECIAL PUBLIC SERVICE (P2)

18.2.1 Intent

The intent of this zone is to provide for the location and regulation of community care uses which provide personal care, **assembly**, or rehabilitation on sites with an area of 744.0 sq. m. (8,008.3 sq. ft.) or more.

18.2.2 Permitted Uses

- 1) **Assembly**
- 2) **Private hospital**
- 3) **Accessory one-family residential**
- 4) **Accessory off-street parking**
- 5) Accessory off-street loading
- 6) **Group Child Care**
- 7) One **liquor-primary establishment** shall be a permitted use on the following property in this zone legally described as:

Lots 9 to 12, Block 10, Plan 72, District Lot 201, NWD
- 8) One **temporary shelter** shall be a permitted use on the following property in this zone legally described as:

East ½ of Lot 24, Block 1, DL 202, Group 1, NWD Plan 55 and Lots 25, 26 and 27 Block 1, DL 202, Group 1, NWD Plan 55.

18.2.3 Conditions of Use

- 1) One **accessory one-family residential use** shall be permitted either enclosed within the institutional structure or a one-family residential structure on the same **lot** as the institutional use it serves.
- 2) An **accessory one-family residential use** shall provide accommodation for a minister or caretaker for the institutional use.
- 3) An **assembly use** shall not be permitted on a **lot** of less than 743.0 sq. m. (8000.0 sq. ft.).

18.2.4 Lot Coverage

The maximum permitted **lot coverage** is be 50 percent.

18.2.5 Height of Building

The **height** of a **building** shall not exceed the lesser of 10.5 m. (34.5 ft.) or 3 **storeys**.

18.2.6 Front Yard Setback

A **front yard** shall be provided of not less than 6.0 m. (19.7 ft.) in depth.

18.2.7 Side Yard Setbacks

- 1) **Side yards** shall be provided with a minimum width of 1.5 m. (4.9 ft.).
- 2) In the case of a **corner lot**, the side yard adjoining the flanking **street** shall be not less than 3.0 m. (9.8 ft.) in width.

18.2.8 Rear Yard Setback

A **rear yard** shall be provided of not less than 6.0 m. (19.7 ft.) in depth.

19.0 TOWN CENTRE ZONE

Subject to other provisions of the Bylaw, on any lot, in any district designated as TC District, the following regulations and permitted uses shall apply and any uses not specifically permitted are prohibited.

19.1 TOWN CENTRE ONE (TC1)

19.1.1 Intent

The intent of this zone is to provide for development of an integrated high density mixed use development on sites with an area of 2,000.0 sq. m. (21,528.5 sq. ft.) or more.

19.1.2 Permitted Uses

- 1) **Multiple-Family Residential Use**
- 2) **Retail Service Use**
- 3) **Civic Use**
- 4) **Assembly Use**
- 5) **Public Service Use**
- 6) One **liquor-primary establishment** shall be a permitted use on the following property in this zone legally described as:

Strata Lot 7, Plan LMS 3747, District Lot 470, NWD, Group 1, NWD

- 7) One **licensee retail store** shall be a permitted use on the following property in this zone legally described as:

The north half of the strata lot legally described as: "Strata Lot 112, District Lots 191 and 470, Group 1, NWD, Strata Plan LMS 3067"

- 8) **Accessory Off-Street Parking**

- 9) Accessory Off-Street Loading

19.1.3 Prohibited Uses

Notwithstanding Section 19.1.2, the following prohibitions apply to the use of land in the TC1 zone:

- 1) Uses permitted under **Retail Service Use** shall exclude department stores.

- 2) All uses not listed in Section 19.1.2 are prohibited.
- 3) Not more than one supermarket shall be located within the entire TC1 zone.
- 4) As a limitation on Section 19.1.2 (Permitted Uses), **Retail Service Use, Civic Use, Assembly Use, Public Service Use** and Entertainment Use are not permitted on:
 - a. Lot 3 Except Part Subdivided by Plan LMP 29116, District Lot 470, Group 1, NWD, Plan LMP 29116.
 - b. Lot A, District Lot 191 and 470, Group 1, NWD, Plan LMP 39970.

19.1.4 Building Heights

Maximum permitted building **height** in the TC1 zone shall not exceed the lesser of 105.0 m. (344.5 ft.) or 26 **storeys**. Notwithstanding the maximum **height**:

- 1) No building used principally for **Retail Service Use** (other than office use) or Entertainment Use shall exceed the lesser of 12.2 m. (40.0 ft.) or 4 **storeys**.
- 2) A **building** used principally for offices shall be 5 to 7 **storeys** in **height**.
- 3) **Buildings** used principally for **residential use** shall be 3 to 6 **storeys** in height or 22 to 26 **storeys** in **height**.

19.1.5 Setback

The required **setback** for all **buildings** from lot boundary lines adjoining dedicated public **highways** is 3.0 m. (9.8 ft.).

19.1.6 Density

- 1) The maximum gross density of Multiple Family Residential use shall not exceed 162 **dwelling units** per hectare (66 units per acre), nor a total of 900 **dwelling units** within the entire TC1 zone.
- 2) The maximum gross density of **Retail Service Use** (excluding **office use**) and Entertainment Use combined shall not exceed 4,527 sq. m. per hectare (19,711 sq. ft. per acre), nor a total of 6,503 sq. m. (70,000 sq. ft.) of such uses within the entire TC1 Zone.
- 3) The maximum gross density of **Office Use** shall not exceed 3,880 sq. m. per hectare (16,902 sq. ft. per acre), nor a total of 5,574 sq. m. (60,000 sq. ft.) of such use within the entire TC1 zone.
- 4) The maximum gross area of a supermarket shall be 2,300 sq. m. (24,750 sq. ft.).

19.1.7 Parking and Loading

- 1) **Off street parking** shall be provided as follows:
 - a) **Residential use:** 1.8 spaces per **dwelling unit**
 - b) **Retail service use:** 4.5 spaces per 92.9 sq.m. (1,000 sq. ft.)
 - c) **Office use:** 3.0 spaces per 92.9 sq.m. (1,000 sq. ft.)
 - d) **Assembly use:** 1 space per each 10 seats
- 2) Parking shall be constructed in accordance with the design criteria in Section 6 of this Bylaw.
- 3) Parking provided for **office use** may only be reserved for **office use** between 8:00 a.m. and 4:00 p.m., Monday through Friday.
- 4) Notwithstanding paragraph (3), a maximum of 200 parking spaces in the TC1 zone may be reserved for **office use** between 8:00 a.m. and 4:00 p.m. on Saturdays.
- 5) Off-street loading shall be provided in accordance with Section 7 of this Bylaw.

19.1.8 Common Indoor Recreation Space

Common indoor recreation space shall be provided in or adjacent to each residential building for the use of the residents, in a minimum area of 2.4 sq. m. (25.8 sq. ft.) for each **dwelling unit**.

19.1.9 Minimum Parcel Area

The minimum **lot area** created by **subdivision** shall be 0.25 ha. (0.6 ac.).

20.0 Comprehensive Development Districts

Subject to other provisions of this Bylaw, on any **lot**, in any district designated as a Comprehensive Development District, the following regulations and permitted uses shall apply and any uses not specifically permitted are prohibited.

This section is under construction

20.1 Comprehensive Development 1 (CD1)

...to...

20.54 Comprehensive Development 54 (CD54)

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Schedule A

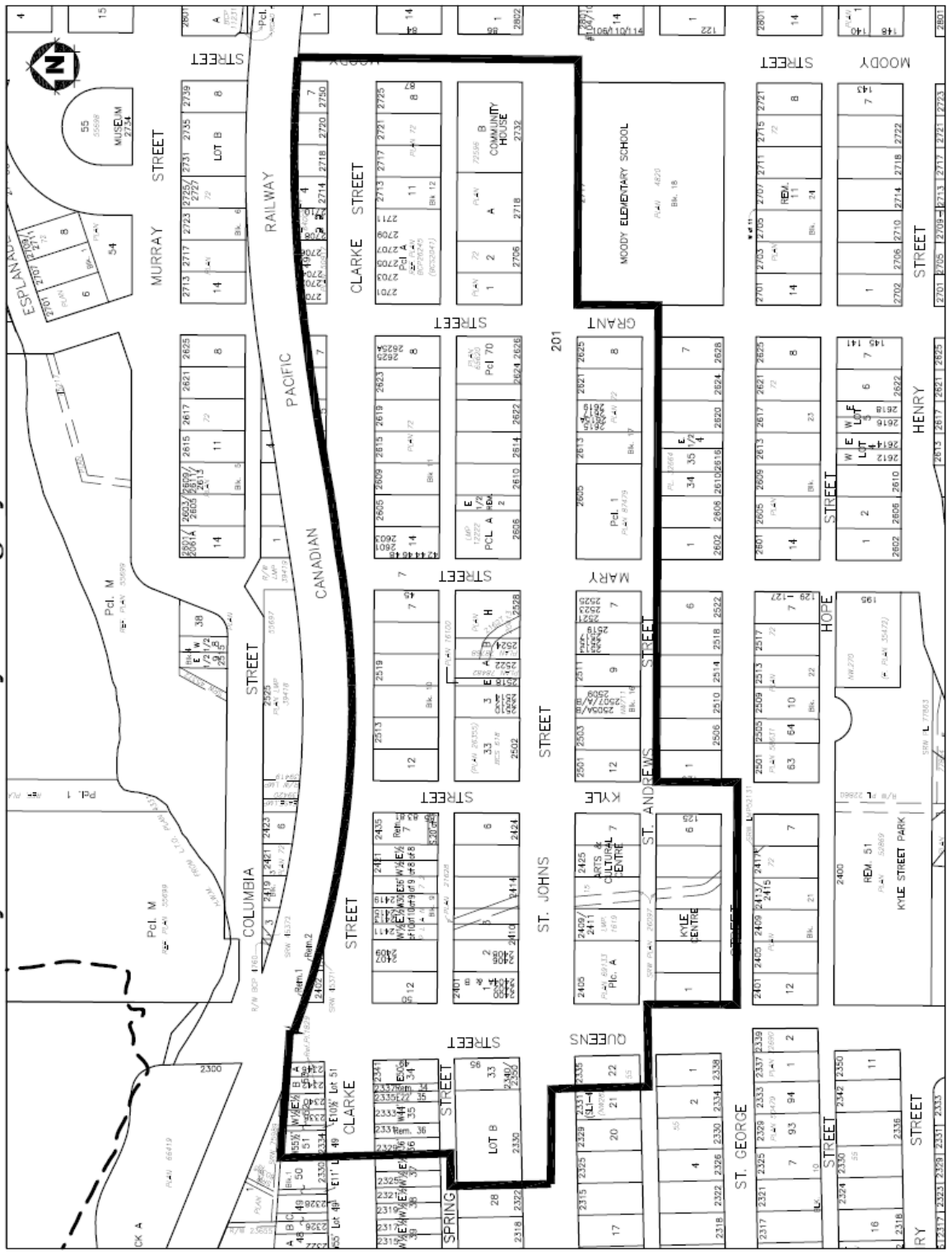
Zoning Boundaries (map)

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Schedule B

Commercial Parking Requirements as referenced in Table 1.3: Required Off-Street Parking

"Schedule B" of City of Port Moody Zoning Bylaw



Schedule C**Criteria for Marina Development****1) Purpose**

The purpose of the Commercial Marina – Reed Point (C7) zone is to create a district for those waterfront uses of a Commercial-Recreation nature which, when given suitable standards, do not have a performance with is basically incompatible with adjacent residential or recreation uses. The provisions of this section shall be interpreted in accordance with this intent.

2) Comprehensive Marina Development

Means the development on one site of a privately or publicly owned recreational boating facility, primarily for the public moorage of small craft, regardless of whether or not a moorage fee is charged but which also contains one or more associated ancillary uses which complement the marine recreational nature of the facility, as specified in this criteria.

3) Land to Water Ratio

- a) Means the ratio obtained when the total land (upland or fill) portion of the development is divided by the area of the water base granted by the National Harbours Board, less the area of entrance channels to the boundary of the mooring basin proper, and less that area which cannot be practically employed currently or in the future, for access channels, fairways, slips, berths or wharf areas.
- b) The Minimum land to water ratio shall be 1:1.

4) Site

Means one or more contiguous lots or parcels of land or water, all of which are developed under one ownership or tenancy, for use or uses permitted by this criteria.

5) Upland

Means that area of land which lies above the mean high water mark. This definition may include fill areas where the M.H.W. mark has been altered and subsequently recorded by the Land Registry Office.

6) Prohibited uses

- a) Boat or ship building, other than for facilities necessary for Section 15.7.2
- b) Above-ground petroleum, oils or liquid storage
- c) Freight charter operations
- d) Fish docks
- e) Industrial operations including offices, moorage, or storage of any kind

- f) Commercial accommodation, retail or service facilities other than as enumerated in Section 15.7.2.

7) Location and Access

- a) A Marina Site shall be located in close proximity to the "Main Use Area" (area in vicinity of Rocky Point Park excluded).
- b) Vehicular access shall flow directly from a designated collector road at a point close to an arterial intersection. The access shall have a roadway, width, grade and alignment capable of accommodating a concentration of traffic, meeting City of Port Moody Engineering Standards, and provide for the safe manoeuvrability of boat trailer units where applicable.
- c) Marine traffic shall not be drawn through a residential neighbourhood.

8) Site - Water

- a) Shall be located so as not to conflict with the operation of small marine craft, log boom storage or ship cargo operations.
- b) Shall not include areas of ecological significance and value and a professional Environmental Study may be required from the Developer and the person or firm appointed to perform such study, must be appointed by the City Council.
- c) Harbour areas shall be sheltered from wind and wave action from all quarters and shall have such a depth as to accommodate the classes of watercraft designated to certain areas.
- d) The access channel shall be of minimum length and free of sharp bends.
- e) Shall not restrict natural tidal currents and thereby hinder the natural flushing action. Where such a flow is not naturally available, it must be created.
- f) Adjacent water space shall be sufficient for maximum boating movement.

9) Site - Land

- a) Shall be relatively flat and have sufficient size to accommodate required parking, service areas, and other permitted uses.
- b) Shall not be located adjacent to a residential area.

10) Utilities and Services

- a) Potable water system must be connected to the City's system and must have sufficient fire flow.
- b) Public telephone and hydro must be available with underground wiring on the land area of the development.
- c) Sewer facilities must ensure that no pollutants are discharged into the water basin.
- d) Street and parking lot lighting must be underground and ornamental and meet

City of Port Moody Standards.

- e) All other services not mentioned above shall meet the approval of the City Council.

11) Buildings and Structures - On Land

- a) Shall not exceed a height of 25 feet.
- b) Shall not be sited:
 - i. Less than 25 feet from the front property line.
 - ii. Less than 10 feet from side lot lines.
 - iii. Less than 30 feet from rear lot line, notwithstanding the foregoing, when the rear lot line adjoins or abuts the high water mark, no rear yard shall be required except where a sewage disposal system or public utility service is located in the rear yard, adjoining or abutting the high water mark, a rear yard of not less than 20 feet shall be provided.
 - iv. Shall be constructed in accordance with the National Building Code 1970.

12) Buildings and Structures - Over Water

- a) Overhead electrical wiring shall not be permitted.
- b) Boat Houses or Shelters:
 - i. Shall not be erected more than 50% of the maximum permitted distance of structures or buildings from the mean high water mark within the water lot lease.
 - ii. Shall be constructed in accordance with the City's Building and Plumbing Bylaws and shall be all of a common module design within any one waterlot lease area, and shall be planned, erected and constructed in groups of not less than three, or more than eight together. The component units of such grouping shall be of a uniform colour, length and height. A space of not less than three floating boat shelters shall be maintained between the sides of boat shelter groupings, provided, however, that in the case of a grouping not exceeding three floating boat shelters the adjoining space need not be greater than the width of two floating boat shelters, whether such grouping is adjacent to a grouping of five floating boat shelters or not.
 - iii. Shall not exceed a height of 16 feet above the water surface nor exceed a length of 45 feet.
 - iv. Shall not exceed in total area, including supporting and access floats, more than 10% of the total area of the waterlot lease.
 - v. Shall be constructed on non-combustible, non-reflective sheeting which shall cover all roof bracing from external view.

13) Off-Street Parking

- a) Every car parking space shall have a minimum area of 200 square feet, and every car/boat-trailer parking space shall have a minimum area of 400 square feet. Space for access roads, parking aisles, landscaping and curbs, shall be in addition to the aforementioned amounts. All parking spaces shall be so shaped and sited as to have convenient access to the premises and to a public highway. All parking areas shall be paved.
- b) All required parking areas shall be located on the site of the permitted use, and shall be kept clear and unobstructed when not occupied by vehicles.
- c) Off-street parking shall be provided according to the following:
 - i. One space for every two slips or berths to be used for permanent storage, plus;
 - ii. One space for every two boats for hire, plus one space for every four seats in boats for passenger charter, plus;
 - iii. One space for every 400 square feet of floor area used for the sale of boats, engines, bait, tackle, food and chandlery, plus;
 - iv. One space for every four seats in a restaurant, excluding a coffee shop, primarily for boat owners, plus;
 - v. One space per permanent employee, plus;
 - vi. Thirty car/boat-trailer parking spaces for every lane of launching ramp open to the general public, whether or not a fee is charged, plus;
 - vii. Ten car/boat-trailer parking spaces for every marine elevator, crane or derrick launching apparatus open to the general public, whether or not a fee is charged.

14) Sanitary and Waste Disposal

- a) No head shall be flushed in any vessel moored within the water lease area. Enforcement of this regulation shall be the responsibility of the Marina Operator.
- b) Separate, or share, lavatories for men and women shall be provided.
- c) Garbage receptacles shall be provided in locations convenient for patrons and visitors. Provisions shall be made with the City Engineer for the installation and maintenance of these facilities.
- d) Where sanitary sewer is available the marina facility shall be connected forthwith, however, where sanitary sewer is not available, the only acceptable method of disposal shall be a watertight holding tank of a size approved by the City Council which will require pumping from time to time. No septic tanks or similar disposal shall be allowed.

15) Landscaping

- a) All upland which is not employed for structural sites, parking or storage, and has a soil cover, shall be planted in lawn and shrubs or retained in natural cover.

Required yard space shall not be used for parking or storage and shall comply with this clause.

- b) All plantings shall be maintained in perpetuity to the satisfaction of the City Engineer.

16) Launching Ramps

Boat launching ramps shall be constructed in accordance with recognized engineering standards and shall be designed by a qualified professional engineer and shall have a flat approach area which extends at least 50 feet inland from the top of the ramp.

17) Fire Protection and Safety

- a) The requirements of the National Fire Code of Canada shall apply.
- b) A conspicuously located fire extinguisher, capable of combating petroleum and electrical fires, plus a life ring shall be placed every 150 feet of float or pier.

18) Signs

No signs or advertising displays shall be permitted, other than in accordance with the City of Port Moody Sign Bylaw.

19) Site Coverage

Buildings and structures shall not cover more than 35% of the total upland portion of the site.

20) Maintenance and Supervision

- a) All premises and facilities are to be maintained in good repair and in a clean and tidy condition in keeping with good practice.
- b) There shall be attendants on the premises, or on call, at all times. Where the latter is the case, the address and/or telephone number of the attendant shall be displayed in a permanent place accessible to the public.

21) Sundry Regulations

- a) Boats and boat cradles may be stored in parking areas during the months of October through to March.
- b) No person shall reside on boats or vessels except for temporary holiday and recreational purposes.
- c) Provisions for on-site sewage disposal from craft is required.
- d) Provisions must be provided for public access to view water activities.

All applications for a marina facility shall be dealt with under a Development Area Bylaw and a Land Use Contract and the criteria detailed in this report shall be used as the basis of such Land Use Contract. Approvals of all other authorities, as required, must form part of the Land Use Contract. Applications for this use shall be made in the same

manner as prescribed for rezoning applications.

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Schedule D

Comprehensive Development

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