
CONSOLIDATED FOR CONVENIENCE COPY**CITY OF PORT MOODY****BYLAW NO. 1890**

THE PRINCIPLE PURPOSE OF THIS BYLAW IS TO GUIDE THE GROWTH OF 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, AND EVERY SECTION OF THIS BYLAW SHALL BE SO INTERPRETED

1. TITLE

This Bylaw may be cited as the "City of Port Moody Zoning Bylaw 1988, No. 1890".

2. REPEAL

Bylaw No. 1204, cited as "City of Port Moody Zoning Bylaw, 1974" and all amendments thereto are hereby repealed.

3. DEFINITIONS

In this Bylaw:

"ACCESSORY BOARDING USE" means an accessory use to a principal or accessory one-family or two-family residential use, contained in one or more sleeping units, accommodating a maximum of 4 boarders.

"ACCESSORY BUILDING" means a building, the use or intended use of which is ancillary and subordinate to that of a principal building situated on the same lot.

"ACCESSORY HOME OCCUPATION USE" means a commercial occupation or professional use which is ancillary and subordinate to the use of a dwelling unit for residential purposes.

Replaced
by Bylaw
#2438 →

"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 6.3.

"ACCESSORY RESIDENTIAL DWELLING UNIT" means a dwelling unit which is ancillary and subordinate to the principal use being made of the lot upon which the accessory residential unit is located.

"ACCESSORY STRUCTURE" means a structure used for a purpose ancillary and subordinate to the use of the principal building on a lot.

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

3. DEFINITIONS (CONTINUED)

Added by
Bylaw
#2640 →

"**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 a use providing for the sale of goods or services, or for personal services, limited to:

- (1) offices used by the professions, including medical, dental, legal, architectural, engineering; and
- (2) retail and wholesale sales or service and repair offices, which do not involve goods to be sold or serviced being located on the site.

Added by
Bylaw
#2526 →

"**ADULT ENTERTAINMENT ESTABLISHMENT**" means any premises used for adult entertainment involving strippers or exotic dancers, excluding those establishments regulated under the rules established by the Liquor Control and Licensing Branch of British Columbia and the Liquor Control and Licensing Act R.S.B.C. 1996 C. 267.

Added by
Bylaw
#2387 →

"**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.

Added by
Bylaw
#2387 →

"**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.

Added by
Bylaw
#2387 →

"**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 1 or more film viewers made available for use by the public.

Added by
Bylaw
#2387 →

"**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.

Added by
Bylaw
#2946 →

"**ANIMAL DAY CARE USE**" means the business of caring for household pets with no overnight boarding, and which may include accessory grooming, training and veterinary services.

Added by
Bylaw
#2390 →

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

3. DEFINITIONS (CONTINUED)

Amended
by Bylaw
#2930 →

"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, halls, private schools, kindergartens, 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.

"BACHELOR DWELLING UNIT" means a dwelling unit with living, sleeping, dining and kitchen areas in one room and a separate bathroom.

"BALCONY" means an exterior of a floor projecting from the wall of a building and enclosed by a parapet or railing.

"BANK" means a bank to which the Bank Act (Canada) applies.

"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 average adjacent finished grade.

Added by
Bylaw
#2348 →

"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.

Added by
Bylaw
#2526 →

"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 reflexology or medical, therapeutic or cosmetic massage treatment given by any person duly licensed or registered under any statute of the Province of British Columbia governing the foregoing activities.

Added by
Bylaw
#2526 →

"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; excludes vehicles.

"BUILDING, FRONT LINE OF" means the extended line of the wall of a building, (or of any projecting portion of the building, except balconies, steps, sills, belt courses, cornices, eaves, fire escapes and unroofed porches) which faces the front line of the lot.

"BUILDING INSPECTOR" means the City Building Inspector appointed by Council.

3. DEFINITIONS (CONTINUED)

"**BUILDING, REAR LINE OF**" means the extended line of the wall of a building, (or of any projecting portion of the building, except balconies, steps, sills, belt courses, cornices, eaves, fire escapes and unroofed porches) which faces the rear line of the lot.

"**BUILDING, SIDE LINE OF**" means the extended line of the wall of a building, (or of any projecting portion of the building, except balconies, steps, sills, belt courses, cornices, eaves, fire escapes and unroofed porches) which faces a side line of the lot.

"**BUILDING, TEMPORARY**" means a building (except a residential garage or other accessory building) not having its exterior walls supported on continuous concrete or masonry foundations or walls, and includes boat shelters, skid shacks, huts, trailers or any other similar types of portable buildings or structures, whether or not placed on foundations or affixed to the land in any way, but excludes storage buildings.

"**BYLAW ENFORCEMENT OFFICER**" means the Bylaw Enforcement Officer appointed by Council.

"**CELLAR**" means a space between two floors, the lower of which is placed 1.52 metres (5 ft) or more below the average finished grade of the adjoining ground.

Amended
by
Bylaw
#2930 →

"**CHILD CARE USE**" means a day use premises licensed under the *Community Care and Assisted Living Act* to provide care for three or more children and includes family child care and occasional child care, and further that the use is operated within a completely enclosed building except for required 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.

Amended
by
Bylaw
#2930→

"**CIVIC USE**" means a use providing for public functions provided by a government body; includes federal, provincial and municipal offices and yards, public schools and colleges, public hospitals, community centres, swimming pools, libraries, museums, parks, playgrounds, cemeteries, police stations, waterways, and; arts cultural and heritage uses including artists' studios, gallery space, program space and associated gift shops and cafes.

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

Amended
by Bylaw
#2946 →

"**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, health and fitness clubs; martial arts, dance, yoga and pilates studios; skating; skate boarding; racquet clubs, and training of instructors in related activities.

Added by
Bylaw
#2795

"**COMMERCIAL RADIO STATION**" means a private broadcasting service containing a studio and associated office uses located within an enclosed building as licensed by the Canadian Radio and Television Commission.

3. DEFINITIONS (CONTINUED)

"COMMERCIAL RECREATION USE" means a use providing for outdoor commercial recreation facilities and accessory retail sales and services customarily incidental to such facilities; includes golf courses, driving ranges, stadiums, marinas, and sports clubs.

"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; includes retail commercial, commercial education and instruction, and medical services; excludes manufacturing, salvaging, warehousing, and the sale, servicing and repair of automobile, industrial and agricultural machinery, service station use and tourist accommodation use.

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

Added by
Bylaw
#2390 →

"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.

Added by
Bylaw
#2390 →

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

Added by
Bylaw
#2390 →

"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.

Added by
Bylaw
#2556 →

"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.

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

3. DEFINITIONS (CONTINUED)

"**COVERAGE**" means the combined area covered by all buildings or structures on a lot, measured at the height of the lowest storey above grade, including any projecting portions thereof but excluding balconies, bay windows, belt courses, canopies, cornices, eaves and gutters, fire escapes, sills, steps, open and enclosed terraces at grade and similar projections.

"**CRAWL SPACE**" means a space between two floors where there is less than 1.2 metres (4.0 ft.) in height between the floor and the underside of the floor system above it.

"**CREDIT UNION**" means a credit union to which the Credit Union Act applies.

"**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.

"**DIRECTOR OF CITY PLANNING**" means the official appointed by Council as head of the Planning Department.

"**DIRECTOR OF ENGINEERING SERVICES**" means the official appointed by Council as head of the Engineering Department.

"**DIRECTOR OF PERMITS AND LICENCES**" means the official appointed by Council as head of the Department of Permits and Licences.

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

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

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

"**DWELLING, DUPLEX**" means a two-family dwelling wherein the two dwelling units are placed one above the other.

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

"**DWELLING, MULTIPLE-FAMILY**" means a building used for residential purposes and consisting of 3 or more dwelling units.

"**DWELLING, ROW HOUSES**" means a lateral series or cluster of more than two individual one or two storey single-family dwellings having all or a portion of a wall or ancillary structure common to adjacent dwellings, where the dwelling units are oriented toward a private open space or court and where access to each unit is from the finished grade of the lot.

"**DWELLING, SEMI-DETACHED**" means a two-family dwelling wherein the two dwelling units are placed side-by-side.

"**DWELLING UNIT**" means one or more habitable rooms constituting one self-contained unit with a separate entrance, used or intended to be used for residential purposes and containing only one kitchen equipped with a sink and cooking facilities, and having one electrical service.

Added by
Bylaw
#2919 →

3. DEFINITIONS (CONTINUED)

Added by
Bylaw
#2239 →

"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.

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

"FENCE" includes but is not limited to arbors, archways, boundary fences, gates, pergolas, screens, trellises, or walls.

Added by
Bylaw
#2252 →

"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".

Added by
Bylaw
#2640 →

"FISH" means all life stages of:
(a) salmonids,
(b) game fish, and
(c) regionally significant fish.

Added by
Bylaw
#2640 →

"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.

Added by
Bylaw
#2985 →

"FISH HATCHERY" means a facility providing for conservation and enhancement activities associated primarily with the regeneration of fish stocks by non-proofit organizations; includes infrastructure associated with fish rearing, visitor centres, offices and space that offers educational and community programming and events.

"FLEA MARKET" means the retail sale of goods from a sales location established for a maximum period of 48 hours in any 10 day period.

Replaced
by Bylaw
#2390 →

"FLOOR AREA, GROSS" means the total of all floors in a building, measured to the exterior outer limits of the building, including all occupied portions of the building and all areas giving access thereto such as corridors, hallways, landings, foyers, staircases, stairwells, enclosed balconies, mezzanines, enclosed porches or verandahs, elevator shafts, accessory buildings (except those used for parking) and equipment shelters and/or cabinets accessory to wireless communications antennas.

"FLOOR AREA, NET" means the total area of all floors in a building, excluding mechanical rooms, restrooms, maintenance and service areas, common hallways, plazas or other common space, permanent storage space, elevator shafts, unloading areas and concealed parking areas.

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

"FRONT LOT LINE" 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.

"FRONT LOT LINE - PANHANDLE LOT" means a lot line adjoining and approximately

perpendicular to the access strip, but excluding any lot line in the access strip.

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

3. DEFINITIONS (CONTINUED)

"**GARDEN SUPPLY BUSINESS**" means the retail 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.

"**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 highest point of the roof surface of a flat roof, to the deck line of a mansard roof, and to the mean level between the eaves and the ridge of a gable, hip, gambrel, or other sloping roof, and to the highest point of a structure other than a building.

"**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 metre (3.28 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 but does not incorporate individual housekeeping facilities or dwelling units.

"**HOTEL, MOTOR**" means a building in which there are more than 6 sleeping units wherein accommodation without cooking facilities is provided, occupied primarily by

Replaced
by Bylaw
#2919 →

transient motorists, and having a public dining room or cafe. Each sleeping unit shall be self-contained with its own bathroom and have its own parking space located on the lot.

"IMMEDIATE FAMILY" means the grandparents, parents, or children of an occupier.

3. DEFINITIONS (CONTINUED)

"**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.

"**INTERIOR SIDE LOT LINE**" 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.

"**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.

Added by
Bylaw
#2598 →

"**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.

Added by
Bylaw
#2517 →

"**LIGHT INDUSTRIAL USE**" means a use providing for the manufacturing, processing, fabricating, assembly, storing, distributing, 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.

Added by
Bylaw
#2598 →

"**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.

Added by
Bylaw
#2654 →

"**LIVE-WORK UNIT**" means a self-contained set of rooms which includes a multiple-family residential use and may also contain a commercial occupation or professional use.

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

- (1) located either between lots used for a multiple family dwelling; or between a lot used for a multiple family dwelling 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 square metres (9,000 square feet) or a frontage less than 23 metres (75 feet); or where the property does not include a corner lot, has less than 836 square metres (9,000 square feet) or a frontage less than 21 metres (70 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.

3. DEFINITIONS (CONTINUED)

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

Amended
by Bylaw
#2970 →

"**LOT WIDTH**" means the distance between the side lot lines measured at the points where the required front yard setback distance intersects with each of the respective side lot lines

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

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

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

"**MANUFACTURED 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.

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

"**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 HEALTH OFFICER**" means the medical health officer appointed by Council under the *Health Act*.

Amended
by BL2999
→

"**MEDICAL MARIHUANA PRODUCTION and TESTING USE**" means a use providing for the commercial production and/or the testing of medical marihuana."

"**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.)

"**MULTIPLE-FAMILY RESIDENTIAL USE**" means a residential use in a building divided into not less than 3 dwelling units.

"**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.

"**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 and which is available to the public or to clients, customers or employees of a business on the same lot.

3. **DEFINITIONS (CONTINUED)**

"**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.

Added by
Bylaw
#2526 →

"**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;

Added by
Bylaw
#2640 →

"**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.

Added by
Bylaw
#2526 →

"**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 duly licenced as such under the provisions of the Engineering Profession Act.

Replaced
by Bylaw
#2390 →

"**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.

Added by
Bylaw
#2640 →

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

"**REAR LOT LINE**" 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.

"**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 balconies, common stairwells, elevator shafts, common corridors, cellars, concealed parking areas and common recreation or service facilities.

"**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 sold to the public for

immediate consumption 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.

3. DEFINITIONS (CONTINUED)

Replaced
by Bylaw
#2387 →

"RETAIL SERVICE USE (GROUP A) " means a use providing for the retail sale of goods, or for commercial services; includes without limitation appliance stores, art galleries, bakery shops, banks, barbers, billiard halls, book shops, bowling alleys, business offices, business schools, cafes, camera shops, clothing stores, coffee houses, credit unions, dance studios, delicatessens, department stores, dressmakers, drugstores, dry cleaners, finance offices, fish markets, fraternal lodges, grocery stores, hairdressers, hardwares, health clubs, home furnishing stores, laundrettes, locksmiths, meat markets, music studios, passenger depots, personal shops, printers, professional offices, restaurants, shoemakers, social clubs, stationary stores, supermarkets, tailors, theatres, toy stores, trade schools, variety stores, veterinary hospitals, and video retailers which may include a joint holder as defined in the Motion Picture Act Regulations (B.C. Reg.260/86), excludes gasoline service station use and excludes Retail Service Use (Group B) uses.

"RETAIL SERVICE USE (GROUP B) " means a use providing for the sale of automotive goods, bowling alleys, building supply sales, business schools, car washes, curling rinks, drive-in facilities, drive-in restaurants, dry cleaners, flea markets, glass sales, health clubs, heating shops, light machinery sales, light marine sales, mortuaries, new automobile sales, nurseries, plumbing shops, printers, recreation clubs, repair of automobiles, roller rinks, social clubs, trade schools, used automobile sales, veterinary hospitals; excludes gasoline service station use.

Added by
Bylaw
#2640 →

"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 Sub-Section 5.3.10 of this Bylaw.

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

"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.

Added by
Bylaw
#2387 →

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

3. DEFINITIONS (CONTINUED)

"**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.

Added by
Bylaw
#2640 →

"**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).

Added by
Bylaw
#2640 →

"**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.

Added by
Bylaw
#2640 →

"**Stream, Non-Fish Bearing**" means a stream that:
is not inhabited by fish; and
provides water, food and nutrients for a downstream fish bearing stream or other water body.

Added by
Bylaw
#2640 →

"**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.

Added by
Bylaw
#2640 →

"**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.

Added by
Bylaw
#2640 →

"**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 subsections 5.2.1 and 5.2.2 of this Bylaw.

"**STORE, RETAIL**" means a building or portion of a building where goods are offered or kept for retail sale, and includes storage of such goods sufficient only to service that store.

Replaced
by Bylaw
#2919 →

"**STOREY**" means the space between a floor level and the underside of the floor or roof system above it, excluding crawl spaces.

"**STREET**" means a public highway intended to give primary access to lots or to provide a roadway more than 9.15 metres (30 ft) in width.

"**STRUCTURE**" means any construction fixed to, supported by, or sunk into land or water; excludes fences and walls less than 1.2 metres (4 ft) in height and concrete and asphalt paving or similar surfacing of a lot.

3. DEFINITIONS (CONTINUED)

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

Amended by Bylaw #2972 →

"TEMPORARY SHELTER" means a facility offering temporary overnight accommodation to a maximum of 30 people, not to exceed 62 days of operation between the months of October and March, inclusive of any one season.

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

"THOROUGHFARE" means any street, lane, walkway, or parking lot open to and customarily used by the public.

Added by Bylaw #2640 →

"Top of Bank" means:

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 metres (49.2 feet) measured perpendicularly from the break, and

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 metres (49.2 feet) measured perpendicularly from the edge.

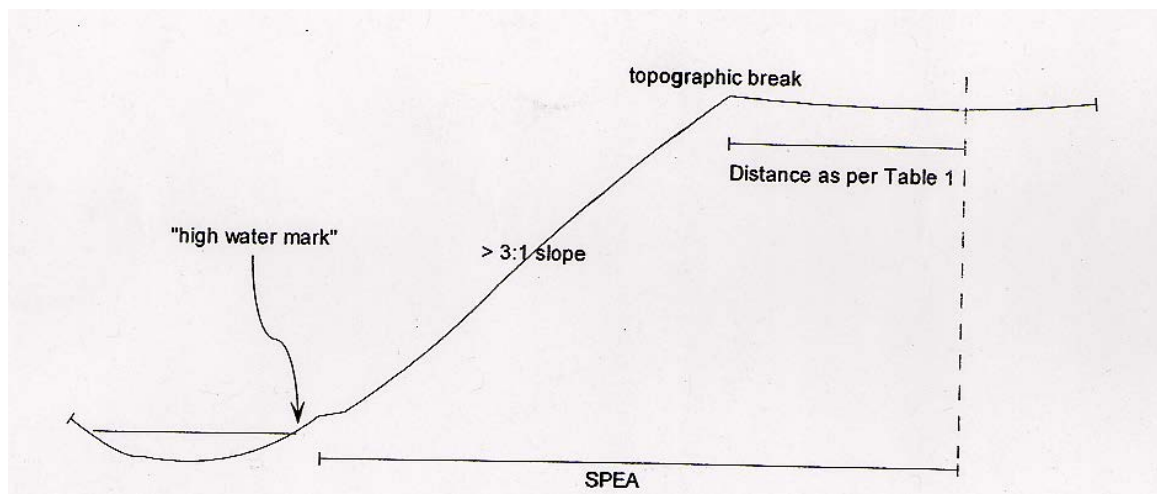


Figure 1. Sample cross section for **Top of Bank (a)** and **Top of Ravine Bank**

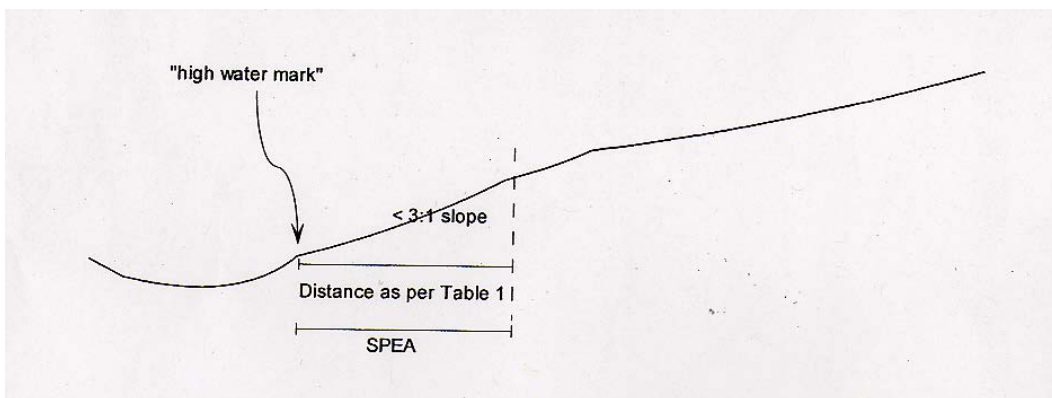


Figure 2. Sample cross section for **Top of Bank (b)**

3. DEFINITIONS (CONTINUED)

Added by
Bylaw
#2640 →

"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 metres (49.2 feet) measured perpendicularly from the break, and the break does not include a bench within the ravine that could be developed.

"TOURIST ACCOMMODATION USE" means a use providing for the accommodation of the transient public in individual dwelling units or sleeping units, or providing space for tents, camper vehicles, or trailers for such lodging; may include dining facilities.

Added by
Bylaw
#2027 →

"TWO-FAMILY RESIDENTIAL USE" means a residential use located in a two family dwelling occupied by two families."

"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, unobstructed area or areas available for use by all of a building's occupants, having no dimension less than 6 metres (20 ft) and no slope greater than 10 percent, 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 and required front yards, and roof areas unless otherwise permitted in this Bylaw.

Added by
Bylaw
#2640 →

"Vegetation, Existing" means native and non-native vegetation.

Added by
Bylaw
#2640 →

"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.

"VETERINARY HOSPITAL" means any building, structure or premises in which the business of treatment or diagnosis of animals is carried on.

Added by
Bylaw
#2254 →

"VILLAGE COMMERCIAL USE" means uses providing for the retail sale of goods or commercial services, including but not limited to appliance stores, art galleries, bakery shops, banks, barbers, billiard halls, book shops, business services, clothing stores, coffee houses, computer and office supplies, credit unions, dance studios, delicatessens, dressmakers, drugstores, dry cleaners, finance offices, fish markets, florist shops, food stores, fraternal lodges, grocery stores, hairdressers, hardware stores, health clubs, home furnishing stores, laundrettes, locksmiths, meat markets, music studios, personal service shops, printers, professional and semiprofessional offices, restaurants, shoemakers, social clubs, stationery stores, supermarkets, tailors, theatres, toy stores, trade schools, variety stores, and veterinary offices.

Added by
Bylaw
#2640 →

"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.

3. DEFINITIONS (CONTINUED)

Added by
Bylaw
#2598 →

“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.

Added by
Bylaw
#2390 →

“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.

"YARD, FRONT" 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.

"YARD, REAR" means that portion of a lot, extending from one side lot line to the other, between the rear lot line and a line parallel thereto.

"YARD, SIDE" 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 drawn parallel thereto.

4. BASIC PROVISIONS

4.1 Application

The provisions of this Bylaw apply to the whole of the area within the boundaries of City.

4.2 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.

4.3 Districts

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

AI	Acreage Reserve	
A2	Development Acreage Reserve	
A3	Development Acreage Reserve	
RS1	One-Family Residential	
RS2	One-Family Residential	
RS3	One-Family Residential	
RS4	One-Family Residential	
RS5	One-Family Residential	[Bylaw #2123]
RS6	One-Family Residential	[Bylaw #2125]
RS7	One-Family Residential	[Bylaw #2126]
RS8	One-Family Residential	[Bylaw #2908]
RTI	Two-Family Residential	
CD60	Multiple-Family Residential	
RM2	Multiple-Family Residential	
RM3	Multiple-Family Residential	
RM4	Multiple-Family Residential	
RM5	Multiple-Family Residential	
RM6	Multiple-Family Residential	[Bylaw #2127]
RM7	Multiple-Family Residential	[Bylaw #2128]
CI	Local Commercial	
CD60	Neighbourhood Commercial	
C3	Community Commercial	
C4	Service Station Commercial	
C5	Automobile-Oriented Commercial	
C6	Adaptive Use Commercial	
C7	Commercial Recreation	
C8	Adult Oriented Activity	
CD	Comprehensive Development	
CD9-NS	Comprehensive Development Zone 9	[Bylaw #2027]
CD-23	Comprehensive Development Zone 23	[Bylaw #2283]
CD-28	Comprehensive Development Zone 28	[Bylaw #2503]
CD-29	Comprehensive Development Zone 29	[Bylaw #2505]
CD-30	Comprehensive Development Zone 30	[Bylaw #2510]
CD-31	Comprehensive Development Zone 31	[Bylaw #2538]
CD-32	Comprehensive Development Zone 32	[Bylaw #2571]
CD 33	Comprehensive Development Zone 33	[Bylaw #2566]
CD 34	Comprehensive Development Zone 34	[Bylaw #2599]
CD 35	Comprehensive Development Zone 35	[Bylaw #2600]
CD 36	Comprehensive Development Zone 36	[Bylaw #2610]
CD 37	Comprehensive Development Zone 37	[Bylaw #2662]

CD 38 Comprehensive Development Zone 38 [Bylaw #2628]

4. BASIC PROVISIONS (CONTINUED) 4.3

4.3.1 Districts (continued)

CD 39 Comprehensive Development Zone 39 [Bylaw #2654]
 CD 40 Comprehensive Development Zone 40 [Bylaw #2656]
 CD 44 Comprehensive Development Zone 40 [Bylaw #2704]
 CD 49 Comprehensive Development Zone 49 [Bylaw #2745]
 CD 50 Comprehensive Development Zone 50 [Bylaw #2738]
 CD 54 Comprehensive Development Zone 54 [Bylaw #2856]

MI Light Industrial
 M2 Light Industrial/Commercial
 M3 General Industrial
 N1 Neighbourhoods 3 & 4 Zone (Bylaw #2254)
 - **Zone Removed by Bylaw No. 2355**
 PI Public Service
 P2 Special Public Service
 TC1 Town Centre One [Bylaw #2017 2167]

4.3.2 The area of the zones is as shown on the "Zoning Map of the City of Port Moody", attached to and forming part of this Bylaw as Schedule "A".

4.3.3 The boundary lines of zones shall be the centre lines of road allowances or railways unless shown as lot lines, City boundaries, or otherwise on the "Zoning Map of the City of Port Moody".

4.4 Permitted Uses of Land, Building, and Structures

The use and development of land, including the surface of water, of buildings, and of structures shall be in accordance with the permitted uses and regulations in this Bylaw, and any use not specifically permitted in a zone is prohibited in that zone.

4.5 Enforcement

4.5.1 Inspection

The Director of Permits and Licences, Director of Engineering Services, Bylaw Enforcement Officer and Director of Planning, are authorized to enter at all reasonable times upon any property subject to this Bylaw to ascertain whether the provisions of this Bylaw are being observed.

4.5.2 Violation

(a) It is an offence for any person to cause or permit any building or structure to be constructed, altered, moved, occupied or used, or any land to be subdivided, occupied or used, in contravention of this Bylaw or otherwise to contravene this Bylaw.

4.5.2 Violation (CONTINUED)

- (b) It is an offence for any person to prevent or obstruct or attempt to prevent or obstruct the authorized entry of officers under Section 4.5.1.

4.5.3 Penalties

- (a) A person convicted of an offence against this Bylaw shall be liable to a maximum fine of \$5,000, or imprisonment for a period not exceeding 30 days, or both.

4.6 Measurements

All measurements in the 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 the Bylaw.

5. GENERAL REGULATIONS

**SECTION 5.1 REPLACED BY BYLAW NO. 2011 AND
REPLACED AGAIN BY BYLAW NO. 2305**

5.1 Permitted Uses of Land, Buildings and Structures

Amended
by BL2999
→

Park uses, public utility uses, medical marihuana production and testing use 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.

**FOLLOWING PROHIBITED USES ADDED BY
BYLAW NO. 2239**

Prohibited Use of Land, Buildings and Structures

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.

ADDED BY BYLAW NO. 2845

The retail sale and/or manufacturing of firearms and ammunitions and related uses are prohibited in all zones.

5.2 Size, Shape, and Siting of Buildings and Structures.

SECTION 5.2.1(A) REPLACED BY BYLAW NO. 2640

5.2.1 Notwithstanding any other siting provisions of this Bylaw, in existing developed neighbourhoods and for infill developments on sites less than 2 hectares (5 acres) in size, no building, structure or impervious or semi-pervious parking or storage area shall be constructed:

- (a) within 7.5 metres (25 ft) of the natural boundary of the sea; and
- (b) within 30 metres (98.5 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 metres (49.2 ft) perpendicularly away from the top of bank or top of the ravine bank, as applicable, on either side of a stream; and,
- (d) with the underside of the floor system of any area used for habitation, business, or storage of goods damageable by floodwaters, or in the case of a mobile home or unit the ground level on which it is located:
 - (i) lower than 0.6 metres (2 ft) above the two hundred year flood level where it has been determined;
 - (ii) lower than 1.5 meters (5 ft) above the natural boundary of the sea, a lake, swamp, or pond;

5. GENERAL REGULATIONS (CONTINUED) 5.2.1

- (iii) lower than 3 metres (10 ft) above the natural boundary of Mossom Creek or Noons Creek, nor lower than 0.6 metres (2 ft) above natural ground elevation on the fan of Noons Creek; nor
- (iv) lower than 1.5 metres (5 ft) above the natural boundary of any other nearby watercourse; nor
- (e) within a triangular area adjoining the intersection of two highways and bounded by 4.6 metres (15 ft) of the front lot line, 4.6 metres (15 ft) of the side lot line, and the resulting hypotenuse.

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 metres (49.2 ft) from the top of the bank.

SECTION 5.2.2 ADDED BY BYLAW No. 2640

5.2.2 Notwithstanding any other siting provisions of this Bylaw, in areas of new development and for infill developments on sites greater than 2 hectares (5 acres) in size, no building, structure or impervious or semi-pervious parking or storage area shall be constructed:

- (a) within 7.5 metres (25 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 metres (164 ft) wide;
 - (B) limited but continuous areas of existing or potential vegetation equal to or greater than 30 metres (98.5 ft) wide or discontinuous but occasionally wider areas of existing or potential vegetation between 30 metres (98.5 ft) and 50 metres (164 ft) wide;
 - (C) narrow but continuous areas of existing or potential vegetation equal to 15 metres (49.2 ft) wide or discontinuous but occasionally wider areas of existing or potential vegetation between 15 metres (49.2 ft) and 30 metres (98.5 feet) wide;
 - (D) very narrow but continuous areas of existing or potential vegetation up to 5 metres (16.4 feet) wide or discontinuous but occasionally wider areas of existing or potential vegetation between 5 metres (16.4 ft) and 15 metres (49.2 ft) interspersed with permanent structures.

5. GENERAL REGULATIONS (CONTINUED) 5.2.2

- (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 metres (98.5 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 metres (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 metres (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 metres (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 metres (16.4 ft) and up to 15 metres (49.2 ft) wide measured perpendicularly away from the top of bank for all non-fish bearing streams.

5. GENERAL REGULATIONS (CONTINUED) 5.2.2

**Summary of Streamside Protection and Enhancement Area Widths
(*References provisions set out in Section 5.2.2)**

Existing or potential streamside vegetation conditions	Streamside Protection and Enhancement Area Widths		
	As determined by Section 5.2.2 (c)*		
	Fish Bearing Stream	Non-Fish Bearing Stream	
As determined by Section 5.2.2 (b)*		Permanent Stream	Non-Permanent Stream
<p>≥ 50 m or ≥ 30-50 m</p> <p><u>Section 5.2.2 (b) (A),(B)*</u></p>	<p>At least 30 m</p> <p><u>Section 5.2.2 (c) (A)*</u></p>		<p>At least 15 m</p> <p><u>Section 5.2.2 (c) (B)*</u></p>
<p>≥15 and <30 m</p> <p><u>Section 5.2.2 (b) (C)*</u></p>	<p>Greater of existing width or potential width or 15 m</p>	<p>15 m</p> <p><u>Section 5.2.2. (c) (C)*</u></p>	
<p><15 m</p> <p><u>Section 5.2.2 (b) (D)*</u></p>	<p>Section 5.2.2 (c) (D)*</p>	<p>At least 5 and up to 15 m</p> <p><u>Section 5.2.2 (c) (E)*</u></p>	

(d) If a stream is in a ravine that is less than 60 metres (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 5.2.2(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 metres (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 metres (49.2 ft) wide measured perpendicularly away from the top of the ravine bank.

5. GENERAL REGULATIONS (CONTINUED) 5.2.2

- (f) The establishment of Streamside Protection and Enhancement Areas applies to “residential, commercial and industrial development” as defined in the Streamside Protection Regulation, B.C. Reg.10/2001.

5.2.3 Subsection 5.2.1 (d) does not apply to:

- (a) a renovation of an existing building or structure used as a residence that does not involve an addition;
- (b) that portion of a building or structure to be used as a carport or garage;
- (c) light or general industrial development, which is required to floodproof to an elevation 0.6 metres (2 ft) less than that Flood Construction Level determined by the Ministry of Environment.

- 5.2.4** An elevation requirement of 0.6 metres (2 ft) above natural ground elevation for the main habitable floor area is required for new buildings at the toe of a slope which is liable to be inundated by mud flows.

5.3 Regulations for Permitted uses of Land, Buildings, and Structures

- 5.3.1** No residential use involving a habitable room shall be located such that the floor level of that room is more than 600 mm (2 ft) below the highest finished ground elevation within 3 metres (9.8 ft) of the nearest outside wall of the building.

- 5.3.2** No use shall be located in part or in total in a tent or trailer except as specifically permitted in this Bylaw.

- 5.3.3** No residential use shall be located on a lot not serviced by a community water system and sewer system.

5.3.4 A boarding use:

- (a) shall be completely enclosed within a building used for one-family or two family residential use; and
- (b) shall accommodate not more than 4 boarders, or two boarders in each dwelling unit of a two-family residential building.

5. GENERAL REGULATIONS (CONTINUED) 5.3

***Section
Amended by
Bylaw #2348 →**

5.3.5 (a) *Accessory home occupation use type I:

- (i) shall be completely enclosed within a dwelling unit, and shall not alter the residential character of the area;
- (ii) shall not involve the sale of goods or the outdoor storage of material;
- (iii) shall occupy less than 20 percent of the gross floor area of the principal building and shall not exceed 46 square metres (495.2 sq ft) in area;
- (iv) except for one unilluminated name plate, not to exceed 0.09 square metres (0.968 sq ft) in area, shall not be evident from the exterior of the building;
- (v) shall not discharge or emit odorous, toxic or noxious matter or vapours, heat, glare, radiation, electrical interference or noise;
- (vi) shall be conducted by at least one resident of the residential use to which it is accessory, and a total of not more than 2 persons shall be employed in such use; and
- (vii) shall involve no alterations to the building other than those associated with the residential use.

**Section b) added
by Bylaw #2348 →**

(b) Accessory home occupation use type II

- (i) the use of the premises for an accessory home occupation shall be confined to the incidental use of a telephone and records pertaining directly to that business;
- (ii) no goods are to be displayed, stored or sold on the premises;
- (iii) no alterations are to be made which change the character of the dwelling;
- (iv) no signs are to be displayed on the premises;
- (v) the storage of vehicles or equipment associated with an *accessory home occupation* is not permitted on or near the lot, and
- (vi) in the case of rental premises, the business license applicant will be required to obtain the permission of the owner of the premises before a business license under this Section can be issued.

5. GENERAL REGULATIONS (CONTINUED) 5.3.5 (Continued)

5.3.6 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.

**Section 5.3.7
Added by
Bylaw #2348 →**

5.3.7 Bed and Breakfast

Where Bed and Breakfast use is permitted, the following conditions shall apply:

- (i) not more than 6 patrons shall be accommodated within 1 dwelling unit
- (ii) not more than 3 bedrooms shall be used for the bed and breakfast operation
- (iii) no cooking facilities or other facilities for the keeping of food shall be provided for within the bedrooms intended for the said operation
- (iv) 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* and such parking areas shall not be located in the front or flanking yard setback area
- (v) no patron shall stay within the same dwelling for more than 30 days in a 12 months period; and
- (vi) a valid business license has been issued for the use.

**Section 5.3.8
Added by
Bylaw #2358 →**

5.3.8 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.

**Section 5.3.9
Added by
Bylaw #2387 →**

5.3.9 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 square meters (160 sq.ft.)

5. GENERAL REGULATIONS (CONTINUED) 5.3.9 (Continued)

- 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.
- d) that appropriate signs are posted at the door to the adult film area prohibiting the entrance of persons under eighteen years of age.

Section 5.3.10
Added by
Bylaw #2622

5.3.10 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 square metres (968.8 square feet) 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 area 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 design criteria set out in Sub-Section 6.6 of this Bylaw, shall be provided for the exclusive use of a secondary suite.

5.4 Regulations for the Size, Shape, and Siting of Buildings and Structures

5.4.1 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.

5.4.2 Buildings per lot

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

5.4.3 Siting Exceptions

Notwithstanding any other provision of this Bylaw:

(a) Chimneys, cornices, leaders, gutters, pilasters, belt course, sills, bay windows, or ornamental features projecting beyond the face of a building, may be sited not more than 914 mm (3 ft) closer to an adjoining lot than otherwise permitted, providing that the feature shall be no closer than 914 mm (3 ft) to an adjoining lot except provided as otherwise permitted.

(b) Steps, eaves, sunlight control projections, canopies, balconies, or porches may be sited not more than 1.82 m (6 ft) closer to a lot line than otherwise permitted, provided that for balconies, the distance shall not be reduced more than 1.2 m (4 ft) and the minimum distance to an abutting interior side lot line may be reduced by not more than 50% of such minimum distance.

(c) 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 above the average finished ground elevation. Inground swimming pools are not considered underground structures.

Replaced by
Bylaw #2390 →

(d) 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.

*Amended by
Bylaw #2208 →

(e) On lots fronting on that portion of Alderside Road having a gazetted width of 6.0 metres (19.6 ft) the ***setback from a front lot line is 3.0 metres (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 metres (5 ft) setback from the front lot line.**

*Amended by
Bylaw #2208 →

(f) 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 metres (9.8 ft).

5.4 Regulations for the Size, Shape, and Siting of Buildings and Structures (5.4.3 CONTINUED)

Section Added by
Bylaw #2208 →

- g) 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.

5.4.4 Height exceptions

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, apartment elevator shafts, and stair towers.

5.4.5 Buildings for accessory use

A building for a permitted accessory use may only be erected after a building for a permitted principal use is built on a lot.

5.5 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.

SECTION 5.6 ADDED BY BYLAW NO. 2390

5.6 Wireless Communication Facilities

5.6.1 Communications Antenna

An antenna is permitted in any zone except One-Family Residential (RS), Two-Family Residential (RT) 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 stories above grade;
- b) it does not extend out more than 0.3 m (1 ft) from a building face to which it is attached;
- c) it covers or occupies a maximum of 0.93 m² (10 ft²) 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 m² (40 ft²) 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.

5.6.2 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 (150 ft) in height above grade;
- b) it is set back a minimum of 200 m (656 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 m (164 ft) from any lot-line;
- d) a maximum of one 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 M3 Zones provided that:

- a) it is not more than 25 m (82 ft) in height above grade;
- b) it is set back a minimum of 100 m (328 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 6 m (20 ft) from any lot line;
- d) a maximum of one tower is permitted per legal parcel of land; and
- e) it is not permitted on public parkland.

5.6.3 Communications Equipment Cabinet

Communication equipment cabinets and/or shelters are permitted in all zones set out in Section 5.6.1 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 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;
- c) if located at grade the communications equipment cabinets and/or shelters must be screened from view by a combination of landscaping and fencing or shrouding.

5.6.4 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 .15 m (0.5 ft) in width or 1.2 m (4 ft) in length;
- c) a maximum of one microwave dish antenna not exceeding 0.6 m (2 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 m (3.3 ft) in width is permitted per repeater facility;
- 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.

SECTION 5.7 ADDED BY BYLAW NO. 2481

5.7 Child Care Use

**Amended by
Bylaw #2930→**

- (a) Child Care Use in the One-Family Residential (RS) zones and the Acreage Reserve District (A) zones may provide care for a maximum of 10 children at one time
- (b) Child care uses which accommodate more than 10 children are considered to be commercial child care centers and must be located in permitted zones only.

6. OFF-STREET PARKING REQUIREMENTS

6.1 General

- 6.1.1 Unless otherwise specified in this Bylaw, 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 following regulations.
- 6.1.2 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 extension of an 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

Section
Replaced
by Bylaw
#2438

- 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) all such parking spaces are located not more than 92.0 m (302 ft) from any building or use to which they are accessory;
 - (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, and except as otherwise required in this bylaw, shall:
- (a) not be located within 1.5 m (5 ft) of a front lot line common to the lot and a highway and an interior side lot line; and
 - (b) not be located within 3.0 m (9.8 ft) of an exterior side lot line.

6. OFF-STREET PARKING REQUIREMENTS (continued) 6.3

6.3.4 Off-street parking shall be sited and constructed so as to permit unobstructed access to and access from each space at all times.

6.3.5 An accessory off-street parking use shall be screened by a continuous landscape strip not less than 1.5 m wide, densely planted with shrubs and trees at least 0.9 m in height at the time of planting that will form a year round dense screen and is broken only for access driveways and walkways.

6.4 Buildings Non-Conforming as to Off-Street Parking

A building conforming as to use but lawfully non-conforming as to off-street parking may be occupied, but shall not be altered, moved, or extended unless off-street parking requirements in this Bylaw are complied with.

SECTION 6.5 AMENDED BY BYLAW NO. 2598

6.5 Required Number of Off-Street Parking Spaces

When the number of required parking spaces results in fractional space, any fraction of one-half or less may be disregarded, and any fraction of greater than one-half shall require one additional parking space. Parking spaces shall be provided according to building types and land uses as follows:

TYPE OF BUILDING OR USE	REQUIRED NUMBER OF OFF-STREET PARKING SPACES
<u>RESIDENTIAL</u>	
One-family residential buildings	1 space per dwelling unit
Two-family residential buildings	1 space per dwelling unit
Accessory one-family residential buildings	1 space per dwelling unit
Mobile home parks	1 space per dwelling unit
Medium Density Multiple-family residential buildings (3 to 5 dwelling units)	2 spaces per dwelling unit plus 0.2 visitor spaces per dwelling unit
High Density Multiple-family residential buildings (26 or more dwelling units)	1.5 spaces per dwelling unit plus 0.2 visitor spaces per dwelling unit
Senior citizens housing	1 space per 4 dwelling units plus 0.2 visitor spaces per 4 dwelling units

6. OFF-STREET PARKING REQUIREMENTS (CONTINUED) 6.5

TYPE OF BUILDING OR USE	REQUIRED NUMBER OF OFF-STREET PARKING SPACES
<u>COMMERCIAL</u>	
Commercial buildings and Commercial recreation uses *AMENDED BY BYLAW No. 1921	1 space per 37 sq m (398.3 sq ft) of gross floor area *except as defined within the City of Port Moody Off-Street Parking Bylaw No. 1919 the requirements will be 1 space per 74 sq m (796 sq ft) of gross floor area
Added by Bylaw #2930→	Commercial Day Care 1 space per teacher or caregiver
Liquor primary establishments	*1 space per each *6 seats
Service stations	1 space per 111 sq m (1194.8 sq ft) of lot area
Tourist accommodation uses	1 space per sleeping unit, dwelling unit, trailer, camper, vehicle or tent, plus 1 space per 37 sq m (398.3 sq ft) of gross floor area used for dining
<u>INDUSTRIAL</u>	
Industrial Buildings	1 space per 93 sq m (1001.1 sq ft) of gross floor area plus 1 space per 46 sq m (495.2 sq ft) of floor area used for commercial, office or display purposes
<u>INSTITUTIONAL</u>	
Civic Uses	1 space per 37 sq m (398.3 sq ft) of gross floor area
Hospitals	1 space per 5 beds, plus one space for each two staff doctors plus one space per employee.
Assembly Uses	1 space per 37 sq m (398.3 sq ft) of gross floor area.
Schools, Day Care, Kindergarten Elementary and Junior High School	1 space per teacher
Senior High Schools	1 space per each 10 students

6. OFF-STREET PARKING REQUIREMENTS (CONTINUED) 6.5

Notwithstanding the foregoing requirements, the following specific uses shall have the following minimum number of off-street parking spaces:

TYPE OF BUILDING OR USE	REQUIRED NUMBER OF OFF-STREET PARKING SPACES
<u>OTHER</u>	
Funeral Parlour	1 space per each 37 sq m (398.3 sq ft) of gross floor area
Restaurants	*Amended by Bylaw No. 1921 1 space for each *24 sq m (258 sq ft) of gross floor area for such use
Recreation Facilities including miniature golf courses, health centers, roller rinks, swimming pools, curling rinks, skating rinks and similar facilities	*Amended by Bylaw No. 1921 1 space for each *92 sq m, *(990 sq ft) of gross floor area, plus 1 space for each 10 spectator seats
Marinas	1 space per 2 berths, plus 1 space per 2 rental boats, plus 1 space per 46 sq m (495.2 sq ft) of gross 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
Professional Offices, Banks Business, Administrative, Medical and Dental Clinics/Offices	* Amended by Bylaw No. 1921 1 space for each tenant plus 1 space for each *54 sq m (581 sq ft) of gross floor area
Theatres, assembly halls, and churches'	1 space per each 10 seats

6.5 (a) 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.

6.6 Design Criteria

6.6.1 An off-street parking use, or an accessory off-street parking use accessory to a use other than an acreage reserve use, a one family residential use, or a two-family residential use:

- (a) Shall provide parking spaces not less than 2.6 metres (8.5 ft) wide, 5.6 metres (18.4 ft) long, and 2.1 metres (6.9 ft) high. Obstructions, such as posts or columns, shall be limited to the front or rear 1.2 metres (4 ft) of space and may protrude into the width a distance of not more than .150 metres (6 in). When a parking space adjoins a fence or structure over 300 millimetres (1.2 ft) in height, the width of the parking space shall be increased by 0.3 metres (1 ft). Each parking space shall be 0.3 metres (1 ft) or more from a lot line common to a lot and a highway.

- (b) Shall provide manoeuvring aisles of not less than the following width:

<u>Parking Angles in Degrees</u>	<u>Width of Aisle</u>
61 - 90	6.7 m (21.982 ft)
46 - 60	5.2 m (17.060 ft)
0 - 45	3.7 m (12.140 ft)

- (c) A maximum of 20 percent of the total required off-street parking spaces may be not less than 2.5 metres (8.2 ft) wide and 5.1 metres (16.7 ft) in length and shall be identified for small car use only.
- 6.6.1 (d) Shall provide access to and egress from a highway via not more than two (2) driveways of not less than 3.7 meters (12.1 ft) nor more than 9.2 meters (30.2 ft) wide each, provided that one additional driveway may be added for each 464.5 sq metres (5,000 sq ft) of parking space area in excess of 929 square metres (10,000 sq ft).
- (e) May have access to and egress from a lane along the entire length of a lot line adjoining that lane.
- (f) Where points of access and egress abut a landscape screen shall have such screening not more than 0.60 metres (2 ft) in height for a distance of not less than 6.1 metres (20 ft) from all points of access and egress.
- (g) Shall have each parking space and all internal access and egress driveways surfaced with asphalt, concrete, or other dust-free material, and drained so as to properly dispose of all surface water.

6.7 Required Off-Street Parking Space for Physically Disabled Persons

- 6.7.1 For a commercial use where twenty-six (26) or more off-street parking spaces are required, proportion of the required spaces shall be provided for physically disabled persons, such spaces to be in accordance with the following table

<u>Required Spaces</u>	<u>Spaces for the Disabled</u>
26 - 75	1
76 - 125	2
126 - 200	3
over 200	3 spaces plus one space for every 100 required spaces in excess of 200

- 6.7.2 Required off-street parking spaces for physically disabled persons shall not be less than 4.2 metres (13.7 ft) in width.

SECTION DELETED AND REPLACED, BY BYLAW No. 2272

- 6.7.3 Required off-street parking spaces for physically disabled persons 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 Required Off-Street Parking Space for Physically Disabled Persons (Continued)

- 6.7.4 Required off-street parking spaces for physically disabled persons shall be constructed and located so as to permit convenient access to a building entrance.

7. OFF-STREET LOADING REQUIREMENTS

7.1 General

- 7.1.1 Unless otherwise specified in this Bylaw, off-street loading spaces shall be provided and maintained in accordance with the following regulations.
- 7.1.2 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 building or structure or any change or addition to such existing building.
 - (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.
- 7.3.2 An off-street loading area shall:
 - (a) Not be located within the required front or side yard.
 - (b) Be constructed so as to permit unobstructed access to and egress from each space at all times.

7.4 Buildings, Non-Conforming as to Off-Street Loading

A building conforming as to use but lawfully non-conforming as to off-street loading may be occupied, but shall not be altered, moved or extended unless the off-street loading requirements are complied with.

7.5 Required Number of Off-Street Loading Spaces

- 7.5.1 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 store, commercial, industrial, warehouse, or any similar use, the minimum number of spaces shall be:

7. OFF-STREET LOADING REQUIREMENTS (CONTINUED)

TOTAL GROSS FLOOR AREA OF BUILDING(S)	SPACES REQUIRED
Less than 464.5 sq m (5,000 sq ft.)	1
464.5 sq m to 2,322.5 sq m (25,000 sq ft)	2
Each additional 2,322.5 sq m or fraction thereof in excess of 1,162 sq m (12,508 sq ft)	1 additional

(b) On every site used as an office building, place of public assembly, hospital, institution, club, 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 or fraction thereof in excess of 1,394 sq m (15,005.4 sq ft)	1 additional

7.5.2 Where more than 1 building or use is located on a lot, the required number of spaces shall be the sum of the requirements for each use.

7.6 Design Criteria

7.6.1 Every off-street loading area shall:

- (a) Provide vehicular ingress and egress to a street or lane.
- (b) 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 meters (9.8 ft) in width, 9.2 metres (30 ft) in length, and 4.3 metres (14.1 ft) in height.
- (c) Be sited at an elevation or elevations equivalent to a floor level in the building or to a utility elevator serving each floor.
- (d) Be provided with sufficient manoeuvring space adjacent to such use to avoid conflicts with use of off-street parking spaces, streets and lanes.
- (e) Be so graded and drained as to dispose of all surface water. In no case shall drainage be allowed to cross sidewalks.
- (f) Have a surface of asphalt, concrete, or other dust-free material.
- (g) Have each loading space clearly delineated by painted lines and signing.

8. PARCELS CREATED BY SUBDIVISION**8.1 Parcel Area, Lot Width and Dimension**

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

ZONING

<u>DISTRICT</u>	<u>LOT AREA</u>	<u>LOT WIDTH</u>
AI	8.0 hectares	15.0 metres
A2	0.81 hectares	15.0 metres
A3	0.40 hectares	15.0 metres
RSI	555.0 square metres	15.0 metres
RS2	510.0 square metres	15.0 metres
RS3	375.0 square metres	12.0 metres
RS4	335.0 square metres	12.0 metres
RS5	375.0 square metres	12.0 metres (BL #2123)
RS6	555.0 square metres	15.0 metres (BL #2125)
RS7	929.0 square metres	15.0 metres (BL #2126)
RS8	1095.0 square metres	15.0 metres (BL2908)
RTI	744.0 square metres	15.0 metres
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
RM5	1,485.0 square metres	37.0 metres
RM6	20,235.0 square metres	37.0 metres (BL #2127)
RM7	4,046.0 square metres	37.0 metres (BL #2128)
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	744.0 square metres	15.0 metres (BL #2387)
CD	744.0 square metres	15.0 metres
CD9-NS	250.0 square metres	10.0 metres (BL #2027)
CD-23	433.0 square metres	11.4 metres (BL #2283)
CD-24	Refer to Schedule in Section 61.5	
CD-28	3,500 square metres	40.0 meters (BL2503)
CD-29	3,000 square meters	40.0 meters (BL2505)
CD-30	555.0 square metres	15.0 metres (BL2510)
CD-31	3,000 square metres	30.0 metres (BL2538)
CD 32	520 square metres	14.9 metres (BL2571)
CD 33	335 square metres	13.0 metres (BL2566)
CD 36	1,200 square metres	40.0 metres (BL2610)
CD 37	900 square metres	2.5 metres (BL2662)
CD 38	1,250 square metres	40.0 metres (BL2628)
CD 39	3,200 square metres	20.0 metres (BL2654)
CD 40	5,000 square metres	75.0 metres (BL2656)
CD 44	5,189.99 square metres	18.289 metres (BL2704)
CD 54	4050.0 square metres	100.6 metres (BL2856)

8. **PARCELS CREATED BY SUBDIVISION (continued)**

MI	1,148.0 square metres	27.4 metres
M2	1,148.0 square metres	27.4 metres
M3	1,858.0 square metres	27.4 metres
<u>ZONING DISTRICT</u>	<u>LOT AREA</u>	<u>LOT WIDTH</u>
PI	745.0 square metres	15.0 metres
P2	745.0 square metres	15.0 metres
TC1	2000.0 square metres	20.0 metres (BL #2017)

[Refer to Section 83.9 in #2167]* Unless Otherwise Specified

NOTE: SECTION 9 HAS BEEN INTENTIONALLY DELETED

10. 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. ACREAGE RESERVE (AI)**11.1 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 hectares (19.8 ac) or more.

11.2 Permitted Uses

- (1) One-family residential
- (2) Accessory boarding
- (3) Accessory home occupation
- (4) Accessory off-street parking
- (5) Child Care Use

Added by Bylaw
#2930➔

11.3 Maximum Height of Buildings

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

11.4 Setbacks

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

11.5 Permitted Accessory Building

One accessory building is permitted, as follows:

- 11.5.1 An accessory building shall be located within the rear yard of a one-family residential use.
- 11.5.2 The maximum lot coverage of an accessory building shall be 40 square metres (430 sq ft).
- 11.5.3 The height of an accessory building shall not exceed 4.5 metres (14.8 ft).

12. DEVELOPMENT ACREAGE RESERVE (A2)**12.1 Intent**

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

12.2 Permitted Uses

- (1) One-family residential
- (2) Accessory boarding
- (3) Accessory home occupation
- (4) Accessory off-street parking
- (5) Child Care Use

Added by Bylaw
#2930➔

12.3 Maximum Height of Building

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

12.4 Setbacks

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

12.5 Permitted Accessory Building

One accessory building is permitted, as follows:

- 12.5.1 An accessory building shall be located within the rear yard of a one-family residential use.
- 12.5.2 The maximum lot coverage of an accessory building shall be 40 square metres (430 sq ft).
- 12.5.3 The height of an accessory building shall not exceed 4.5 metres (14.8 ft).

13. DEVELOPMENT ACREAGE RESERVE (A3)**13.1 Intent**

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

13.2 Permitted Uses

- (1) One-family residential
- (2) Accessory boarding
- (3) Accessory home occupation
- (4) Accessory off-street parking
- (5) Child Care Use

Added by Bylaw
#2930➔

13.3 Maximum Height of Building

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

13.4 Setbacks

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

13.5 Permitted Accessory Building

One accessory building is permitted, as follows:

- 13.5.1 An accessory building shall be located within the rear yard of a one-family residential use.
- 13.5.2 The maximum coverage of an accessory building shall be 40 square metres (430 sq ft).
- 13.5.3 The height of an accessory building shall not exceed 4.5 metres (14.8 ft).

20. 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.

21. ONE-FAMILY RESIDENTIAL (RSI)**21.1 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 square metres (5974.1 sq ft) or more.

21.2 Permitted Uses

- (1) One-family residential
- (2) Accessory home occupation use (Type II)
- (3) Accessory off-street parking
- (4) One of the following:
 - Secondary suite;
 - Accessory home occupation use (Type I);
 - Accessory boarding use; or
 - Bed and Breakfast.
- (5) Child Care Use

Added by Bylaw
#2930 →

21.3 Lot Coverage

Maximum permitted lot coverage is 40 percent.

21.4 Floor Area Ratio

The maximum permitted floor area ratio is 0.5.

Replaced
by bylaw
2919 →

21.5 Height of Building

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

21.6 Front Yard Setback

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

21.7 Side Yard Setbacks

21.7.1 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 metres (5 ft).

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

21. ONE-FAMILY RESIDENTIAL (RSI) (CONTINUED) 21.7**21.8 Rear Yard Setback**

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

21.9 Permitted Accessory Building

One accessory building is permitted, as follows:

- 21.9.1 An accessory building shall be located within the rear yard of a one-family residential use.
- 21.9.2 The maximum coverage of an accessory building shall be 7 percent of the lot area on lots with an area in excess of 600 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.
- 21.9.3 The height of an accessory building shall not exceed 4.5 metres (14.8 ft).
- 21.9.4 Side yard setbacks shall be provided with a minimum width of 10 percent of the lot width. This width need not exceed 1.5 metres (5 ft).
- 21.9.5 On a corner lot, the side yard adjoining the flanking street shall be not less than 3.0 metres (9.8 ft) in width.
- 21.9.6 A rear yard setback shall be provided of not less than 1.5 metres (5 ft) in depth.

22. ONE-FAMILY RESIDENTIAL (RS2)**22.1 Intent**

The intent of this zone is to accommodate conventional one-family residential structures.

22.2 Permitted Uses

- (1) One-family residential
- (2) Accessory home occupation use (Type II)
- (3) Accessory off-street parking
- (4) One of the following:
 - Secondary suite;
 - Accessory home occupation use (Type I);
 - Accessory boarding use; or
 - Bed and Breakfast.
- (5) Child Care Use

Added by Bylaw
#2930→

22.3 Lot Coverage

Maximum permitted lot coverage is 40 percent.

22.4 Floor Area Ratio

The maximum permitted floor area ratio is 0.5.

22.5 Height of Building

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

22.6 Front Yard Setback

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

22.7 Side Yard Setbacks

- 22.7.1 Side yards shall be provided with a minimum width of 1.5 metres (5 ft).
- 22.7.2 On a corner lot, the side yard adjoining the flanking street shall be not less than 3.0 metres (9.8 ft) in width.

22.8 Rear Yard Setback

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

22. ONE-FAMILY RESIDENTIAL ZONE (RS2) (CONTINUED)**22.9 Permitted Accessory Building**

One accessory building is permitted, as follows:

- 22.9.1 An accessory building shall be located within the rear yard of a one-family residential use.
- 22.9.2 The maximum coverage of an accessory building shall be seven 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 of less than 600 square metres, maximum coverage shall be the lesser of 10% or 42 square metres.
- 22.9.3 The height of an accessory building shall not exceed 4.0 metres (13 ft).
- 22.9.4 Side yard setbacks shall be provided with a minimum width of 1.5 metres (5 ft).
- 22.9.5 On a corner lot, the side yard adjoining the flanking street shall be not less than 3.0 metres (9.8 ft) in width.
- 22.9.6 A rear yard setback shall be provided of not less than 1.5 metres (5 ft) in depth.

23. ONE-FAMILY RESIDENTIAL (RS3)**23.1 Intent**

The intent of this zone is to accommodate conventional one-family residential structures on lots of 375.00 square metres (4036.6 sq ft) or more.

23.2 Permitted Uses

- (1) One-family residential
- (2) Accessory home occupation use (Type II)
- (3) Accessory off-street parking
- (4) One of the following:
 - Secondary suite;
 - Accessory home occupation use (Type I);
 - Accessory boarding use; or
 - Bed and Breakfast.
- (5) Child Care Use

Added by Bylaw
#2930→

23.4 Lot Coverage

The maximum permitted lot coverage is 45 percent.

23.5 Floor Area Ratio

The maximum permitted floor area ratio is 0.6.

23.6 Height of Building

Amended by
Bylaw #2964→

The height of a building shall not exceed the lesser of 8.0 metres (26 ft) or 3 storeys.

23.7 Front Yard Setback

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

23.8 Side Yard Setbacks

23.8.1 Side yards shall be provided with a minimum width of ten percent of the average width of the lot. This width need not exceed 1.5 metres (5 ft).

23.8.2 On a corner lot, the side yard adjoining the flanking street shall be not less than 2.5 metres (8.2 ft) in width.

23.9 Rear Yard Setback

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

23. ONE-FAMILY RESIDENTIAL ZONE (RS3) (CONTINUED)**23.10 Permitted Accessory Building**

One accessory building is permitted, as follows:

- 23.10.1 An accessory building shall be located within the rear yard of a one-family residential use.
- 23.10.2 The maximum coverage of an accessory building shall be 7 percent of the lot area on lots with an area in excess of 600 square metres, to a maximum floor area of 60 square metres. On lots of less than 600 square metres, maximum coverage shall be the lesser of 10% or 42 square metres.
- 23.10.3 The height of an accessory building shall not exceed 4.0 metres (13 ft).
- 23.10.4 Side yard setbacks shall be provided with a minimum width of ten percent of the average width of the lot. This width need not exceed 1.5 metres (5 ft).
- 23.10.5 On a corner lot, the side yard adjoining the flanking street shall be not less than 2.5 metres (8.2 ft) in width.
- 23.10.6 A rear yard setback shall be provided of not less than 1.5 metres (5 ft) in depth.

24. ONE-FAMILY RESIDENTIAL (RS4)**24.1 Intent**

The intent of this zone is to provide for the establishment of manufactured home parks for residential occupancy in proper relationship to community facilities and surrounding development, on sites of 1.2 hectares (2.10 ac) or more.

24.2 Permitted Uses

- (1) Manufactured home park
- (2) Accessory boarding
- (3) Accessory home occupation
- (4) Accessory off-street parking
- (5) Child Care Use

Added by Bylaw
#2930 →

24.3 Conditions of Use

- 24.3.1 Each manufactured home development shall provide sewer, water, paved streets and walkways, garbage collection and snow clearance to residential subdivision standards.
- 24.3.2 Each manufactured home development shall provide outdoor recreation space of not less than 10 percent of the total site area for the use of residents.
- 24.3.3 Each manufactured home shall be not less than 3.6 m (11.8 ft) in width.
- 24.3.4 Each manufactured home shall be located on a separate lot with a paved manufactured home pad.
- 24.3.5 Each manufactured 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.
- 24.3.6 Each manufactured home shall have skirting extending from the bottom of the unit to the ground, finished with a protective coating.
- 24.3.7 Each manufactured home shall have all attached structures such as porches, sun rooms, and storage areas painted or finished so that the appearance and construction complement the main structure.

24. ONE-FAMILY RESIDENTIAL (RS4) (CONTINUED)**24.4 Site Area**

A manufactured home development shall have a minimum site area of .2 hectares (2.10 ac).

24.5 Lot Area

24.5.1 No singlewide manufactured home shall be located on a lot with an area less than 335 square metres (3,606 sq ft).

24.5.2 No doublewide manufactured home shall be located on a lot with an area less than 405 square metres (4,359.6 sq ft).

24.6 Maximum Height of Building

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

24.7 Front Yard Setback

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

24.8 Side Yard Setbacks

24.8.1 Side yards shall be provided with a minimum width of ten percent of the average width of the lot. This width need not exceed 1.5 metres (5 ft).

24.8.2 On a corner lot, the side yard adjoining the flanking street shall be not less than 2.5 metres (8.2 ft) in width.

24.9 Rear Yard Setback

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

24.10 Permitted Accessory Building

One accessory building is permitted, as follows:

24.10.1 An accessory building shall be located within the rear yard of a manufactured home use.

24.10.2 The maximum coverage of an accessory building shall be 7 percent of the lot area on lots with an area in excess of 600 square metres, to a maximum floor area of 60 square metres. On lots not less than 600 square metres, maximum coverage shall be the lesser of 10% or 42 square metres.

24.10.3 The height of an accessory building shall not exceed 4.0 metres (13 ft).

24.10.4 Side yard setbacks shall be provided with a minimum width of ten percent of the average width of the lot. This width need not exceed 1.5 metres (5 ft).

24. ONE-FAMILY RESIDENTIAL ZONE (RS4) (CONTINUED) 24.10

- 24.10.5 On a corner lot, the side yard adjoining the flanking street shall be not less than 2.5 metres (8.2 ft) in width.
- 24.10.6 A rear yard setback shall be provided of not less than 1.5 metres (5 ft) in depth.

RS5 ZONE ADDED BY BYLAW NO. 2123**25. ONE-FAMILY RESIDENTIAL (RS5)****25.1 Intent**

The intent of this zone is to accommodate conventional one-family residential structures on lots of 375.0 square metres (4036.6 sq ft) or more in North Shore Neighbourhood 2.

25.2 Permitted Uses

- (1) One-family residential
- (2) Accessory home occupation use (Type II)
- (3) Accessory off-street parking
- (4) One of the following:
 - Secondary suite;
 - Accessory home occupation use (Type I);
 - Accessory boarding use; or
 - Bed and Breakfast.
- (5) Child Care Use

Added by Bylaw
#2930→

25.3 Lot Coverage

The maximum permitted lot coverage is 45 percent.

25.4 Floor Area Ratio

The maximum permitted floor area ratio is 0.6.

25.5 Height of Building

The height of a building shall not exceed the lesser of 8.0 metres (26 ft) or 2.5 storeys.

25.6 Front Yard Setback

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

25.7 Side Yard Setbacks

25.7.1 Side yards shall be provided with a minimum width of ten percent of the average width of the lot. This width need not exceed 1.5 metres (5 ft).

25.7.2 On a corner lot, the side yard adjoining the flanking street shall be not less than 2.5 metres (8.2 ft) in width.

25. ONE-FAMILY RESIDENTIAL ZONE (RS5) (CONTINUED)**25.8 Rear Yard Setback**

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

25.9 Permitted Accessory Building

One accessory building is permitted, as follows:

25.9.1 An accessory building shall be located within the rear yard of a one-family residential use.

25.9.2 The maximum coverage of an accessory building shall be 7 percent of the lot area on lots with an area in excess of 600 square metres, to a maximum floor area of 60 square metres. On lots of less than 600 square metres, maximum coverage shall be the lesser of 10% or 42 square metres.

25.9.3 The height of an accessory building shall not exceed 4.0 metres (13 ft).

25.9.4 Side yard setbacks shall be provided with a minimum width of ten percent of the average width of the lot. This width need not exceed 1.5 metres (5 ft).

25.9.5 On a corner lot, the side yard adjoining the flanking street shall be not less than 2.5 metres (8.2 ft) in width.

25.9.6 A rear yard setback shall be provided of not less than 1.5 metres (5 ft) in depth.

25.10 Total Permitted Density

Within the entirety of the RS5 zone, not more than 190 dwelling units shall be built or used.

25.11 Parcel Density

No subdivision of land in the RS5 zone shall be approved if the subdivision would necessarily result in fewer than 155 dwelling units ultimately being constructed in the zone.

RS6 ZONE ADDED BY BYLAW NO. 2125**26. ONE-FAMILY RESIDENTIAL (RS6)****26.1 Intent**

The intent of this zone is to designate land that is best suited for one-family residential development on lots 555.0 square metres (5,974 square feet) or more in North Shore Neighbourhood 2.

26.2 Permitted Uses

- (1) One-family residential
- (2) Accessory home occupation use (Type II)
- (3) Accessory off-street parking
- (4) One of the following:
 - Secondary suite;
 - Accessory home occupation use (Type I);
 - Accessory boarding use; or
 - Bed and Breakfast.
- (5) Child Care Use

Added by Bylaw
#2930➔

26.3 Lot Coverage

Maximum permitted lot coverage is 40 percent.

26.4 Floor Area Ratio

The maximum permitted floor area ratio is 0.5.

26.5 Height of Building

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

26.6 Front Yard Setback

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

26.7 Side Yard Setbacks

26.7.1 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 metres (5 ft).

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

26.8 Rear Yard Setback

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

26. ONE-FAMILY RESIDENTIAL (RS6) (CONTINUED)**26.9 Permitted Accessory Building**

One accessory building is permitted, as follows:

- 26.9.1 An accessory building shall be located within the rear yard of a one-family residential use.
- 26.9.2 The maximum coverage of an accessory building shall be 7 percent of the lot area on lots with an area in excess of 600 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.
- 26.9.3 The height of an accessory building shall not exceed 4.5 metres (14.8 ft).
- 26.9.4 Side yard setbacks shall be provided with a minimum width of 10 percent of the lot width. This width need not exceed 1.5 metres (5 ft).
- 26.9.5 On a corner lot, the side yard adjoining the flanking street shall be not less than 3.0 metres (9.8 ft) in width.
- 26.9.6 A rear yard setback shall be provided of not less than 1.5 metres (5 ft) in depth.

26.10 Total Permitted Density

The maximum permitted density of development in the entirety of the RS6 Zone is 550 dwelling units.

26.11 Parcel Density

No subdivision of land in the RS6 Zone shall be approved if the subdivision would necessarily result in fewer than 450 dwelling units ultimately being constructed in the zone.

RS7 ZONE ADDED BY BYLAW NO. 2126**27. ONE-FAMILY RESIDENTIAL ZONE (RS7)****27.1 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.

27.2 Permitted Uses

- (1) One-family residential
- (2) Accessory home occupation use (Type II)
- (3) Accessory off-street parking
- (4) One of the following:
 - Secondary suite;
 - Accessory home occupation use (Type I);
 - Accessory boarding use; or
 - Bed and Breakfast.
- (5) Child Care Use

Added by Bylaw
#2930 →

27.3 Lot Coverage

Maximum permitted lot coverage is 40 percent.

27.4 Floor Area Ratio

The maximum permitted floor area ratio is 0.5.

27.5 Height of Building

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

27.6 Front Yard Setback

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

27.7 Side Yard Setbacks

- 27.7.1 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 metres (5 feet)
- 27.7.2 On a corner lot, the side yard adjoining the flanking street shall be not less than 3.0 metres (9.8 ft) in width.

27. ONE-FAMILY RESIDENTIAL ZONE (RS7) (CONTINUED)**27.8 Rear Yard Setback**

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

27.9 Permitted Accessory Building

One accessory building is permitted, as follows:

27.9.1 An accessory building shall be located within the rear yard of a one-family residential use.

27.9.2 The maximum coverage of an accessory building shall be 7 percent of the lot area on lots with an area in excess of 600 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.

27.9.3 The height of an accessory building shall not exceed 4.5 metres (14.8 ft).

27.9.4 Side yard setbacks shall be provided with a minimum width of 10 percent of the lot width. This width need not exceed 1.5 metres (5 ft).

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

27.9.6 A rear yard setback shall be provided of not less than 1.5 metres (5 ft) in depth.

27.10 Total Permitted Density

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

27.11 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.

Added by
BL2908
→

28. ONE-FAMILY RESIDENTIAL ZONE (RS8)

28.1 Intent

The intent of this zone is to designate land for one-family residential development on lots of 1045 square metres (11,249 sq. ft.) or more in North Shore Neighbourhood 2.

28.2 Permitted Uses

- (1) One-family residential
- (2) Accessory Home Occupation Use (Type II)
- (3) Accessory off-street parking
- (4) One of the following:
 - Secondary Suite;
 - Accessory home occupation use (Type 1);
 - Accessory boarding use; or
 - Bed and Breakfast.

28.3 Lot Coverage

Maximum lot coverage is 40 percent.

28.4 Floor Area Ratio

The maximum permitted floor area ratio is 0.5.

28.5 Height of Buildings

The height of the building shall not exceed 11.5 metres (37.7 ft.) or three storeys.

28.6 Front Yard Setback

The front yard shall be provided of not less than 4.5 meters (14.8 ft.) in depth.

28.7 Side Yard Setbacks

28.7.1 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 metres (5 ft).

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

28.8 Rear Yard Setback

The rear yard shall be provided of not less than 7.5 meters (24.7 ft) in depth.

28.9 Permitted Accessory Building

One accessory building is permitted, as follows:

28. ONE-FAMILY RESIDENTIAL ZONE (RS8) (CONTINUED)

- 28.9.1 An accessory building shall be located within the rear yard of a one-family residential use.
- 28.9.2 The maximum coverage of an accessory building shall be 7 percent of the lot area.
- 28.9.3 The height of an accessory building shall not exceed 4.5 metres (14.8 ft)
- 28.9.4 Side yard setbacks shall be provided with a minimum width of 10 percent of the lot width. This width need not exceed 1.5 metres (5 ft).
- 28.9.5 On a corner lot, the side yard adjoining the flanking street shall be not less than 3.0 metres (9.8 ft.) in width.
- 28.9.6 A rear yard setback shall be provided of not less than 1.5 metres (5 ft) in depth.

28.10 Total Permitted Density

The maximum permitted density of development in the entirety of the RS8 zone is 26 dwelling units.

28.11 Parcel Density

No subdivision of land in the RS8 zone shall be approved if the subdivision would necessarily result in fewer than 15 dwelling units ultimately being constructed in the zone.

30. 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.

31. TWO-FAMILY RESIDENTIAL (RT1)**31.1 Intent**

The intent of this zone is to accommodate two-family residential structures on lots of 744.0 square metres (8008 sq ft) or more.

31.2 Permitted Uses

- (1) Two-family residential
- (2) Accessory boarding
- (3) Accessory home occupation
- (4) Accessory off-street parking

31.3 Lot Width

31.3.1 A duplex dwelling may be sited only on a lot having a minimum width of 15.0 metres (49 ft).

31.3.2 A semi-detached dwelling may be sited only on a lot having a minimum width of 24.0 metres (78.7 ft).

31.4 Lot Coverage

The maximum permitted lot coverage is 40 percent.

31.5 Floor Area Ratio

The maximum permitted floor area ratio is 0.5.

31.6 Height of Building

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

31.7 Front Yard Setback

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

31. TWO-FAMILY RESIDENTIAL (RT1) CONTINUED**31.8 Side Yard Setbacks**

- 31.8.1 Side yards shall be provided with a minimum width of ten percent of the average width of the lot. This width need not exceed 1.5 metres (5 ft).
- 31.8.2 On a corner lot, the side yard adjoining the flanking street shall be not less than 3.0 metres (9.8 ft) in width.

31.9 Rear Yard Setback

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

31.10 Permitted Accessory Building

One accessory building is permitted, as follows:

- 31.10.1 An accessory building shall be located within the rear yard of a two-family residential use.
- 31.10.2 The maximum coverage of an accessory building shall be 30.0 square metres (323 sq ft).
- 31.10.3 The height of an accessory building shall not exceed 4.5 metres (14.8 sq ft).
- 31.10.4 Side yard setbacks shall be provided with a minimum width of ten percent of the average width of the lot. This width need not exceed 1.5 metres (5 ft).
- 31.10.5 On a corner lot, the side yard adjoining the flanking street shall be not less than 3.0 metres (9.8 ft) in width.
- 31.10.6 A rear yard setback shall be provided of not less than 1.5 metres (5 ft) in depth.

40. 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.

41. MULTIPLE-FAMILY RESIDENTIAL (RM1)**41.1 Intent**

The intent of this zone is to accommodate ground oriented low density multiple-family development with a minimum site area of 744.0 square metres (8008 sq ft) or more.

41.2 Permitted Uses

- (1) Multiple-family residential
- (2) Accessory home occupation
- (3) Accessory off-street parking

41.3 Conditions of Use

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

41.4 Lot Coverage

The maximum permitted lot coverage is 30 percent.

41.5 Maximum Height of Building

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

41.6 Setbacks

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

41. MULTIPLE-FAMILY RESIDENTIAL DISTRICTS (RM1) 41.6

- 41.6.3 Where one wall faces another wall of the same building or of another building on the same lot, each wall shall be sited to provide a continuous horizontal arc, unencumbered by buildings on the same lot, of radius not less than:
- (a) 11.0 metres (36 ft) from the centre of all windows in a living room.
 - (b) 8.0 metres (26.3 ft) from the centre of all windows in a habitable room other than the living room.
 - (c) 5.0 metres (16.4 ft) from the centre of all other windows, from walls, and from outside corners of buildings.

41.7 Useable Open Space

Useable open space shall be provided of not less than 18.5 square metres (200 sq ft) for the exclusive use of each residential unit and located immediately adjacent to the unit.

41.8 Residential Floor Areas

- 41.8.1 Each bachelor residential unit shall have an area not less than 36.0 square metres (387 sq ft).
- 41.8.2 Each one bedroom residential unit shall have an area not less than 53.0 square metres (570 sq ft).
- 41.8.3 Each two bedroom residential unit shall have an area not less than 69.5 square metres (748 sq ft).
- 41.8.4 Each residential unit with three or more bedrooms shall have an area not less than 83.5 square metres (900 sq ft).
- 41.8.5 Where the floor area within a dwelling unit is not located on one storey, an additional 20% of minimum floor area shall be required.

41.9 Buildings and Structures for Accessory Off-Street Parking

- 41.9.1 The maximum coverage of an accessory building shall be fifteen percent of the site area.
- 41.9.2 The height of an accessory building shall not exceed 4.57 metres (15 ft).
- 41.9.3 Setbacks shall be provided of not less than 6.0 metres (19.7 ft) from all site lot lines and from other buildings on the site.

42. MULTIPLE-FAMILY RESIDENTIAL (RM2)**42.1 Intent**

The intent of this zone is to provide for medium density multiple-family development designed primarily for families with young children, with a minimum site area of 744.0 square metres (8008 sq ft) or more.

42.2 Permitted Uses

- (1) Multiple-family residential
- (2) Accessory home occupation
- (3) Accessory off-street parking

42.3 Conditions of Use

42.3.1 Each residential unit shall have a separate outside entrance at ground level.

42.3.2 The maximum length of a residential structure shall be 30 metres (98 ft).

42.4 Lot Coverage

The maximum permitted lot coverage is 25 percent.

42.5 Maximum Height of Building

The height of a building shall not exceed the lesser of 7.0 metres (22.966 ft) or two storeys.

42.6 Setbacks

42.6.1 Setbacks of not less than 6.0 metres (19.7 ft) in depth shall be provided from all site lot lines.

42.6.2 A minimum distance of 4.5 metres (14.8 ft) shall be provided between buildings on the site.

42.6.3 Where one wall faces another wall of the same building or of another building on the same lot, each shall be sited to provide a continuous horizontal arc, unencumbered by buildings on the same lot, of a radius not less than:

- (a) 11.0 metres (36 ft) from the centre of all windows in a living room.
- (b) 8.0 metres (26.3 ft) from the centre of all windows in a habitable room other than the living room.
- (c) 5.0 metres (16.4 ft) from the centre of all other windows, from walls, and from outside corners of buildings.

42. MULTIPLE-FAMILY RESIDENTIAL (RM2) (CONTINUED) 42.6.3**42.7 Useable Open Space**

Useable open space shall be provided of not less than 18.5 square metres (200 sq ft) for the exclusive use of each residential unit and shall be located immediately adjacent to the unit.

42.8 Residential Floor Areas

- 42.8.1 Each bachelor residential unit shall have an area not less than 36.0 square metres (387 sq ft).
- 42.8.2 Each one bedroom residential unit shall have an area not less than 53.0 square metres (570 sq ft).
- 42.8.3 Each two bedroom residential unit shall have an area not less than 69.5 square metres (748 sq ft).
- 42.8.4 Each residential unit with three or more bedrooms shall have an area not less than 83.5 square metres (900 sq ft).
- 42.8.5 Where the floor area within a dwelling unit is not located on one storey, an additional 20% of minimum floor area shall be required.

42.9 Buildings and Structures for Accessory Off-Street Parking

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

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

43. MULTIPLE-FAMILY RESIDENTIAL (RM3)**43.1 Intent**

The intent of this zone is to provide for development of either ground-oriented townhouses or stacked townhouses/garden apartments.

43.2 Permitted Uses

- (1) Multiple-family residential
- (2) Accessory home occupation
- (3) Accessory off-street parking
- (4) Useable open space

43.3 Conditions of Use

43.3.1 Multiple-family residential uses shall be either ground-oriented townhouses or stacked townhouses/garden apartments.

43.3.2 Three or more residential units shall be contained within each building in a development.

43.3.3 Each residential unit shall have a separate outside entrance at ground level.

43.3.4 Common open space shall:

- (a) be provided on-site for all developments of 10 residential units or more;
- (b) provide five square metres (54 sq ft) per residential unit;
- (c) be developed for use by residents;
- (d) be continuously maintained.

43.4 Lot Coverage

The maximum permitted coverage is 50 percent.

43.5 Maximum Height of Building

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

43.6 Setbacks

43.6.1 Setbacks of not less than 6.0 metres (19.7 ft) in depth shall be provided from all lot lines.

43.6.2 A minimum distance of 4.5 metres (14.8 ft) shall be provided between buildings on the lot.

43.6.3 A minimum distance of 7.5 metres (24.6 ft) shall be provided between buildings where facing walls contain windows or balconies.

43. MULTIPLE-FAMILY RESIDENTIAL (RM3) (CONTINUED)

43.6.4 Daylight access shall be provided:

- (a) from the outside of the mid-point of the exterior walls of every habitable room there shall be an unobstructed view for distance of not less than twenty-four (24) metres (78.7 ft), measured horizontally one (1) metre (3.3 ft) above the floor of the habitable room. Such view shall extend through either a continuous horizontal arc of not less than 50 degrees, or through two or more horizontal arcs which in the aggregate contain not less than 70 degrees. For the purpose of this subsection the following shall be considered as obstructions:
 - (i) the theoretically equivalent buildings located on any adjoining sites in any residential district in a corresponding position by rotating the plot plan of the proposed building 180 degrees about a horizontal axis located on the property lines of the proposed site;
 - (ii) part of the same building including permitted projections;
 - (iii) the maximum size building permitted under the appropriate commercial or civic schedule if the site adjoins a commercial or civic lot;
- (b) for the purpose of this subsection, a kitchen shall not be counted as a habitable room unless its area is greater than 10 percent of the total floor area of the dwelling unit in which it is situated, or 6.5 square metres (70 sq ft), whichever is greater.

43.7 Usable Open Space

- 43.7.1 In ground-oriented townhouses, usable open space shall be provided of not less than 40 square metres (430 sq ft) for the exclusive use of each residential unit and located immediately adjacent to the unit.
- 43.7.2 In stacked townhouses/garden apartments, useable open space shall be provided of not less than 15 square metres (161 sq ft) for the exclusive use of each residential unit and located to be directly accessible to the unit.
- 43.7.3 For developments of 10 residential units or more, 5.0 square metres (54 sq ft) of common open space per unit shall be provided and maintained for use by residents.

43. MULTIPLE-FAMILY RESIDENTIAL (RM3) (CONTINUED)**43.8 Buildings and Structures for Accessory Off-Street Parking**

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

- 43.8.1 The lot coverage of an accessory building is included in the lot coverage permitted in Section 43.4.

- 43.8.2 The height of an accessory building shall not exceed 4.0 metres (13 ft).
- 43.8.3 Setbacks shall be provided of not less than 6.0 metres (19.7 ft) from all lot lines.
- 43.8.4 Setbacks shall be provided of not less than 4.5 metres (14.8 ft) from other buildings on the lot.

44. MULTIPLE-FAMILY RESIDENTIAL (RM4)**44.1 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.

44.2 Permitted Uses

- (1) Multiple-family residential
- (2) Accessory off-street parking
- (3) **Accessory home occupation use type II
(added by Bylaw No. 2348)**

44.3 Conditions of Use

The maximum length of a residential structure shall be 45.0 metres (148 ft).

44.4 Lot Coverage

The maximum permitted lot coverage is 40 percent.

44.5 Floor Area Ratio

The maximum permitted floor area ratio is 1.0.

44.6 Maximum Height of Building

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

44.7 Setbacks

- 44.7.1 Setbacks of not less than 6.0 metres (19.7 ft) shall be provided from all lot lines.
- 44.7.2 A minimum distance of 4.5 metres (14.8 ft) shall be provided between buildings on the site.
- 44.7.3 Where one wall faces another wall of the same building or of another building on the same lot, each shall be sited to provide a continuous horizontal arc, unencumbered by buildings on the same lot, of radius not less than:
 - (a) 11.0 metres (36 ft) from the centre of all windows in a living room;
 - (b) 5.0 metres (16.4 ft) from the centre of all other windows, from walls, and from outside corners of buildings.

44.8 Usable Open Space

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

44. MULTIPLE-FAMILY RESIDENTIAL (RM4) (CONTINUED)**44.9 Indoor Recreation Space**

- 44.9.1 Indoor recreation space shall be provided for the use of residents with a minimum area of 38.0 square metres (409 sq ft) for developments of not more than 10 residential units.
- 44.9.2 An additional 2.4 square metres (25.8 sq ft) of indoor recreation space shall be provided for each residential unit in excess of ten units.

44.10 Residential Floor Area

- 44.10.1 Each bachelor residential unit shall have an area not less than 36.0 square metres (387 sq ft).
- 44.10.2 Each one bedroom residential unit shall have an area not less than 53.0 square metres (570 sq ft).
- 44.10.3 Each two bedroom residential unit shall have an area not less than 69.5 square metres (748 sq ft).
- 44.10.4 Each residential unit with three or more bedrooms shall have an area not less than 83.5 square metres (900 sq ft).

44.11 Buildings and Structures for Accessory Off-Street Parking

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

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

45. MULTIPLE-FAMILY RESIDENTIAL (RM5)**45.1 Intent**

The intent of this zone is to provide for high-density multiple-family residential development with a minimum lot area of 1,485 square metres (16,000 sq ft) or more.

45.2 Permitted Uses

- (1) Multiple-family residential
- (2) Accessory off-street parking
- (3) **Accessory home occupation use type II
(added by Bylaw No. 2348)**

45.3 Lot Coverage

The maximum permitted lot coverage is 30 percent.

45.4 Floor Area Ratio

The maximum permitted floor area ratio is 1.2, provided that this amount may be increased by:

- 45.4.1 0.001 times the lot area for every 20.0 square metres (215 sq ft) of lot area in excess of 1,485 square metres (16,000 sq ft), not to exceed 0.3 times the lot area; plus
- 45.4.2 0.2 times the lot area times the ratio of concealed to required off-street parking, not to exceed 0.3 times the lot area; plus
- 45.4.3 0.04 times the lot area for every 1% or 20.0 square metres (215 sq ft) whichever is greater, of the total site developed for recreational purposes, not to exceed 0.2 times the lot area.

45.5 Maximum Height of Building

The height of a building shall not exceed 38.0 metres (125 ft).

45.6 Setbacks

- 45.6.1 Setbacks of not less than 7.5 metres (24.7 ft) in depth shall be provided from all lot lines.
- 45.6.2 A minimum distance of 4.5 metres (14.8 ft) shall be provided between buildings on the lot.
- 45.6.3 A minimum distance of 10.5 metres (34.5 ft) shall be provided between buildings where a facing wall contains windows or balconies.

45. MULTIPLE-FAMILY RESIDENTIAL (RM5) (CONTINUED)**45.7 Residential Floor Areas**

- 45.7.1 Each bachelor residential unit shall have an area not less than 36.0 square metres (387 sq ft).
- 45.7.2 Each one bedroom residential unit shall have an area not less than 53.0 square metres (570 sq ft).
- 45.7.3 Each two bedroom residential unit shall have an area not less than 69.5 square metres (748 sq ft).
- 45.7.4 Each residential unit with three or more bedrooms shall have an area not less than 83.5 square metres (900 sq ft).

45.8 Buildings and Structures for Accessory Off-Street Parking

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

- 45.8.1 The maximum lot coverage of accessory buildings shall be 10 percent of the site area.
- 45.8.2 The height of an accessory building shall not exceed 4.5 metres (14.8 ft).
- 45.8.3 Setbacks shall be provided of not less than 7.5 metres (24.7 ft) from all lot lines and from other buildings on the lot.
- 45.8.4 Accessory buildings shall be sited to the rear of the front face of a principal building on the lot.

RM6 ZONE ADDED BY BYLAW NO. 2127**46. MULTIPLE-FAMILY RESIDENTIAL (RM6)****46.1 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 in North Shore Neighbourhood 2.

46.2 Permitted Uses

- (1) Multiple-family residential
- (2) Accessory off-street parking
- (3) Private recreation centre
- (4) **Accessory home occupation use type II
(added by Bylaw No. 2348)**

46.3 Conditions of Use

The maximum length of a residential structure shall be 45.0 metres (148 ft).

46.4 Lot Coverage

The maximum permitted lot coverage is 40 percent.

46.5 Floor Area Ratio

The maximum permitted floor area ratio is 1.0.

46.6 Maximum Height of Building

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

46.7 Setbacks

- 46.7.1 Setbacks of not less than 6.0 metres (19.7 ft) shall be provided from all lot lines.
- 46.7.2 A minimum distance of 4.5 metres (14.8 ft) shall be provided between buildings on the site.
- 46.7.3 Where one wall faces another wall of the same building or of another building on the same lot, each shall be sited to provide a continuous horizontal arc, unencumbered by buildings on the same lot, of radius not less than:
 - (a) 11.0 metres (36 ft) from the centre of all windows in a living room;
 - (b) 5.0 metres (16.4 ft) from the centre of all other windows, from walls, and from outside corners of buildings.

46.8 Usable Open Space

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

46. MULTIPLE-FAMILY RESIDENTIAL (RM6) (CONTINUED)**46.9 Indoor Recreation Space**

- 46.9.1 Indoor recreation space shall be provided for the use of residents with a minimum area of 38.0 square metres (409 sq ft) for developments of not more than 10 residential units.
- 46.9.2 An additional 2.4 square metres (25.8 sq ft) of indoor recreation space shall be provided for each residential unit in excess of ten units.

46.10 Residential Floor Area

- 46.10.1 Each bachelor residential unit shall have an area not less than 36.0 square metres (387 sq ft).
- 46.10.2 Each one bedroom residential unit shall have an area not less than 53.0 square metres (570 sq ft).
- 46.10.3 Each two bedroom residential unit shall have an area not less than 69.5 square metres (748 sq ft).
- 46.10.4 Each residential unit with three or more bedrooms shall have an area not less than 83.5 square metres (900 sq ft).

46.11 Buildings and Structures for Accessory Off-Street Parking

Accessory buildings or structure for accessory off-street parking are permitted as follows:

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

46.12 Buildings Per Lot

Notwithstanding Section 5.4.2, there is no limit on the number of buildings which may be located on a lot.

46.13 Parcel Area Requirements

The minimum permitted area of a lot created by subdivision is 2.0 hectares (5.0 acres).

46. MULTIPLE-FAMILY RESIDENTIAL (RM6) (CONTINUED)**46.14 Maximum Density**

The maximum permitted density of a development on a lot shall be 100 dwelling units, except for a lot subdivided within the area shown on Schedule "A" which forms part of this bylaw, where such lot shall have a maximum density of 140 dwelling units.

46.15 Minimum Density

No multiple family residential development shall be approved if it would necessarily result in fewer than 75 dwelling units ultimately being constructed on a lot.

RM7 ZONE ADDED BY BYLAW NO. 2128**47. MULTIPLE-FAMILY RESIDENTIAL (RM7)****47.1 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 in North Shore Neighbourhood 2.

47.2 Permitted Uses

- (1) Multiple-family residential
- (2) Accessory off-street parking
- (3) Private recreation centre
- (4) **Accessory home occupation use type II
(added by Bylaw No. 2348)**

47.3 Conditions of Use

The maximum length of a residential structure shall be 45.0 metres (148 ft).

47.4 Lot Coverage

The maximum permitted lot coverage is 40 percent.

47.5 Floor Area Ratio

The maximum permitted floor area ratio is 1.0.

47.6 Maximum Height of Building

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

47.7 Setbacks

- 47.7.1 Setbacks of not less than 6.0 metres (19.7 ft) shall be provided from all lot lines.
- 47.7.2 A minimum distance of 4.5 metres (14.8 ft) shall be provided between buildings on the site.
- 47.7.3 Where one wall faces another wall of the same building or of another building on the same lot, each shall be sited to provide a continuous horizontal arc, unencumbered by buildings on the same lot, of radius not less than:
 - (a) 11.0 metres (36 ft) from the centre of all windows in a living room;
 - (b) 5.0 metres (16.4 ft) from the centre of all other windows, from walls, and from outside corners of buildings.

47. MULTIPLE-FAMILY RESIDENTIAL (RM7) (CONTINUED)**47.8 Usable Open Space**

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

47.9 Indoor Recreation Space

47.9.1 Indoor recreation space shall be provided for the use of residents with a minimum area of 38.0 square metres (409 sq ft) for developments of not more than 10 residential units.

47.9.2 An additional 2.4 square metres (25.8 sq ft) of indoor recreation space shall be provided for each residential unit in excess of ten units.

47.10 Residential Floor Area

47.10.1 Each bachelor residential unit shall have an area not less than 36.0 square metres (387 sq. ft).

47.10.2 Each one bedroom residential unit shall have an area not less than 53.0 square metres (570 sq. ft).

47.10.3 Each two bedroom residential unit shall have an area not less than 69.5 square metres (748 sq. ft).

47.10.4 Each residential unit with three or more bedrooms shall have an area not less than 83.5 square metres (900 sq ft).

47.11 Buildings and Structures for Accessory Off-Street Parking

Accessory buildings or structures for accessory off-street parking are permitted as follows:

47.11.1 The maximum lot coverage of an accessory building shall be 15 percent of the lot area.

47.11.2 The height of an accessory building shall not exceed 4.5 metres (14.8 ft).

47. MULTIPLE-FAMILY RESIDENTIAL (RM7) (CONTINUED)**47.11 Buildings and Structures for Accessory Off-Street Parking**

47.11.3 Setbacks shall be provided of not less than 6.0 metres (19.7 ft) from all lot lines and from other buildings on the lot.

47.11.4 Accessory buildings shall be sited to the rear of the front face of a principal building on the lot.

47.12 Buildings Per Lot

Notwithstanding Section 5.4.2, there is no limit on the number of buildings which may be located on a lot.

47.13 Parcel Area Requirements

The minimum permitted area of a lot created by subdivision is 0.4 hectares (1 acre).

47.14 Density

47.14.1 The maximum permitted density of development in the entire RM7 Zone is 300 dwelling units.

47.14.2 No multiple family residential development shall be approved if it would necessarily result in fewer than 225 dwelling units ultimately being constructed in the zone.

47.14.3 If a lot comprising the entire RM7 Zone is subdivided, the maximum permitted density of development on any lot created by such subdivision may be up to 75 units per hectare (30 units per acre) if it would not result in the maximum permitted density of 300 units in the entire RM7 Zone being exceeded.

47.14.4 If a lot comprising the entire RM7 Zone is subdivided, the minimum permitted density of development on a lot created by such subdivision may be as few as 25 units per hectare (10 units per acre) if it would not result in the minimum permitted density of 225 units in the entire RM7 Zone not being achieved.

50. 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.

51. LOCAL COMMERCIAL (C1)**51.1 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.

51.2 Permitted Uses

- (1) Retail sale of groceries, confections, magazines, lottery tickets and cigarettes.
- (2) Accessory one-family residential
- (3) Accessory off-street parking
- (4) Child Care Use

Added by
Bylaw #2930→

51.3 Conditions of Use

51.3.1 Commercial use shall be limited to a maximum sales floor area of 140 square metres (1507 sq ft).

51.3.2 An accessory one-family residential use shall be contained within the same structure as the permitted retail sales use.

51.4 Lot Coverage

The maximum permitted lot coverage is 40 percent.

51.5 Maximum Height of Building

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

51.6 Front Yard Setback

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

51. LOCAL COMMERCIAL (C1) (CONTINUED)**51.7 Side Yard Setbacks**

- 51.7.1 Side yards shall be provided with a minimum width of 10 percent of the average width of the lot, to a maximum requirement of 1.5 metres (5 ft).
- 51.7.2 On a corner lot, the side yard adjoining the flanking street shall be not less than 3.0 metres (9.8 ft) in width.

51.8 Rear Yard Setback

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

51.9 Accessory Building

One accessory building is permitted, as follows:

- 51.9.1 An accessory building shall be located within the rear yard of a local commercial use.
- 51.9.2 The maximum lot coverage of an accessory building is 7 percent.
- 51.9.3 The height of an accessory building shall not exceed 4.5 metres (14.8 ft).
- 51.9.4 side yard setbacks shall be provided with a minimum width of 10 percent of the average width of the lot, to a maximum requirement of 1.5 metres (5 ft).
- 51.9.5 On a corner lot, the side yard adjoining the flanking street shall be not less than 3.0 metres (9.9 ft) in width.
- 51.9.6 A rear yard setback shall be provided of not less than 1.5 metres (5 ft) in depth.

52. NEIGHBOURHOOD COMMERCIAL (C2)**52.1 Intent**

The intent of this zone is to provide for neighbourhood retail shopping.

SECTION 52.2 AMENDED BY BYLAW NO. 2598**52.2 Permitted Uses**

- (1) Retail Service (Groups A and B)
- (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

52.3 Conditions of Use

- 52.3.1 A commercial use shall be completely enclosed within a structure except for parking and loading facilities.
- 52.3.2 A residential use shall be limited to storeys above the first storey of the structure in which it is contained.
- 52.3.3 A residential use shall be the exclusive use in each storey which is so used.
- 52.3.4 Signs shall not be permitted on or above storeys used for residential units.
- 52.3.5 A flea market shall be permitted provided that such use is completely enclosed within a building.
- 52.3.6 An off-street parking use shall be located to the rear of a building except that where lot area exceeds 2,787 square metres (30,000 sq ft), such use may be located anywhere on the lot.

52.4 Lot Coverage

- 52.4.1 The maximum lot coverage of the first and second storeys is 70 percent.
- 52.4.2 The maximum lot coverage above the second storey is 35 percent.
- 52.4.3 An accessory off-street parking use shall not occupy more than 90 percent of the surface of the lot area.

52 NEIGHBOURHOOD COMMERCIAL (C2) (CONTINUED)**52.5 Maximum Height of Building**

The height of a building shall not exceed the lesser of 9.5 metres (31 ft) or 3 storeys.

52.6 Side Yard Setbacks

52.6.1 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 meters (5 ft).

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

52.7 Rear Yard Setback

A rear yard shall be provided of not less than 1.5 metres (5 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 metres (11.5 ft).

52.8 Residential Floor Areas

52.8.1 Each bachelor residential unit shall have an area not less than 36.0 square metres (387 sq ft).

52.8.2 Each one bedroom residential unit shall have an area not less than 53.0 square metres (570 sq ft).

52.8.3 Each two bedroom residential unit shall have an area not less than 69.5 square metres (748 sq ft).

52.8.4 Each residential unit with three or more bedrooms shall have an area not less than 83.5 square metres (900 sq ft).

53. COMMUNITY COMMERCIAL (C3)

53.1 Intent

The intent of this zone is to provide for daily and occasional shopping needs of residents of several neighbourhoods.

SECTION 53.2 AMENDED BY BYLAW NO. 2598

53.2 Permitted Uses

- (1) Retail Service (Groups A and B)
- (2) Accessory one-family, two-family or multiple-family residential
- (3) Accessory off-street parking
- (4) Accessory off-street loading
- (5) Home Office Unit (Added by Bylaw No. 2265)
- (6) Tourist accommodation (Added by Bylaw No. 2517)
- (7) 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'.
- (8) 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

(9) added by Bylaw No. 2728

- (9) 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.

(10) added by Bylaw No. 2817

- (10) Live-work use and child care use shall be permitted uses on the following property in this zone legally described as:
Lot 2, Section 16, Township 39, Plan LMP 52306, NWD

**Added by
Bylaw
#2930→**

- (11) Child Care Use

53. COMMUNITY COMMERCIAL (C3) (CONTINUED)**53.3 Conditions of Use**

- 53.3.1 Retail service use shall be conducted within a completely enclosed building except for parking and loading facilities.
- 53.3.2 All goods produced on the premises shall be sold on the same premises.
- 53.3.3 All principal uses shall be oriented to pedestrian needs and be so located and designed to avoid vehicular interference with pedestrian movement.
- 53.3.4 A flea market shall be permitted provided that such use is completely enclosed within a building.
- 53.3.5 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.
- 53.3.6 Accessory off-street loading shall be located entirely in the rear yard.
- 53.3.7 Providing space for tents, camper vehicles, or trailers for tourist accommodation is not permitted.

Added by
Bylaw No.
2517→

53.4 Maximum Height of Building

The height of a building shall not exceed the lesser of 9.5 metres (31 ft) or 3 storeys.

53.5 Side Yard Setbacks

- 53.5.1 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 metres (5 ft).
- 53.5.2 On a corner lot, the side yard adjoining the flanking street shall be not less than 3.0 metres (9.8 ft) in width.

53.6 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 metres (11.5 ft).

54. SERVICE STATION COMMERCIAL (C4)**54.1 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.

54.2 Permitted Uses

- (1) Gasoline Service Station
- (2) Confectionery Sales
- (3) Accessory off-street parking

54.3 Conditions of Use**FOLLOWING SECTION AMENDED AND SECTION (II) ADDED BY BYLAW NO. 2358**

- (i) Confectionery sales shall be limited to a maximum floor area of 55 square metres (592 sq ft) and contained within the principal building.
- (ii) 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.

54.4 Lot Coverage

The maximum permitted lot coverage is 40 percent.

54.5 Height of Building

The height of a building shall not exceed the lesser of 7.5 metres (24.7 ft) or 1 storey.

54.6 Front Yard Setback

- 54.6.1 A front yard shall be provided of not less than 9.0 metres (29.5 ft).
- 54.6.2 A front setback shall be provided of not less than 4.5 metres (14.8 ft) to a service station pump or canopy.
- 54.6.3 An accessory off-street parking use shall in no case be located closer than 6.0 metres (19.7 ft) to the front lot line.

54.7 Side Yard Setbacks

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

54.8 Rear Yard Setback

A rear yard shall be provided of not less than 5.5 metres (18 ft).

55. AUTOMOBILE-ORIENTED COMMERCIAL (C5)**55.1 Intent**

The intent of this zone is to provide for the development of automobile-oriented commercial uses in proper relationship to major thoroughfares and surrounding uses.

SECTION 55.2 AMENDED BY BYLAW NO. 2598**55.2 Permitted Uses**

- (1) Automobile-oriented commercial
- (2) Commercial, as set out in Section 55.3.1
- (3) Tourist accommodation
- (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

***SECTION (a) AMENDED BY BYLAW NO. 2252**
***SECTION (b) AMENDED BY BYLAW NO. 2598**

55.3 Conditions of Commercial Use

55.3.1 Commercial use shall be limited to:

- (a) the retail sale of building supplies, beverages, confections, ***fireworks**, ice, tobaccos, automobile parts and accessories;
- (b) cafes, restaurants;

THIS SECTION AMENDED BY BYLAW NO. 2038

- (c) **bowling alleys, dance studios, health clubs, recreation clubs, billiard halls and penny arcades; and**
- (d) drive-in restaurants.

55.3.2 Tourist accommodation is not permitted on a lot of less than 2,322.0 square metres (25,000 sq ft).

55. AUTOMOBILE-ORIENTED COMMERCIAL (C5) (CONTINUED) 55.3

- 55.3.3 Tourist accommodation shall be in sleeping units or housekeeping units.
- 55.3.4 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.
- 55.3.5 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 metres (8 ft) above finished ground level.
- 55.3.6 Accessory off-street loading shall be located entirely within the rear yard.

55.4 Lot Coverage

The maximum permitted lot coverage shall be 70 percent.

55.5 Maximum Height of Building

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

55.6 Front Yard Setback

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

55.7 Side Yard Setbacks

- 55.7.1 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 metres (19.7 ft).
- 55.7.2 In the case of a corner lot, the side yard adjoining the flanking street shall be not less than 3.0 metres (9.9 ft) in width.

55.8 Rear Yard Setback

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

55.9 Accommodation Floor Areas

- 55.9.1 Each sleeping unit shall have an area of not less than 28.0 square metres (301 sq ft).
- 55.9.2 Each housekeeping unit shall have an area of not less than 37.0 square metres (398.3 sq ft).

56. ADAPTIVE USE COMMERCIAL (C6)**56.1 Intent**

The intent of this zone is to allow for the conversion of residential buildings to specified commercial uses. It is intended that minimal exterior alterations will be made to the existing buildings and that the grounds of the building will be preserved.

56.2 Permitted Uses

- (1) Adaptive commercial
- (2) Accessory one-family, two-family or multiple-family residential, located within the principal building
- (3) Accessory off-street parking
- (4) Accessory off-street loading
- (5) Child Care Use

Added by Bylaw
#2930➔

56.3 Conditions of Use

- 56.3.1 A building containing an adaptive commercial use shall have a total floor area of not less than 74.0 square metres (797 sq ft).
- 56.3.2 Operation of an adaptive commercial use is not permitted between the hours of 10:00 p.m. and 8:00 am
- 56.3.3 A residential use shall be the only use in each storey so used.
- 56.3.4 Accessory off-street parking and accessory off-street loading shall be located entirely within the rear yard.

56.4 Lot Coverage

The maximum permitted lot coverage is 40 percent.

56.5 Height of Building

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

56.6 Front Yard Setback

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

56.7 Side Yard Setbacks

- 56.7.1 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 metres (5 ft).
- 56.7.2 In the case of a corner lot, the side yard adjoining the flanking street shall be not less than 3.0 metres (9.9 ft) in width.

56. ADAPTIVE USE COMMERCIAL (C6) (CONTINUED)

56.8 Rear Yard Setback

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

57. COMMERCIAL RECREATION (C7)**57.1 Intent**

The intent of this zone is to provide for the accommodation of private and public recreational, cultural and related uses which serve the community at large and the location of these in proper relationship to surrounding development.

57.2 Permitted Uses

- (1) Commercial recreation and marina
- (2) Accessory off-street parking
- (3) Accessory off-street loading

57.3 Conditions of Use

57.3.1 A marina use shall be limited to:

- (a) retail sales of boats and marina equipment, storage and renting of boats, and marine gasoline service station;
- (b) repair of boats.

57.3.2 A marina shall conform to the "Criteria for Development of Marine Facilities", dated September 14, 1976, attached to and forming part of this Bylaw as Schedule "B".

57.4 Height of Building

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

57.5 Front Yard Setback

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

57.6 Accessory Building

One accessory building is permitted, as follows:

- 57.6.1 The maximum lot coverage of an accessory building shall be 5 percent.
- 57.6.2 The height of an accessory building shall not exceed 6.0 metres (19.7 ft).
- 57.6.3 Setbacks shall be provided of not less than 6.0 metres (19.7 ft).

**SECTION 58 ADDED BY BYLAW #2387
AMENDED BY BYLAW #2526**

58. ADULT ORIENTED ACTIVITY (C8)

58.1 Intent

The intent of this zone is to allow for adult oriented businesses.

58.2 Permitted Uses

- (1) Adult Entertainment Use
- (2) Adult Theatre
- (3) Adult Video Store
- (4) Adult Entertainment Establishment
- (5) Pawnbroker

58.3 Conditions of Adult Entertainment Use

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

- a) no use in the zone is permitted within 400 m from a school or public or institutional recreational facility; and
- b) 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.

58.4 Lot Coverage

The maximum permitted lot coverage shall be 70 percent.

58.5 Maximum Height of Building

The height of a building shall not exceed the lesser of 9.0 metres (29.5 ft) or 2 stories.

58.6 Front Yard Setback

- 58.6.1 A front yard shall be provided of not less than 6.0 metres (19.7 ft);
- 58.6.2 An accessory off-street parking use shall not be located closer than 6.0 meters (19.7 ft) to the front lot line.

58. Adult Entertainment (C8) (continued)**58.7 Side Yard Setback**

58.7.1 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 metres (19.7 ft).

58.7.2 In the case of a corner lot, the side yard adjoining the flanking street shall be not less than 3.0 metres (9.9 ft) in width

58.8 Rear Yard Setback

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

58.9 Accessory Buildings

No accessory buildings or uses are permitted in this zone.

Sections Re-numbered – Bylaw No. 2471*60. INDUSTRIAL DISTRICTS (M)**

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

61. LIGHT INDUSTRIAL (M1)**61.1 Intent**

The intent of this zone is to allow for light industrial uses.

SECTION 61.2 AMENDED BY BYLAW NO. 2517 & 2594**61.2 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 metres (200 ft) from any Residential District.
- (6) Trade schools.
- (7) Veterinary hospitals.
- Amended by
BL#2946**

 (8) For the property at 3210 St. Johns Street, children's education and entertainment use shall be permitted.
- (9) 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 parcel may be devoted to retail space;

61. LIGHT INDUSTRIAL (M1) (CONTINUED)

(c) the remaining floor area is not open to the public and is not used for commercial purposes.

Added by
BL#2946

(10) commercial athletic and recreation use.

(11) animal day care use.

61.3 Conditions of Use

61.3.1 All industrial uses shall be conducted within a completely enclosed building except for permitted accessory unenclosed storage, parking and loading facilities.

61.3.2 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 metres (19.7 ft) from the lot line and 3.0 metres (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 metres (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.

61.3.3 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.

61.3.4 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.

61.4 Height of Building

The height of a building shall not exceed 8.0 metres (26 ft).

61.5 Front Yard Setback

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

61. LIGHT INDUSTRIAL (M1) (CONTINUED)

Former
Section 61.6
replaced by
Bylaw #1916
➔

61.6 Side Yard Setbacks

All buildings and structures shall be sited not less than:

61.6.1 0 or 3 metres (10 ft) from an interior lot line but in no case any distance between 0 and 3 metres (10 ft) except that those lots fronting on St. John's Street shall be sited a minimum of 3 metres (10 ft) from each interior lot line or 0 metres from one interior lot line and 6 metres (20 ft) from the other

61.6.2 3.0 metres (10 ft) from an exterior side lot line.

61.7 Rear Yard Setback

A rear yard shall be provided of not less than 6.0 metres (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 zero (0) metres from the rear property line.

61.8 Accessory Buildings

Buildings for a use customarily accessory to the above buildings is permitted, provided that all accessory buildings shall occupy an area of not greater than 10 percent of the area of the lot, and shall not be over 3.7 metres (12 ft) in height.

62.1 Intent

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

SECTION 62.2 AMENDED BY BYLAW NO. 2517**62.2 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 metres (200 ft) from any Residential District.
- (6) Trade schools.

62. LIGHT INDUSTRIAL/COMMERCIAL (M2)**62.2 Permitted Uses (Continued)**

- (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 metres (12 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.

62.3 Conditions of Use

- 62.3.1 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
 - (i) Display occurs in areas approved as designated display area.

62. LIGHT INDUSTRIAL/COMMERCIAL (M2)**62.3 Conditions of Use (Continued)**

- 62.3.2 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 square metres (398.3 sq ft) and that this slab is located no closer than 3.5 metres (11.5 ft) to the front property line.
- 62.3.3 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 metres (19.7 ft) from the front lot line and 3.0 metres (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 metres (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.
- 62.3.4 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.

62.4 Height of Building

The height of a building shall not exceed 8.0 metres (26 ft).

62.5 Side Yard Setbacks

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

62.6 Rear Yard Setback

A rear yard shall be provided of not less than 6.0 metres (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 metres from the rear property line.

63. GENERAL INDUSTRIAL (M3)**63.1 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.

SECTION 63.2 AMENDED BY BYLAW NO. 2598**63.2 Permitted Uses**

- (1) Industrial
- (2) Accessory off-street parking
- (3) Accessory off-street loading
- (4) Accessory unenclosed storage
- (5) 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.

63.3 Conditions of Use

63.3.1 An industrial use shall not discharge or emit across lot lines:

- (a) Odors, toxic, or noxious matter or vapours.
- (b) Heat, glare, or radiation
- (c) Recurrently generated ground vibration.

63.3.2 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 metres (7.8 ft) above finished ground level.

63.4 Front Yard Setback

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

63.5 Side Yard Setbacks

All buildings and structures shall be sited:

63.5.1 At either zero metres or not less than 3.0 metres (9.8 ft) from an interior side lot line.

63.5.2 Not less than 3.0 metres (9.8 ft) from an exterior side lot line.

63.6 Rear Yard Setback

A rear yard shall be provided of not less than 6.0 meters (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 zero metres from the rear property line.

70. 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.

71. PUBLIC SERVICE (PI)

71.1 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 City and to provide for the location and development of public land for educational, park and recreational needs.

SECTION 71.2 AMENDED BY BYLAW NO.s 2598 & 2602

71.2 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 off-street parking
- (6) Accessory off-street loading
- (7) 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)
- (8) 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
- (9) 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

→
*Amended
by Bylaw
#2443

Added by Bylaw
#2930→

Added by Bylaw
#2985→

- (10) Child Care Use
- (11) Fish Hatchery

71. PUBLIC SERVICE (P1) (CONTINUED)**71.3 Conditions of Use**

71.3.1 Accessory commercial uses shall serve the same clientele as the main principal use.

→
*Amended
by Bylaw
#2641

71.3.2 An accessory commercial use shall occupy a maximum floor area of 140.0 square metres (1,507 sq. ft.) except for the Port Moody Recreation site where an accessory commercial use shall have a maximum floor area of 650 square metres (6,997 sq. ft.) on this site which is comprised of the following lands:

- a. Lot 69, District Lots 347 and 191, Group 1, NWD, Plan 62165;
- b. Parcel C, District Lot 191, Group 1, NWD, Plan 39604;
- c. Lots F, G & H, District Lot 191, Group 1, NWD, Plan 7000;
- d. 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;
- e. Lots 1 and 2, District Lot 191, Group 1, NWD, Plan 9049

71.4 Lot Coverage

The maximum permitted lot coverage shall be 50 percent.

71.5 Height of Building

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

71.6 Front Yard Setback

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

71.7 Side Yard Setbacks

71.7.1 Side yards shall be provided with a minimum width of 1.5 metres (5 ft).

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

71.8 Rear Yard Setback

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

72. SPECIAL PUBLIC SERVICE (P2)

72.1 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.

72.2 Permitted Uses

- (1) Assembly
- (2) Private hospital
- (3) Accessory residential dwelling unit
- (4) Accessory off-street parking
- (5) Accessory off-street loading
- (6) Child Care Use accommodating 10 or more children.

Added by Bylaw No. 2481 →

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

Added by Bylaw No. 2598 →

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:

Added by Bylaw No. 2752 →

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.

- (9) Child Care Use

Added by Bylaw #2930 →

72.3 Conditions of Use

- 82.3.1 One accessory residential unit 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.
- 82.3.2 An accessory residential dwelling unit shall provide accommodation for a minister or caretaker for the institutional use.
- 82.3.3 An assembly use shall not be permitted on a lot of less than 743.0 square metres (8000 sq ft).

72.4 Lot Coverage

The maximum permitted lot coverage is be 50 percent.

72.5 Height of Building

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

72. SPECIAL PUBLIC SERVICE (P2) (CONTINUED)**72.6 Front Yard Setback**

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

72.7 Side Yard Setbacks

72.7.1 Side yards shall be provided with a minimum width of 1.5 metres (5 ft).

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

72.8 Rear Yard Setback

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

THE FOLLOWING SECTION REPLACED BY BYLAW NO. 2167

80. TOWN CENTRE ZONE**81. TOWN CENTRE ONE (TC1)****81.1 Intent**

The intent of this zone is to provide for development of an integrated project to create a town centre development including high density housing, commercial and public uses. It is anticipated that development in the TC1 zone will be subject to the issuance of a development permit.

SECTION 81.2 AMENDED BY BYLAW NO. 2598

81.2 Permitted Uses

- (1) Multiple-Family Residential Use
- (2) Retail Service Use (Group A)
- (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

- (10) Child Care Use

**Added by Bylaw
#2930→**

81. TOWN CENTRE ONE (TC1)(CONTINUED)**81.3 Sub Section (4) added by Bylaw No. 2501****81.3 Prohibited Uses**

Notwithstanding Section 81.2, the following prohibitions apply to the use of land in the TC1 zone:

- (1) Uses permitted under Retail Service Use (Group A) shall exclude department stores and trade schools.
- (2) All uses not listed in Section 81.2 are prohibited.
- (3) Not more than one supermarket shall be located within the entire TC1 zone.
- (4) As a limitation on Section 81.2 (Permitted Uses), Retail Service Use (Group A), Civic Use, Assembly Use, Public Service Use and Entertainment Use are not permitted on: Lot 3 Except Part Subdivided by Plan LMP 29116, District Lot 470, Group 1, NWD, Plan LMP 29116, and Lot A, District Lot 191 and 470, Group 1, NWD, Plan LMP 39970.

SECTION 81.4 REPLACED BY BYLAW NO. 2501**81.4 Building Heights****Building Heights**

Maximum permitted building height in the TC1 zone shall not exceed the lesser of **105 metres (260 feet) or 26 storeys**. Notwithstanding the maximum height:

- (1) No building used principally for Retail Service Use (Group A) (other than office use) or Entertainment Use shall exceed the lesser of 12.2 metres (40 feet) or four 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 **22 to 26** storeys or 3 to 6 storeys in height.

81.5 Setback

The required setback for all buildings from lot boundary lines adjoining dedicated public highways is 3 metres.

81. TOWN CENTRE ONE (TC1)(CONTINUED)**81.6 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 (Group A) (excluding office use) and Entertainment Use combined shall not exceed 4527 square metres per hectare (19,711 square feet per acre), nor a total of 6503 square metres (70,000 square feet) of such uses within the entire TC1 Zone.
- (3) The maximum gross density of Office Commercial Use shall not exceed 3,880 square metres per hectare (16,902 square feet per acre), nor a total of 5574 square metres (60,000 square feet) of such use within the entire TC1 zone.
- (4) The maximum gross area of a supermarket shall be 2300 square metres (24,750 square feet).

81.7 Parking and Loading

- (1) Off street parking shall be provided as follows:
Residential use - 1.8 spaces per dwelling unit
Retail/service commercial use - 4.5 spaces per 1,000 square feet
Office commercial use - 3.0 spaces per 1,000 square feet
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.

81.8 Indoor Recreation Space

Indoor recreation space shall be provided in or adjacent to each residential building for the use of the residents, in a minimum area of 2.4m² (25 feet) for each dwelling unit.

81. TOWN CENTRE ONE (TCI)(CONTINUED)

81.9 Minimum Parcel Area

The minimum area of a lot created by subdivision shall be 0.25 hectare (0.6 acre)".

90. COMPREHENSIVE DEVELOPMENT DISTRICTS**91. COMPREHENSIVE DEVELOPMENT DISTRICT (CD1)**

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

*Amended
by Bylaw
#2173 →

91.1 Intent

The intent of this zone is to provide for development embracing one or more zone categories as an integrated project based upon a comprehensive development plan ****or a development permit***

91.2 Permitted Uses

Land and structures may be used for a designated combination of the following uses and no others:

- (1) Uses permitted in the RS, RT or RM Districts.
- (2) Uses permitted in C1, C2, C3, ****C5, C6 *or C7*** Districts.
- (3) Uses permitted in M1 or M2 Districts either alone or in combination with uses in the P1 Districts.
- (4) Uses permitted in P1 or P2 Districts.

*Amended
by Bylaw
#2284 →

91.3 Comprehensive Development

An applicant for Comprehensive Development District zoning ****shall*** be required to submit the following information to Council:

91.3.1 A comprehensive plan, including the following:

- (a) A site plan or plans, including legal descriptions of the area to be developed, showing the location of all existing and proposed buildings, streets, lanes, highways, driveways, parking and loading areas, sidewalks, street lighting, utilities and utility easements, streams and other topographical features of the site.
- (b) Architectural plans for any proposed buildings, ****including colours & materials.***
- (c) Existing and proposed grades and their relation to the elevations on adjoining properties.
- (d) The location, size, height, colour, lighting and orientation of all signs.
- (e) The location and treatment of open spaces, landscaping fences and walls.

91. COMPREHENSIVE DEVELOPMENT (CD1) (CONTINUED) 91.3

(f) A statement of uses.

91.3.2 A statement of ownership of land and interest of the applicant therein.

91.3.3 The estimated commencement date and proposed schedule of construction.

91.3.4 A statement of financial responsibility, including the posting of **securities** to assure the installation of the improvements required by the City as a condition to development.

Provided, however, that the foregoing may be waived in whole or in part if the lot and the proposed development are located in a development permit area and the information is submitted as part of a development permit application.

91.4 Plan to be Part of Bylaw

All buildings, structures and uses shall comply with the size, shape and siting as designated on **any** approved comprehensive development plan, which shall be included in and form part of this Bylaw.

SECTION ADDED BY BYLAW NO. 2351**92. COMPREHENSIVE DEVELOPMENT ZONE (CD-24)****92.1 Intent**

The intent of this zone is to define the permitted land use and density of a designated area of land within the City's North Shore.

92.2 Permitted Uses

The permitted uses of land in this zone are as follows:

- (1) One-family residential
- (2) Accessory home occupation use (Type II)
- (3) Accessory off-street parking
- (4) One of the following:
 - Secondary suite;
 - Accessory home occupation use (Type I);
 - Accessory boarding use; or
 - Bed and Breakfast.
- (5) Child Care Use

Added by Bylaw
#2930➔

92.3 Conditions of Use

In this zone, the conditions of use (including regulations applicable to the size, shape, siting of buildings, density and subdivision of land) are as follows:

- (i) for lots created by subdivision in accordance with Appendix I which are 555 m² (6,000 sq. ft.) in area or greater up to 745 m² (8,000 sq. ft.) in area, the One-Family Residential (RS1) conditions of use in Sections 8.1 and 21.3 through 21.10 of this Bylaw apply; and
- (ii) for lots created by subdivision in accordance with Appendix I which are 375 m² (4,000 sq. ft.) in size or greater in area, but less than 555 m² (6,000 sq. ft.) in area, the One-Family Residential (RS3) conditions of use in Sections 8.1 and 23.4 through 23.11 of this Bylaw apply.

92.4 Density

The gross densities¹ permitted in this zone are as follows:

Maximum No. of Dwelling Units	Maximum Density	
	UPH ²	UPA ³
62	13.6	5.5

¹ Using Total Area prior to dedications for road and parkland

² Dwelling Units per Hectare of land

³ Dwelling Units per Acre of land

92.5 Lot Areas

Notwithstanding Section 8.1 of this Bylaw, the minimum and maximum areas of lots created by subdivision in this zone shall be as follows:

Maximum Lot Area	Minimum Lot Area
745 m ² (8,000 sq. ft.)	375 m ² (3,750 sq. ft.)

92.6 Lot Layout

The lands in this zone shall not be subdivided except generally in accordance with the draft plan of subdivision attached hereto as Appendix "I" and forming part of Bylaw No. 2351.

SECTION ADDED BY BYLAW NO. 2283**93. COMPREHENSIVE DEVELOPMENT ZONE 23 (CD23)****93.1 Intent**

The intent of this zone is to accommodate conventional one-family residential structures on lots with a minimum size of 433 m² (4,661 sq.ft.) and a minimum width of 11.4 m (37.4 ft.) to facilitate subdivision of a property described as Lot 55, D.L. 347, Group 1, New Westminster District, Plan 33214.

93.2 Permitted Uses

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

93.3 Lot Coverage

The maximum permitted lot coverage is 45 percent.

93.4 Floor Area Ratio

The maximum permitted floor area ration is 0.6.

93.5 Height of Building

The height of a building shall not exceed the lesser of 8.0 metres (26 ft.) or 2.5 storeys.

93.6 Front Yard Setback

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

93.7 Side Yard Setbacks

- 93.7.1 Side yards shall be provided with a minimum width of ten percent off the average width of the lot. This width need not exceed 1.5 metres (5 ft.).
- 93.7.2 On a corner lot, the sideyard adjoining the flanking street shall be not less than 2.5 metres (8.2 ft.) in width.

93.8 Rear Yard Setback

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

93.9 Permitted Accessory Building

One accessory building is permitted, as follows:

- 93.9.1 An accessory building shall be located within the rear yard of an one-family residential use.
- 93.9.2 The maximum coverage of shall be the lessor of 10% or 42 square metres.
- 93.9.3 The height of an accessory building shall not exceed 4.0 metres (13 ft.).
- 93.9.4 Side yard setbacks shall be provided with a minimum width of ten percent of the average width of the lot. This width need not exceed 1.5 metres (5ft.).
- 93.9.5 A rear yard setback shall be provided of not less than 1.5 metres (5 ft.) in depth.

SECTION ADDED BY BYLAW NO. 2027**94. COMPREHENSIVE DEVELOPMENT ZONE 9 (CD9-NS)****94.1 Intent**

The intent of this zone is to provide for two-family residential accommodation on lots to be developed in accordance with the bare land strata provisions under the Condominium Act which average 250 square metres or more.

94.2 Permitted Uses

The permitted uses of land in the CD9-NS Zone are limited to:

- (1) Two-Family Residential use
- (2) Private Recreation Centre
- (3) Accessory Boarding
- (4) Accessory Home Occupation
- (5) Accessory Off-Street Parking
- (6) Accessory Off-Street Loading

94.3 Conditions of Use

Notwithstanding Section 69.2, the following restrictions apply to the use of land in the CD9-NS Zone:

- (1) Two-Family Residential Use is permitted only in a semi-detached dwelling. No duplex dwelling may be constructed or used in the CD9-NS Zone.
- (2) Only one semi-detached dwelling shall be permitted on a lot.

94.4 Building Height

Maximum permitted building height in the CD9-NS Zone shall not exceed the lesser of 11 metres (36 feet) or 3 storeys.

94.5 Setbacks

The required setbacks for all buildings in the CD9-NS Zone is 3 metres from any highway.

94. COMPREHENSIVE DEVELOPMENT ZONE 9 (CD9-NS) (CONTINUED)**94.6 Floor Area Ratio**

- (1) The maximum permitted floor area ratio for a semi-detached dwelling in the CD9-NS Zone is 0.5.
- (2) The maximum permitted floor area ratio for a private recreation centre in the CD9-NS Zone is 0.3.

94.7 Parking & Loading

Off-street parking and off-street loading shall be provided in accordance with Sections 6 and 7 of this Bylaw, provided that notwithstanding Section 6.5, a minimum of 2.2 parking spaces shall be provided for each dwelling unit.

94.8 Lot Coverage

The maximum permitted lot coverage in the CD9-NS Zone is 50 percent.

94.9 Accessory Buildings

No accessory buildings are permitted in the CD9-NS Zone.

94.10 Parcel Area

Notwithstanding Section 8.1 of this bylaw, in a subdivision of land the overall average area of all the lots (including a bare land strata subdivision) in the CD9-NS Zone shall be a minimum of 250 square metres.

94.11 Siting, Size & Dimensions of Buildings & Uses & Number of Units

The siting, size and dimensions of buildings and uses of land the number of dwelling units shall be generally in accordance with the plan attached as "Schedule CD9-NS" and forming part of this Bylaw provided that the siting and form of buildings may be varied by a development authorization issued pursuant to Section 262 of the Municipalities Enabling and Validating Act.

CD-25 ZONE ADDED BY BYLAW NO. 2464**95. COMPREHENSIVE DEVELOPMENT ZONE 25 (CD 25)****95. Intent**

The intent of this zone is to facilitate development of a three storey 512.6 m², (5,518 sq ft.) building that will contain three dwelling units and a 154.5 m², (1663.5 sq. ft.) chiropractic office on the property described as Lot 19, Block 1, District Lot 202, Group 1, NWD, Plan 55, PID 011-453-851

95.2 Permitted Uses

- (1) Multiple Family Residential
- (2) Professional Offices
- (3) Accessory Home Occupation
- (4) Accessory Off Street Parking

95.3 Lot Coverage

The maximum permitted lot coverage is 35 percent.

95.4 Floor Area Ratio

The maximum permitted floor area ratio is 0.70.

95.5 Height of Building

The building height shall not exceed 10.5 metres (34.5 ft.).

95.6 Front Yard Setback

A front yard shall be provided of not less than 5.6 metres (18.41 ft) in depth.

95.7 Side Yard Setbacks

Side yards shall be provided with a minimum width of 2.1 metres (7 ft.).

95.8 Rear Yard Setback

A rear yard shall be provided of not less than 14 metres (45.9 ft.) in depth to the principle structure. A rear yard shall be provided of not less than 1.5 metres (4.9 ft.) to the parking structure.

95.9 Permitted Accessory Building

One accessory building is permitted, as follows:

- 70.9.1 An accessory building shall be located within the rear yard.

95. COMPREHENSIVE DEVELOPMENT ZONE 25 (CD 25) Continued

- 70.9.2 The maximum coverage of shall be the lessor of 10% or 42 square metres.
- 70.9.3 The height of an accessory building shall not exceed 4.0 metres (13 ft.).
- 70.9.4 Side yard setbacks shall be provided with a minimum width of ten percent of the average width of the lot. This width need not exceed 1.5 metres (5ft.).
- 70.9.5 A rear yard setback shall be provided of not less than 1.5 metres (5 ft.) in depth.

95.10 Parking and Loading

Off street parking shall be provided in accordance with Section 6 of this bylaw, with the exception of the following:

- 95.10.1 Shall provide 6 off street parking spaces generally as shown on "Schedule CD 25" of this bylaw.
- 95.10.2 Shall provide a maneuvering aisle of not less than 5.8 m (19 ft) for parking angles of 61-90 %.
- 95.10.3 Section 7 - Off Street Loading Requirements does not apply to this zone.

95.11 Siting, Size and Dimensions of Buildings and Uses and Number of Units

The siting, size, dimensions of buildings, uses of land and the number of units shall be generally in conformance with the plans attached as "Schedule CD 25" and forming part of this bylaw.

and by amending Section **4.3 Districts** to include:

CD 25 Comprehensive Development Zone

and by further amending Section **8.1 Parcel Area, Lot Width and Dimension** to include:

CD 25 555 square metres 15 metres

***CD-26 ZONE ADDED BY BYLAW NO. 2471**

96. COMPREHENSIVE DEVELOPMENT ZONE 26 (CD 26)

96.1 Intent

The intent of this zone is to facilitate development of a 96 unit affordable housing development that will serve the needs of seniors, families, mature women at risk and those experiencing life threatening illness on the property described as Lot A, District Lots 191 and 470, Group 1 NWD Plan 79363 PID 012-173-134.

96.2 Permitted Uses

- (1) Multiple Family Residential
- (2) Supportive Seniors Housing
- (3) Hospice
- (4) Accessory Home Occupation Use Type II
- (5) Accessory Off Street Parking

96.3 Lot Coverage

The maximum permitted lot coverage is 40 percent.

96.4 Floor Area Ratio

The maximum permitted floor area ratio is 1.20.

96.5 Height of Building

Buildings on the lot shall not exceed the following heights:

Building 1	20 m (65.6 ft.)
Building 2	20 m (65.6 ft.)
Building 3	13.5 m (44.3 ft.)
Building 4	9.5 m (31.2 ft.)
Building 5	13.5m (44.3 ft.)
Building 6	9.5 m (31.2 ft.)

96.6 Parking and Loading

Off street parking shall be provided in accordance with Sections 6 of this bylaw. There are no Off Street Loading requirements in the CD 26 Zone.

96.7 Indoor Amenity Areas

Indoor amenity areas shall be provided for use by residents with a total minimum area of 255 m² (2,744.9 sq.ft.) for the project.

96. COMPREHENSIVE DEVELOPMENT ZONE 26 (CD 26) (CONTINUED)**96.8 Accessory Buildings**

No accessory buildings are permitted in the CD 26 Zone.

96.9 Siting, Size and Dimensions of Buildings and Uses and Number of Units

The siting, size, dimensions of buildings, uses of land and the number of units shall be generally in conformance with the plans attached as "Schedule CD 26" and forming part of this bylaw.

and by amending Section **4.3 Districts** to include:

CD 26 Comprehensive Development Zone

and by further amending Section **8.1 Parcel Area, Lot Width and Dimension** to include:

CD 26 7122 square metres 70 metres

96.10 Siting Exceptions

Notwithstanding any other provision of this Bylaw:

- (a) Chimneys, cornices, leaders, gutters, pilasters, belt course, sills, bay windows, or ornamental features projecting beyond the face of a building, may be sited not more than 0.9 m (3 ft) closer to an adjoining lot than otherwise permitted, providing that the feature shall be no closer than 0.9 m (3 ft) to an adjoining lot except provided as otherwise permitted.
- (b) Steps, eaves, sunlight control projections, canopies, balconies, or porches may be sited not more than 1.82 m (6 ft) closer to a lot line than otherwise permitted.
- (ii) By rezoning the property described in Section 2 above and shown on the attached map marked "Certified True Copy of Map of the property referred to in Section 2 of Bylaw No. 2471" from Acreage Reserve (A1) to Comprehensive Development Zone CD 26.
- (iii) By renumbering the City of Port Moody Zoning Bylaw No. 1890, 1988, Table of Contents and associated sections of Bylaw 1890 as follows:

CD-27 ZONE ADDED BY BYLAW NO. 2479*97. COMPREHENSIVE DEVELOPMENT ZONE 27 (CD 27)****97.1 Intent**

The intent of this zone is to allow the uses under the C-3 zone and assembly use of up to 49% of the total floor area of all building to permit the operation of a church on the property described as Lots 11 & 12, Block 11, District Lot 201, Group 1 NWD, Plan 72 (PID 011-280-671 & 010-727-094).

97.2 Permitted Uses

- (1) Retail Service (Groups A and B)
- (2) Assembly use of not more than 49% of the total gross floor area of all buildings
- (3) Accessory one-family, two-family or multiple-family residential
- (4) Accessory off-street parking
- (5) Accessory off-street loading
- (6) Home Office Unit
- (7) Child Care Use

**Added by Bylaw
#2930➔**

97.3 Conditions of Use

- 97.3.1 Retail service use shall be conducted within a completely enclosed building except for parking and loading facilities.
- 97.3.2 All principal uses shall be oriented to pedestrian needs and be so located and designed to avoid vehicular interference with pedestrian movement.
- 97.3.3 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.
- 97.3.4 Accessory off-street loading shall be located entirely in the rear yard.

97.4 Maximum Height of Building

The height of a building shall not exceed the lesser of 9.5 metres (31 ft) or 3 storeys.

97.5 Side Yard Setbacks

97.5.1 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 metres (5 ft).

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

97.6 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 metres (11.5 ft).

CD-28 ZONE ADDED BY BYLAW NO. 2503*98. COMPREHENSIVE DEVELOPMENT ZONE 28 (CD 28)****98.1 Intent**

The intent of this zone is to facilitate development accommodating not more than 1,100 dwelling units, with additional “Congregate Care Uses”, civic uses, “Health Care Uses”, assembly uses, hotels, entertainment uses, public open space and certain commercial and “Low Impact Light Industrial” uses intended to generate economic activity, all in accordance with a comprehensive plan.

98.2 Definitions

Where there is any conflict between the defined words and phrases in this section, and the definitions in Section 3 of this bylaw, the definitions within Section 98 shall prevail for the Comprehensive Development Zone 28 (CD 28) zone.

Within the CD 28 zone, the following definitions apply:

“Area” means a portion of the lands shown and identified by numbers 1 to 6 within diamond-shaped labels on “Schedule CD 28” which include “Parcels,” and that may be further subdivided into lots as defined under Section 3 of this bylaw.

“Base Density” means the highest “Density” permitted for an “Area” of land before any additional dwelling units are permitted through a “Density Bonus” as provided within the CD 28 zone.

“Density” means the number of residential units permitted for an “Area” of land expressed in dwelling units per hectare or dwelling units per acre.

“Density Bonus” means the additional “Density” and consequent additional number of dwelling units which are permitted on a lot in exchange for the provision of an amenity in the form of useable open space secured for public use and access.

“Health Care Use” means medical offices and drug dispensing use as defined in Section 3 of this bylaw, medical laboratory or hospital.

“Low Impact Light Industrial Use” means the manufacturing (including “Table-Top Manufacturing”), fabricating, assembly, storage, wholesaling and distribution of goods, film and television production, information technology services, and excludes vehicle and heavy equipment servicing, the wrecking or salvaging of materials or things, metal fabricating and bulk materials processing.

“Maximum Density” means the highest “Density” permitted for an “Area” of land as set out in Table 1 of Section 98.6 (1) based on the “Base Density” plus any additional dwelling units permitted through a “Density Bonus” as provided within the CD 28 zone.

98. COMPREHENSIVE DEVELOPMENT ZONE 28 (CD 28) (CONTINUED)

“Parcel” means a portion of the lands shown and identified by numbers 1 to 13 within circle-shaped labels on “Schedule CD 28” which may be subdivided into lots as defined under Section 3 of this bylaw.

“Table-Top Manufacturing” means the research and development and manufacturing associated with electronic and consumer products which may be located in a building containing residential uses subject to the provisions of the B.C. Building Code.

98.3 Permitted Uses

The following uses are permitted within the “Areas” and “Parcels” shown and identified on “Schedule CD 28” which is attached to and forms part of this bylaw:

98.3.1 Area 1: Medium/High Density Multi-Family/Commercial: Low Rise_

- (1) Multiple-Family Residential Use in:
Townhouses (side by side or stacked);
Apartments
- (2) Retail Service (Group A) at ground level
- (3) Child Care Use

**Added by Bylaw
#2930➔**

98.3.2 Area 2: High Density Multi-Family: Low/Mid Rise

- (1) Multiple-Family Residential Use in:
Townhouses (side by side or stacked);
Apartments

98.3.3 Area 3: High Density Multi-Family: High Rise

- (1) Multiple-Family Residential Use in:
Townhouses (side by side or stacked);
Apartments

98.3.4 Area 4: Medium/High Density Multi-Family/Low Rise:

- (1) Multiple-Family Residential Use in:
Townhouses (side by side or stacked);
Apartments

98.3.5 Area 5: High Density Multi-Family/Commercial: Mid Rise

- (1) Multiple-Family Residential Use in:
Townhouses (side by side or stacked);
Apartments
- (2) Retail Service (Group A) at ground and second levels

98. COMPREHENSIVE DEVELOPMENT ZONE 28 (CD 28) (Continued)

SECTION 98.3.6 AMENDED BY BYLAW NO. 2598

- | | | |
|---------------|----------------|--|
| 98.3.6 | Area 6: | Congregate Care/Mixed Use/Economic Activity |
|---------------|----------------|--|
- (1) Retail Service Use (Group A)
 - (2) Civic Use
 - (3) Assembly Use
 - (4) Hotel Use
 - (5) One liquor-primary establishment shall be a permitted use on the following property in this zone:

Part of Lot 3, BCP 8948, DLs 190, 233 and 235, Group 1, NWD within Area 6 (Economic Activity Area) shown on Schedule A and hereto attached to this bylaw.
 - (6) Health Care Use
 - (7) "Congregate Care Use" within Parcels 8 and 13 where the minimum lot size exceeds 0.65 ha.

***Section 98.3.6 (8) amended by Bylaw No. 2753**

- (8) Multiple-Family Residential Use in Townhouses (side by side or stacked) and Apartments is permitted on:
 - up to 100% of the gross floor area of all buildings on each lot subdivided within Parcel 13; and
 - not exceeding 80% of the total net floor area of all buildings on each lot subdivided within Parcels 6 or 7; and
 - up to 100% of 0.675 ha of Parcel 8, provided that a minimum of 0.274 ha of Parcel 8 is a non-residential use as shown on "Schedule A".

Added by Bylaw #2930→

- (9) Child Care Use

98. COMPREHENSIVE DEVELOPMENT ZONE 28 (CD 28) (Continued)

- (9) “Low Impact Light Industrial Use” on Parcels 6, 7 and 8 provided that:
- (a) All uses and accessory uses thereto shall be carried on wholly within a completely enclosed building except for parking and loading facilities which may only be located within or to the rear of a building;
- (b) There is no bulk storage or processing of lime, fertilizer, toxic or corrosive chemicals and acids, flammable liquids or solids, explosives, compressed gas, scrap materials, junk, wood, metal or other waste, fungicides, herbicides, pesticides, paint, varnish, oil, shellac, turpentine, fish, fish oil or meal, animal oil or fat, vegetable oil, or petroleum, bitumen or tar products or their derivatives;
- (c) There is no bulk materials handling, wrecking or salvaging of goods and materials, processing of raw animal products nor the production, refining, processing or storage of dangerous goods as regulated and defined under any Provincial or Federal Act;
- (d) Nothing shall be done which is or shall become an annoyance or nuisance to the surrounding areas by reason of unsightliness nor by 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;
- (e) A “Low Impact Light Industrial Use”, except for information technology services and “Table-Top Manufacturing”, is not permitted on a lot on which a residential use or “Congregate Care Use” is located; and
- (f) Where an interior or rear lot line of a lot containing a “Low Impact Light Industrial Use” abuts a residential use, “Congregate Care Use” or land on which an institutional building is located, a 2.5 metre (8.2 ft.) high landscape screen or solid fencing is required.

98. COMPREHENSIVE DEVELOPMENT ZONE 28 (CD 28) (Continued)

98.3.7 Area 7: Public Open Space

- (1) Parks, habitat enhancement areas, public courtyards and greenways.

98.4 Lot Coverage

The maximum permitted lot coverage is 0.60 except for Parcels 6 and 7 as shown on "Schedule CD 28" where the maximum permitted lot coverage is 0.75.

***Section 98.5 amended by Bylaw No. 2716**

98.5 Floor Area Ratios

The maximum floor area ratios (FAR) for the "Areas" as shown on "Schedule CD 28" are as follows:

		<u>Maximum FAR</u>
Area 1:	Medium/High Density Multi-Family/ Commercial: Low Rise	1.8
Area 2:	High Density Multi-Family: Low/Mid Rise	2.2
Area 3:	High Density Multi-Family: High Rise	2.5
Area 4:	Medium/High Density Multi-Family: Low Rise	1.8
Area 5:	High Density Multi-Family/Commercial: Mid Rise	2.2
Area 6:	Congregate Care/ Mixed Use/Economic Activity	2.5
Area 7:	Open Space	0.1

***Section 98.6 amended by Bylaw No. 2716**

98.6 Residential Density

- (1) Within this section, Table 1 sets out "Base Densities" which represent the highest "Density" for each lot within each "Area" shown on "Schedule CD 28" which may be increased to not more than the "Maximum Density" also set out in Table 1 provided that:
 - (a) The lot receiving the "Density Bonus" will not have a "Density" which exceeds the "Maximum Density" for the "Area" in which the lot receiving the "Density Bonus" is located; and
 - (b) The "Density Bonus" will not allow more than 1,100 dwelling units to be constructed within the CD 28 zone.

98. COMPREHENSIVE DEVELOPMENT ZONE 28 (CD 28) (Continued)

Table 1

"Area" shown on "Schedule CD 28"	"Base Density" (units/net acre)	"Maximum Density" (units/net acre)
Area 1: Medium/High Density Multi-Family/ Commercial:Low Rise	32.91	70
Area 2: High Density Multi-Family: Low/Mid Rise	54.30	80
Area 3: High Density Multi-Family: High Rise	53.92	97.1
Area 4: Medium/High Density Multi-Family: Low Rise	34.72	70
Area 5: High Density Multi-Family/Commercial: Mid Rise	50.00	80
Area 6: Congregate Care/ Mixed Use/Economic Activity	36.75	100
Area 7: Open Space	0.0	0.0

(2) The "Density Bonus" provided under subsection (1) is subject to the following:

- a) The "Density Bonus" provided to the lot would not result in more than a total of 220 additional dwelling units being permitted within the CD 28 zone as the result of all "Density Bonuses."
 - b) The lot which receives the "Density Bonus" shall be required to provide an additional 2.5 square metres (26.9 sq. ft.) of public useable open space to that required by Section 98.11 for every additional dwelling unit permitted by the "Density Bonus"; and
 - c) A "Density Bonus" shall be administered by the City under covenants under Section 219 of the Land Title Act which are registered on the land upon adoption of this bylaw and on each lot subsequently subdivided within the CD 28 zone to ensure that any "Density Bonus" is in accordance with the provisions of the CD 28 zone.
- (3) As an exception to sub-section (2)(a) which limits the total of all "Density Bonuses" to 220 dwelling units, lots subdivided within Area 6 may have their "Base Density" reduced to as low as zero provided that a "Density Bonus" yielding up to an equivalent number of dwelling units may be provided to a lot elsewhere within the CD 28 zone.
- (4) No "Density Bonus" under sub-sections (1), (2) or (3) is permitted on a lot after a development permit or development authorization for that lot has been issued.
- (5) No more than 1,100 dwelling units shall be permitted within the CD 28 zone, and, within the provisions of the CD 28 zone, no development permit or authorization shall be approved that would result in less than 880 dwelling units being constructed within the CD 28 zone.

98. COMPREHENSIVE DEVELOPMENT ZONE 28 (CD 28) (Continued)

***Section 98.7 amended by Bylaw No. 2627**

98.7 Height of Buildings

The height of buildings and structures within the CD 28 zone shall be as follows:

**98.7.1 Area 1: Medium/High Density Multi-Family/
Commercial: Low Rise**

(1) Maximum height of 4 storeys or 13.5 metres (44.3 ft.)

98.7.2 Area 2: High Density Multi-Family: Low/Mid Rise

(1) Maximum height of 8 storeys or 27.0 metres (88.6 ft.).

98.7.3 Area 3: High Density Multi-Family: High Rise

(1) Maximum height of 22 stories or 70 metres (230 ft.)

(2) Minimum height of 6 stories or 20 metres (66 ft.) on Parcel 5 for high-rise buildings and a minimum height of 2 stories or 6.7 metres (22 ft.) for townhouses if they are located on the same lot as a high-rise building with a height over 6 stories or 20 metres (66 ft.).

98.7.4 Area 4: Medium/High Density Multi-Family: Low Rise

(1) Maximum height of 4 storeys or 13.5 metres (44.3 ft.)

98.7.5 Area 5: High Density Multi-Family/Commercial: Mid Rise

(1) Maximum height of 8 storeys or 27.0 metres (88.6 ft.)

98.7.6 Area 6: Congregate Care/ Mixed Use/Economic Activity

(1) Maximum height of 22 storeys or 70 metres (230 ft.) on Parcels 6 and 7

(2) Maximum height of 8 storeys or 27.0 metres (88.6 ft) on Parcel 8

(3) Maximum height of 5 storeys or 17 metres (56 ft.) on Parcel 13

(4) Minimum height of 5 storeys or 17 metres (56 ft.) on Parcels 6 and 7

98. COMPREHENSIVE DEVELOPMENT ZONE 28 (CD 28) (Continued)**98.7.7 Area 7: Open Space**

- (1) Maximum height of 1 storey or 3.8 metres (12.5 ft.)

98.8 Setbacks

- (1) The minimum building setback from a road, other than Murray Street, shall be 5.0 metres (16.4 ft).
- (2) The minimum building setback from Murray Street shall be 7.6 metres (25 feet).
- (3) The minimum building setback from a greenway or a railway pedestrian overpass shall be 7.6 metres (25 feet), but may be reduced to a setback of 5.0 metres (16.4 ft.) for up to 20% of the length of the building façade facing a greenway.
- (4) The minimum building setback from a railway right-of-way shall be 10.0 metres (33 feet) except for buildings containing residential or congregate care uses which shall have a minimum setback of 16.0 metres (52.5 ft.).
- (5) Notwithstanding sub-sections (1) and (2), the maximum setback from a road for a Retail Service (Group A) use shall be 5.0 metres (16.4 ft.).
- (6) As an exception to sub-section (5), a Retail Service (Group A) use may be located on Parcel 1 provided that it has a setback of no more than 30 metres (100 ft.) from Murray Street and that a landscaped buffer with a width of not less than 10 metres (33 ft.) is established between Murray Street and any parking lot.
- (7) Other than provided above, there shall be minimum side yard and rear yard setbacks of 5.0 metres (16.4 ft.).
- (8) As an exception to the watercourse setback provision contained within Section 5.2 of this bylaw, the setback from the natural boundary of the day-lighted water feature located within Parcel 9 shown on "Schedule CD 28" shall be 7.5 metres (24.6 ft.).

Section added by Bylaw No. 2753

- (9) As an exception to sub-section (7), the minimum building setback from an interior side lot line for a residential building on Parcel 8 shall be 0.9 metres, with eaves permitted to project no closer than 0.1 metres to the interior side lot line.

98.9 Parking and Loading

- (1) Off street parking and loading shall be provided in accordance with Sections 6 and 7 of this bylaw, with all parking being located underground except that:
 - a) Unenclosed parking may be permitted on Parcel 1 as provided in Section 98.8(6);
 - b) Enclosed, at-grade parking may be located within structures in Area 4; and
 - c) Enclosed, at-grade parking may be located within structures or unenclosed parking may be located to the rear of buildings in Area 6.

98. COMPREHENSIVE DEVELOPMENT ZONE 28 (CD 28) (Continued)**98.10 Accessory Buildings**

Accessory buildings customarily associated with the principle use of a lot shall be permitted provided that their total lot coverage does not exceed 5%.

98.11 Useable Open Space

- (1) On each lot on which a building is sited, useable open space shall:
 - a) be provided on-site for all buildings of 10 or more dwelling units;
 - b) be not less than 5.0 square metres (54 sq. ft.) per dwelling unit plus any additional useable open space required under Section 98.6(2);
 - c) be developed for use by residents; and
 - d) be continuously maintained by the owners of the building.
- (2) Any additional useable open space required under Section 98.6(2) is to be secured for public use and access on the lot on which the building is located or, as an exception to sub-section (1) above, may be located elsewhere within the CD 28 zone.

98.12 Common Indoor Recreation Space

Common indoor recreation space shall be provided on the basis of a minimum floor area of 2.4 square metres (25 sq. ft.) per dwelling unit in or adjacent to each residential building on the lot on which the residential building is sited, or elsewhere within the CD 28 zone, for the use of the residents of the development within the CD 28 zone.

98.13 Subdivision, Development Standards, Density and Uses

- (1) The subdivision, development standards, "Density" and uses of land shall be in conformance with the provisions of the CD 28 zone and the plan attached as "Schedule CD 28" which is attached to and forms part of this bylaw.
- (2) Lots may only be subdivided within Areas 1 to 6 or within a "Parcel" and not straddle the boundary separating two or more "Parcels" or "Areas" shown on "Schedule CD 28" except for Areas 4 and 6 in which a lot may straddle a boundary between "Parcels" in the respective Areas to allow for the averaging of density within the lot subject to the provisions of the CD 28 zone.

Section amended by Bylaw No. 2753

- (3) A lot may not be created with a lot area of less than 3,500 square metres (37,674.9 sq. ft.) and with a lot width of less than 40 metres (131.2 ft.), except for Parcel 8, which may not be created with a lot area of less than 2,600 square metres (27,987.1 sq. ft), but in no case shall the maximum number of lots created by subdivision on Parcel 8 exceed two.

98. COMPREHENSIVE DEVELOPMENT ZONE 28 (CD 28) (Continued)

- (4) The planned public road rights of way identified on "Schedule CD 28" shall be dedicated as shown on "Schedule CD 28" and may be shifted in either direction by not more than half of the width of the road rights of way shown on "Schedule CD 28".

***CD-29 ZONE ADDED BY BYLAW NO. 2505**

99. COMPREHENSIVE DEVELOPMENT ZONE 29 (CD 29)

99.1 Intent

The intent of this zone is to facilitate development accommodating not more than 48 residential units, congregate care uses, health care uses, assembly uses, hotels, entertainment uses, public open space and certain commercial uses intended to generate economic activity, all in accordance with a comprehensive plan.

99.2 Definitions

Where there is any conflict between the definitions in this section and the definitions in Section 3 of this bylaw, the definitions within Section 99 shall prevail for the Comprehensive Development Zone 29 (CD 29) zone.

Within the CD 29 zone, the following definitions apply:

“Health Care Use” means a medical office and drug dispensing use, medical laboratory or hospital.

SECTION 99.3 AMENDED BY BYLAW NO. 2598

99.3 Permitted Uses

The following uses are permitted as shown and identified on “Schedule CD 29” which is attached to and forms part of this bylaw:

- (1) Retail Service Use (Group A)
- (2) Civic Use
- (3) Assembly Use
- (4) Hotel Use
- (5) Health Care Use
- (6) Congregate Care Use
- (7) Open Space
- (8) Multiple Family Residential Use in Townhouses (side by side or stacked) and Apartments
- (9) Child Care Use

Added by Bylaw No. 2557➔
Added by Bylaw No. 2930➔

99.4 Lot Coverage

The maximum permitted lot coverage is 0.60.

99.5 Floor Area Ratios

The maximum floor area ratios (FAR) is 2.5.

99.6 Residential Density

No more than 48 dwelling units shall be permitted within the CD 29 zone.

99. COMPREHENSIVE DEVELOPMENT ZONE 29 (CD 29) (Continued)**99.7 Height of Buildings**

The heights of buildings and structures within the CD 29 zone shall not exceed a maximum height of 5 storeys or 17 metres (56 ft.)

99.8 Setbacks

- (1) The minimum building setback from a road, other than Murray Street, shall be 5.0 metres (16.4 ft).
- (2) The minimum building setback from Murray Street shall be 7.6 metres (25 feet).
- (3) Notwithstanding sub-sections (1) and (2), the maximum setback from a road for a Retail Service (Group A) use shall be 5.0 metres (16.4 ft.).

99.9 Parking and Loading

Off street parking and loading shall be provided in accordance with Sections 6 and 7 of this bylaw.

99.10 Accessory Buildings

Accessory buildings customarily associated with the principle use of a lot shall be permitted provided that their total lot coverage does not exceed 5%.

99.11 Useable Open Space

On each lot on which a development is sited, "useable open space" shall:

- (1) be provided on-site for all developments of 10 or more dwelling units;
- (2) be not less than five 5.0 square metres (54 sq. ft.) per dwelling unit; and
- (3) be continuously maintained by the owners of the development.

99.12 Common Indoor Recreation Space

On each lot on which development is sited, common indoor recreation space shall be provided on the basis of a minimum floor area of 2.4

square metres (25 sq. ft.) per dwelling unit in or adjacent to each residential building for the use of residents of the development.

99.13 Subdivision, Development Standards, Density and Uses

- (1) The subdivision, development standards, density and uses of land shall be in conformance with the provisions of the CD 29 zone and the plan attached as "Schedule CD 29" which is attached to and forms part of this bylaw.

99. COMPREHENSIVE DEVELOPMENT ZONE 29 (CD 29) (Continued)

- (2) A lot may not be created with a lot area of less than 3,000 square metres (32,292.8 sq. ft.) and with a width of less than 40 metres (131.2 ft.).

CD-30 ZONE ADDED BY BYLAW NO. 2510*100.0 Comprehensive Development Zone (CD 30)****100.1 Intent**

The intent of this zone is to accommodate fifteen (15) two-family residential structures on lots exceeding 555 square metres (5974 sq ft) or more.

100.2 Permitted Uses

- (1) Two-family residential
- (2) Accessory home occupation (Type II)
- (3) Accessory off-street parking

100.3 Lot Width

A two-family dwelling may be sited only on a lot having a minimum width of 15.0 metres (49.2 ft).

100.4 Lot Coverage

The maximum permitted lot coverage is 40 percent.

100.5 Floor Area Ratio

The maximum permitted floor area ratio is 0.6.

100.6 Height of Building

The height of a building shall not exceed the lesser of 11.0 metres (36.1 ft) or three storeys.

100.7 Front Yard Setback

Front yard setbacks shall be not less than 5.0 metres (16.4 ft).

100.8 Side Yard Setbacks

- (1) Side yard setbacks shall not be less than 1.2 metres (4.0 ft).
- (2) On a corner lot, the side yard setback adjoining the flanking street shall be not less than 3.0 metres (9.8 ft).

100.9 Rear Yard Setback

The rear yard setback shall not be less than 7.5 metres (24.7 ft).

100. Comprehensive Development Zone (CD 30) (Continued)**100.10 Permitted Accessory Building**

Notwithstanding other provisions under Section 100, one accessory building is permitted as follows:

- (1) An accessory building shall be located within the rear yard.
- (2) The maximum coverage of all accessory buildings shall be 20.0 square metres (215.3 sq ft).
- (3) The height of an accessory building shall not exceed 4.5 metres (14.8 ft).
- (4) Side yard setbacks shall not be less than 1.2 metres (4.0 ft).
- (5) On a corner lot, the side yard setback adjoining the flanking street shall be not less than 3.0 metres (9.8 ft).
- (6) The rear yard setback shall not be less than 1.5 metres (5.0 ft).

CD 31 ZONE ADDED BY BYLAW NO. 2538*101. COMPREHENSIVE DEVELOPMENT ZONE 31 (CD 31)****101.1 Intent**

The intent of this zone is to facilitate development accommodating multiple family residential units, commercial uses, public storage uses and low-impact light industrial uses intended to generate economic activity, all in accordance with a comprehensive plan.

101.2 Definitions

Where there is any conflict between the definitions in this section and the definitions in Section 3 of this bylaw, the definitions within Section 101 shall prevail for the Comprehensive Development Zone 31 (CD 31) zone.

Within the CD 31 zone, the following definitions apply:

“Area” means a portion of the lands shown and identified by letters A to D shown on “Schedule CD 31” that may be further subdivided into lots as defined under Section 3 of this bylaw.

“Banquet/Meeting Facility” means building or portion of a building whose principle purpose is to be available for banquets, conventions, dances, meetings and seminars and trade shows.

“Low Impact Light Industrial Use” means the manufacturing (including “Table-Top Manufacturing”), fabricating, assembly, storage, wholesaling and distribution of goods, film and television production, information technology services, and excludes vehicle and heavy equipment servicing, the wrecking or salvaging of materials or things, metal fabricating and bulk materials processing.

“Table-Top Manufacturing” means the research and development and manufacturing associated with electronic and consumer products which may be located in a building containing residential uses subject to the provisions of the B.C. Building Code.

101.3 Permitted Uses

The following uses are permitted in the “Areas” identified on “Schedule CD 31” which is attached to and forms part of this bylaw:

(1) Area A:

- (a) Retail Service Use (Groups A and B) excluding new or used automobile sales, automobile washes and drive-in restaurants
- (b) Restaurants with a drive-thru located to the side of a building

- (c) Child Care Use

**Added by Bylaw
#2930→**

101.3 Permitted Uses (continued)**(2) Area B:**

- (a) Retail Service Use (Groups A and B) excluding new or used automobile sales, automobile washes and drive-in restaurants
- (b) Multiple-Family Residential
- (c) Restaurants with a drive-thru located to the side of a building

Added by Bylaw
#2930→

- (d) Child Care Use

(3) Area C:

- (a) Retail Service Use (Groups A and B) excluding new or used automobile sales, automobile washes and drive-in restaurants
- (b) Banquet/Meeting Facility
- (c) Multiple-Family Residential

Added by Bylaw
#2930→

- (d) Child Care Use

(4) Area D:

- (a) Retail Service Use (Groups A and B) excluding new or used automobile sales, automobile washes and drive-in restaurants

(b) “Low Impact Light Industrial Use” provided that:

(i) All uses and accessory uses thereto shall be carried on wholly within a completely enclosed building except for parking and loading facilities which may only be located within or to the rear of a building;

(ii) There is no bulk storage or processing of lime, fertilizer, toxic or corrosive chemicals and acids, flammable liquids or solids, explosives, compressed gas, scrap materials, junk, wood, metal or other waste, fungicides, herbicides, pesticides, paint, varnish, oil, shellac, turpentine, fish, fish oil or meal, animal oil or fat, vegetable oil, or petroleum, bitumen or tar products or their derivatives;

(iii) There is no bulk materials handling, wrecking or salvaging of goods and materials, processing of raw animal products nor the production, refining, processing or storage of dangerous goods as regulated and defined under any Provincial or Federal Act;

(iv) Nothing shall be done which is or shall become an annoyance or nuisance to the surrounding areas by reason of unsightliness nor by 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;

(v) A “Low Impact Light Industrial Use”, except for information technology services and “Table-Top Manufacturing”, is not permitted in a building in which a residential use is located; and

(vi) Where an interior or rear lot line of a lot containing a “Low Impact Light Industrial Use” abuts building with a residential use, a 2.5 metre (8.2 ft.) high landscape screen or solid fencing is required.

(c) Multiple-Family Residential

(d) Public Storage on up to 50% of the gross floor area of the ground floor on the rear one half of a building, and any amount of gross floor area of the upper storeys of a building

(e) Banquet/Meeting Facility

(f) Child Care Use

Added by Bylaw
#2930 →

101.4 Lot Coverage

The maximum permitted lot coverage is 0.75

101.5 Floor Area Ratios

The maximum floor area ratios (FAR) is 1.8.

101.6 Residential Density

A maximum residential density of 123.55 dwelling units/ha. (50 dwelling units/acre) is permitted within Areas B, C and D as shown on “Schedule CD 31.”

101.7 Height of Buildings

The heights of buildings and structures within the CD 31 zone shall be as follows for the “Areas” shown on “Schedule CD 31”:

(1) Area A:

A maximum height of 3 storeys; a minimum height of 2 storeys for part of the building having a gross floor covering more than 50% of the gross floor area of the ground floor; with an overall maximum height of 10.5 metres (35.4 ft.).

(2) Area B:

A maximum height of 5 storeys and minimum height of 3 storeys; with an overall maximum height of 18.75 metres (61.5 ft.)

(3) Area C:

A maximum height of 2 storeys and minimum height of 1 storey; with an overall maximum height of 10.5 metres (35.4 ft.).

(4) Area D:

A maximum height of 4 storeys and minimum height of 3 storeys; with an overall maximum height of 15.0 metres (49.2 ft.).

101.8 Setbacks

- (1) The minimum building setback from a road right-of-way shall be 3.0 metres (10.0 ft).
- (2) The minimum building setback from a railway right-of-way shall be 3.0 metres (10.0 feet) for “low-impact light industrial” and public storage uses, 10.0 metres (33.0 feet) for commercial uses and 16.0 metres (52.5 ft.) for residential and “banquet/convention facility” uses.

101.9 Parking and Loading

- (1) Off street parking and loading shall be provided in accordance with Sections 6 and 7 of this bylaw except that any unenclosed parking shall also be located to the rear of all buildings adjacent to Murray Street in Areas A and B.
- (2) Notwithstanding Section 6.7, the minimum number of parking spaces for the physically disabled shall be 3 spaces per 26 to 75 regular parking spaces required.

101.10 Accessory Buildings

Accessory buildings customarily associated with the principle use of a lot shall be permitted provided that their total lot coverage does not exceed 5%.

101.11 Subdivision, Development Standards, Density and Uses

- (3) The subdivision, development standards, density and uses of land shall be in conformance with the provisions of the CD 31 zone and the plan attached as “Schedule CD 31” which is attached to and forms part of this bylaw.
- (4) A lot may not be created with a lot area of less than 3,000 square metres (32,292.8 sq. ft.) and with a width of less than 40 metres (131.2 ft.).

CD 32 ZONE ADDED BY BYLAW NO. 2571*102 Comprehensive Development Zone (CD 32)****102.1 Intent**

The intent of this zone is to accommodate up to sixty-eight (68) two-family residential dwellings on lots exceeding 520 square metres (5597 sq ft).

102.2 Permitted Uses

- (1) Two-family residential
- (2) Accessory home occupation (Type II)
- (3) Accessory off-street parking

102.3 Lot Width

A two-family dwelling may be sited only on a lot having a minimum width of 14.9 metres (48.9 ft).

102.4 Lot Coverage

The maximum permitted lot coverage is 45 percent.

102.5 Floor Area Ratio

The maximum permitted floor area ratio is 0.65.

102.6 Height of Building

The height of a building shall not exceed the lesser of 11.5 metres (37.7 ft) or three storeys.

102.7 Front Yard Setback

Front yard setbacks shall be not less than 4.5 metres (14.8 ft).

102.8 Side Yard Setbacks

- (1) Side yard setbacks shall not be less than 1.2 metres (4.0 ft).
- (2) On a corner lot, the side yard setback adjoining the flanking street shall be not less than 3.0 metres (9.8 ft).

102.9 Rear Yard Setback

The rear yard setback shall not be less than 7.5 metres (24.7 ft).

102.10 Permitted Accessory Building

Notwithstanding other provisions under Section 102, one accessory building is permitted as follows:

- (1) An accessory building shall be located within the rear yard.
- (2) The maximum coverage of all accessory buildings shall be 20.0 square metres (215.3 sq ft).
- (3) The height of an accessory building shall not exceed 4.5 metres (14.8 ft).
- (4) Side yard setbacks shall not be less than 1.2 metres (4.0 ft).
- (5) On a corner lot, the side yard setback adjoining the flanking street shall be not less than 3.0 metres (9.8 ft).
- (6) The rear yard setback shall not be less than 1.5 metres (5.0 ft).

CD 33 ZONE ADDED BY BYLAW NO. 2566*103 Comprehensive Development Zone (CD 33)****103.1 Intent**

The intent of this zone is to accommodate up to fifty (50) one-family residential dwellings on lots exceeding 335 square metres (3606 sq. ft.) or more within a bare land strata subdivision.

103.2 Permitted Uses

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

103.3 Lot Width

A one-family dwelling may be sited only on a lot having a minimum width of 13.0 metres (42.7 ft).

103.4 Lot Coverage

The maximum permitted lot coverage is 45 percent.

103.5 Floor Area Ratio

The maximum permitted floor area ratio is 0.60.

103.6 Height of Building

The height of a building shall not exceed the lesser of 11.0 metres (36.1 ft) or three storeys.

103.7 Front Yard Setback

Front yard setbacks shall be not less than 4.5 metres (14.8 ft.) for a one-family dwelling and 6.0 metres (19.7 ft.) for the garage attached to a one-family dwelling.

103.8 Side Yard Setbacks

- (1) Side yard setbacks shall not be less than 1.2 metres (4.0 ft).
- (2) On a corner lot, the side yard setback adjoining the flanking street shall be not less than 3.0 metres (9.8 ft).

103.9 Rear Yard Setback

The rear yard setback shall not be less than 5.0 metres (16.4 ft) from the rear property line or riparian restrictive covenant boundary, whichever is greater.

103.10 Permitted Accessory Building

Notwithstanding other provisions under Section 103, one accessory building is permitted as follows:

- (1) An accessory building shall be located within the rear yard.
- (2) The maximum coverage of all accessory buildings shall be 20.0 square metres (215.3 sq ft).
- (3) The height of an accessory building shall not exceed 4.5 metres (14.8 ft).
- (4) Side yard setbacks shall not be less than 1.2 metres (4.0 ft).
- (5) On a corner lot, the side yard setback adjoining the flanking street shall be not less than 3.0 metres (9.8 ft).
- (6) The rear yard setback shall not be less than 1.5 metres (5.0 ft) from the rear property line or riparian restrictive covenant boundary, whichever is greater.

CD 34 ZONE ADDED BY BYLAW NO. 2599*104. COMPREHENSIVE DEVELOPMENT ZONE 34 (CD 34)****104.1 Intent**

The intent of this zone is to facilitate development of two three storey buildings that will contain 5 townhouse units each on the properties.

104.2 Permitted Uses

1. Multiple Family Residential
2. Accessory Home Occupation
3. Accessory Off-Street Parking

104.3 Lot Coverage

The maximum permitted lot coverage is 45 percent.

104.4 Floor Area Ratio

The maximum permitted floor area ratio is .90.

104.5 Height of Building

The building height shall not exceed 10.5 metres (34.5 ft).

104.6 Front Yard Setback

A front yard shall be provided of not less than 4.1 metres (13.5 ft).

104.7 Side Yard Setbacks

Side yards shall be provided with a minimum width of 4.9 metres (16 ft).

104.8 Siting, Size and Dimensions of Buildings and Uses and Number of Units

The siting, size, dimension of buildings, uses of land and the number of units shall be generally in conformance with the plans attached as "Schedule CD 34" and forming part of this bylaw.

CD 35 ZONE ADDED BY BYLAW NO. 2600*105. COMPREHENSIVE DEVELOPMENT ZONE 35 (CD 35)****105.1 Intent**

The intent of this zone is to facilitate the development of two three storey buildings for 12 townhouse units on the properties.

105.2 Permitted Uses

- (1) Multiple Family Residential
- (2) Accessory Home Occupation
- (3) Accessory Off-Street Parking

105.3 Lot Coverage

The maximum permitted lot coverage is 40 percent.

105.4 Floor Area Ratio

The maximum permitted floor area ratio is .85.

105.5 Height of Building

The building height shall not exceed 11.3 metres (37 ft.)

105.6 Front Yard Setback

A front yard setback shall be provided of not less than 3.7 metres (12 ft.)

105.7 Side Yard Setbacks

Side yard setbacks shall be provided of not less than 3 metres (10 ft.)

105.8 Siting, Size and Dimensions of Buildings and Uses and Number of Units

The siting, size, dimension of buildings, uses of land and the number of units shall be generally in conformance with the plans attached as "Schedule CD 35" and forming part of this bylaw.

And by Amending Section 4.3 Districts to include:

CD 35 Comprehensive Development Zone

CD 36 ZONE ADDED BY BYLAW NO. 2610*106. COMPREHENSIVE DEVELOPMENT ZONE (CD 36)****106.1 Intent**

The intent of this zone is to accommodate up to 114 residential units in four-storey buildings with ground floor commercial being permitted.

106.2 Permitted Uses

- (1) Multiple-family residential use
- (2) Retail service use (Groups A and B)
- (3) Accessory home occupation (Type II)
- (4) Accessory off-street parking
- (5) Accessory off-street loading
- (6) Park

106.3 Lot Width

The minimum width of a lot shall be of 58.0 metres (190.2 ft).

106.4 Lot Coverage

The maximum permitted lot coverage is 75 percent.

106.5 Floor Area Ratio

The maximum permitted floor area ratio is 1.40.

106.6 Height of Building

The height of a building shall not exceed the greater of 17.0 metres (55.8 ft.) or four storeys.

106.7 Front Yard Setback

Front yard setbacks shall be not less than 0.00 metres (0.0 ft.).

106.8 Side Yard Setbacks

Side yard setbacks shall not be less than 5.0 metres (16.4 ft.).

106.9 Rear Yard Setback

Rear yard setbacks shall not be less than 6.0 metres (20.0 ft.); except for one localized protrusion of a building (having a width of not more than 6.0 metres (20. ft.)) which shall have a minimum setback of 5.0 metres (16.4 ft.).

106.10 Indoor Recreation Space

Indoor recreation space shall be provided in each or adjacent to each residential building for the use of the residents, with a minimum area of 2.4 square metres (25.9 square feet) for each dwelling unit being provided.

CD 37 ZONE ADDED BY BYLAW NO. 2662*107 Comprehensive Development Zone (CD 37)****107.1 Intent**

The intent of this zone is to accommodate up to 6 residential units in three-storey buildings with a maximum floor area ratio of 0.7.

107.2 Permitted Uses

- (1) Multiple-family residential
- (2) Accessory off-street parking
- (3) Accessory off-street loading

107.3 Lot Coverage

The maximum permitted lot coverage is 35 percent.

107.4 Floor Area Ratio

The maximum permitted floor area ratio is 0.7.

107.5 Height of Building

The height of a building shall not exceed the greater of 11.5 metres (38 ft.) or three storeys.

107.6 Setbacks

- 107.6.1 Setbacks of not less than 3.3 metres (10.8 ft) shall be provided from all lot lines.
- 107.6.2 A minimum distance of 7.9 metres (26.0 ft) shall be provided between buildings on the site.
- 107.6.3 As an exception to the parking use setback provision contained within Section 6.3.3 (a) of the Zoning Bylaw, accessory off-street parking may be located 0.0 m of an interior side lot line.

107.7 The siting, height, and density of buildings along with the location of internal roads and parking spaces shall be in accordance with the Plans attached hereto as Schedule "A" and forms part of this Bylaw.

CD 38 ZONE ADDED BY BYLAW NO. 2628*108 Comprehensive Development Zone (CD 38)****108.1 Intent**

The intent of this zone is to accommodate up to 4 residential units in three-storey buildings with a maximum floor area ratio of 0.7.

108.2 Permitted Uses

- (1) Multiple-family residential
- (2) Accessory off-street parking
- (3) Accessory off-street loading

108.3 Lot Coverage

The maximum permitted lot coverage is 40 percent.

108.4 Floor Area Ratio

The maximum permitted floor area ratio is 0.7.

108.5 Height of Building

The height of a building shall not exceed the greater of 11.5 metres (38 ft.) or three storeys.

108.6 Setbacks

- 108.6.1 Setbacks of not less than 1.5 metres (5.0 ft) shall be provided from all lot lines.
- 108.6.2 A minimum distance of 5.18 metres (32.8 ft) shall be provided between buildings on the site.
- 108.6.3 As an exception to the watercourse setback provision contained within Section 5.2 of the Zoning Bylaw, the minimum setback from the top of bank of a watercourse shall be 15 feet (4.572 metres)

***CD 39 ZONE ADDED BY BYLAW NO. 2654**

109 Comprehensive Development Zone (CD 39)

109.1 Intent

The intent of this zone is to accommodate up to 170 residential and live-work units and 3159 square metres (34,000 sq. ft.) of retail uses on two sites shown on Schedule “CD 39” as Phases I and II.

109.2 Permitted Uses

- (1) Multiple-family residential use
- (2) Retail Service Use (Groups A and B)
- (3) Accessory home occupation use (Type II)
- (4) Live-work unit
- (5) Accessory off-street parking
- (6) Accessory off-street loading

109.3 Residential Density

No more than 170 multi-family residential and live-work units are permitted.

109.4 Floor Area Ratio

The maximum permitted floor area ratio is 3.4 for Phase I, and is 2.6 for Phase II as shown in Schedule “CD 39.”

109.5 Height of Buildings

The height of the buildings shall be as shown in Schedule “CD 39” and shall not exceed those set out in the following table:

Phase I (East and West Sections)	4 storeys or 17.7m. (58ft.) facing St. Johns Street 5 storeys or 20m. (66ft.) facing Spring Street
Phase II (East Section) (West Section)	4 storeys or 17.7m. (58ft.) facing Clarke and Spring Streets 5 storeys or 18.3m. (60 ft.) facing Clarke Street 4 storeys or 15.8m. (52 ft.) facing Spring Street

109.6 Building Form

The siting, height, and form of the buildings shall be in accordance with the plans attached hereto as Schedule “CD 39” and forms part of this Bylaw.

CD 40 ZONE ADDED BY BYLAW NO. 2656*110 Comprehensive Development Zone (CD 40)****110.1 Intent**

The intent of this zone is to accommodate up to 172 residential units in a twenty-four (24) storey building with a maximum floor area ratio of 2.6.

110.2 Permitted Uses

- (1) Multiple-family residential
- (2) Accessory home occupation use (Type II)
- (3) Accessory off-street parking
- (4) Accessory off-street loading

110.3 Lot Coverage

The maximum permitted lot coverage above finished grade is 25 percent, but does not include underground or landscape-covered parking garages.

110.4 Floor Area Ratio

The maximum permitted floor area ratio is 2.6.

110.5 Height of Building

The height of a building shall not exceed either 71.6 metres (235 ft.) and twenty-four storeys above the average finished grade.

110.6 Setbacks

- 110.6.1 Setbacks of not less than 5.0 metres (16.4 ft) shall be permitted from all lot lines for all structures except underground parking garages or landscape-covered parking garages.
- 110.6.2 Underground accessory off-street parking may be located 0.0 m (0.0 ft.) from an interior side lot line.

110.7 Building Form

The siting, height, and form of the building shall be in accordance with the plans attached hereto as Schedule "CD 40" and forms part of this Bylaw.

CD 44 ZONE ADDED BY BYLAW NO. 2704*111 Comprehensive Development Zone (CD 44)****111.1 Intent**

The intent of this zone is to accommodate up to 74 residential units in three-storey buildings with a maximum floor area ratio of 0.87.

111.2 Permitted Uses

- (1) Multiple-family residential
- (2) Accessory off-street parking

111.3 Lot Coverage

The maximum permitted lot coverage is 23 percent.

111.4 Floor Area Ratio

The maximum permitted floor area ratio is 0.87.

111.5 Height of Building

The height of a building shall not exceed the greater of 10.5 metres (34.5 ft.) or three storeys.

111.6 Number of Units

The maximum number of permitted units is 74.

111.7 Building Form

The siting, height, and density of buildings along with the location of roads and parking spaces shall be generally in accordance with the plans attached hereto as "Schedule CD 44" and forms part of this Bylaw.

CD 50 ZONE ADDED BY BYLAW NO. 2738*112 Comprehensive Development Zone (CD 50)****112.1 Intent**

The intent of this zone is to accommodate up to 23 residential units in two and three-storey buildings.

112.2 Permitted Uses

- (1) Multiple-family residential
- (2) Accessory off-street parking
- (3) Accessory Home Occupation Type II

112.3 Lot Coverage

The maximum permitted lot coverage is 40 percent.

112.4 Height of Building

The height of a building shall not exceed the greater of 10.5 metres (34.5 ft.) or three storeys.

112.5 Number of Units

The maximum number of permitted units is 23.

112.6 Parking

Parking shall conform with Section 6.1 of the Zoning Bylaw with the exception that tandem parking will be permitted for all units providing two parking spaces.

Units 121, 122 and 123 in Building D shall provide 1 parking space per unit.

112.7 Building Form

The siting and density of buildings along with the location of internal roads and parking spaces shall be generally in accordance with the plans attached hereto as "Schedule CD 50" and forms part of this Bylaw.

CD 49 ZONE ADDED BY BYLAW NO. 2735*115 Comprehensive Development Zone (CD 49)****115.1 Intent**

The intent of this zone is to accommodate up to 26 residential units in three-storey buildings

115.2 Permitted Uses

- (1) Multiple-family residential
- (2) Accessory off-street parking
- (3) Accessory Home Occupation Type II

115.3 Lot Coverage

The maximum permitted lot coverage is 42 percent.

115.4 Height of Building

The height of a building shall not exceed the greater of 10.9 metres (36 ft.) or three storeys.

115.5 Number of Units

The maximum number of permitted units is 26.

115.6 Parking

Parking shall conform with Section 6.1 of the Zoning Bylaw with the exception that tandem parking will be permitted.

115.7 Building Form

The siting and density of buildings along with the location of internal roads and parking spaces shall be generally in accordance with the plans attached hereto as "Schedule CD 49" and forms part of this Bylaw.

**SECTION 116 ADDED BY BYLAW NO. 2856
SECTION 116 REPLACED BY BYLAW NO. 2889**

116 Comprehensive Development Zone (CD 54)

116.1 Intent

The intent of this zone is to accommodate up to 106 residential units and 2021.3square metres (21,758 sq. ft.) of retail uses on the two legal parcels shown in “Schedule CD 54”.

116.2 Permitted Uses

- (1) Multiple-family residential use
- (2) Retail Service Use (Groups A and B)
- (3) Accessory Home Occupation Use (Type II)
- (4) Accessory off-street parking
- (5) Accessory off-street loading
- (6) Child Care Use

Added
by Bylaw
#2930➔

116.3 Residential Density

No more than 106 multi-family residential units are permitted.

116.4 Floor Area Ratio

The maximum permitted floor area ratio is 3.0 as shown in “Schedule CD 54”.

116.5 Height of Buildings

The height of the building shall be as shown in “Schedule CD 54” and shall not exceed those set out in the following table:

West Section	Main building height of 5 storeys or 17.7 m. (58.0 ft.) facing St. Johns Street
East Section	Main building height of 5 storeys or 16.2 m. (53.3 ft.) facing St Johns Street Building height of residential stacked townhouses of 4 storeys or 13.1 m. (43.0 ft.) facing Spring Street Building height of retail facing Spring Street of 7.6 m. (25.0 ft.)
Centre Section	Building height of residential stacked townhouses of 4 storeys or 13.4 m. (44.0 ft.) facing Spring Street

116.6 Building Form

The siting, height, and form of the buildings shall be generally in accordance with the plans attached hereto as “Schedule CD 54” and forms part of the Bylaw.

SECTION 117 ADDED BY BYLAW NO. 2912**117 Comprehensive Development Zone (CD 55)****117.1 Intent**

The intent of this zone is to allow for community commercial uses within the existing building on the legal parcel shown in "Schedule CD 55".

117.2 Permitted Uses

- (1) Retail Service (Groups A and B)
- (2) Accessory off-street parking
- (3) Accessory off-street loading

117.3 Conditions of Use

- 117.3.1 Retail service use shall be conducted within a completely enclosed building except for parking and loading facilities.
- 117.3.2 All goods produced on the premises shall be sold on the same premises.
- 117.3.3 All principal uses shall be oriented to pedestrian needs and be so located and designed to avoid vehicular interference with pedestrian movement.
- 117.3.4 Accessory off-street loading shall be located entirely in the rear yard.

117.4 Density

The maximum permitted density is 9100 sq. ft. (2773.7 sq. m.).

117.5 Height of Building

The height of the building shall be not exceed 4.8 metres (16 ft.) or 1 storey.

117.6 Siting

The siting of the building shall remain generally in accordance with the legal survey attached hereto as "Schedule CD 55" and forms part of the Bylaw.

CD 58 ZONE ADDED BY BYLAW NO. 2924**165 Comprehensive Development Zone (CD 58)****165.1 Intent**

The intent of this zone is to accommodate a secondary detached dwelling unit (laneway house) in addition to the existing primary dwelling containing a secondary suite on the legal parcel shown in the "Certified True Copy" map attached.

165.2 Permitted Uses

- (1) One-family residential
- (2) Secondary detached dwelling unit (laneway house)
- (3) Accessory Home Occupation Use (Type II)
- (4) Accessory off-street parking
- (5) One of the following:
 - Secondary suite;
 - Accessory home occupation use (Type I)
 - Accessory boarding use; or
 - Bed and breakfast.

165.3 Lot Coverage

Maximum lot coverage permitted is 40 percent.

165.4 Floor Area Ratio

The maximum permitted floor area ratio is 0.5.

165.5 Height of Buildings

The height of the primary one-family residential building shall not exceed 10.5 meters (34.5 ft.) nor three storeys. The height and form of the secondary detached dwelling unit (laneway house) shall be generally in accordance with the plans attached hereto as "Schedule CD 58" and forms part of the Bylaw.

165.6 Setbacks**165.6.1 Front Yard Setback – Primary Building**

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

165.6.2 Side Yard Setbacks – Primary Building

- (a) 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 metres (5 ft).
- (b) On a corner lot, the side yard adjoining the flanking street shall be not less than 3.0 metres (9.8 ft) in width.

165.6.3 Rear Yard Setback – Primary Building

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

165.6.4 Setback Between the Primary Building and the Secondary Detached Dwelling Unit (Laneway House)

A minimum setback of 4.9 metres (16 ft.) shall be maintained between the primary building and the secondary detached dwelling unit (laneway house).

165.6.5 Setbacks for the Secondary Detached Dwelling Unit (Laneway House)

The remaining setbacks for the secondary detached dwelling unit (laneway house) shall be as generally in accordance with the plans attached hereto as "Schedule CD 58" and forms part of the Bylaw.

165.7 Permitted Accessory Building

One accessory building, in addition to the secondary detached dwelling unit (laneway house), is permitted, as follows:

165.7.1 An accessory building shall be located within the rear yard of a one-family residential use.

165.7.2 The maximum coverage of an accessory building shall be 7 percent of the lot area on lots with an area in excess of 600 square metres, to a maximum floor area of 60 square metres. On lots of less than 600 square metres, maximum coverage shall be the lesser of 10% or 42 square metres.

165.7.3 The height of an accessory building shall not exceed 4.5 metres (14.8 ft).

165.7.4 Side yard setbacks shall be provided with a minimum width of 10 percent of the lot width. This width need not exceed 1.5 metres (5 ft).

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

165.7.6 A rear yard setback shall be provided of not less than 1.5 metres (5ft) in depth.

167 Comprehensive Development Zone (CD60)

Added by
Bylaw 2984

167.1 Intent

The intent of this zone is to accommodate up to 21 residential units in three-storey buildings.

167.2 Permitted Uses

- (1) Multiple-family residential
- (2) Accessory off-street parking
- (3) Accessory Home Occupation Use (Type II)

Added by
Bylaw 2984

167.3 Lot Coverage

Maximum lot coverage permitted is 35 percent.

167.4 Height of Buildings

The height of the primary one-family residential building shall not exceed the greater of 9.2m or three storeys.

167.5 Number of Units

The maximum number of permitted units is 21.

167.6 Parking

Parking shall conform with Section 6.1 of the Zoning Bylaw with the exception that tandem parking will be permitted.

167.7 Building Form

The siting and density of buildings along with the location of internal roads and parking spaces shall be generally in accordance with the plans attached hereto as "Schedule CD 60" and forms part of this Bylaw.

READ A FIRST TIME THIS 8TH DAY OF FEBRUARY, 1988.

READ A SECOND TIME THIS 15TH DAY OF FEBRUARY, 1988.

PUBLIC HEARING HELD PURSUANT TO SECTION 947(3) OF THE MUNICIPAL ACT THIS 29TH DAY OF FEBRUARY, 1988.

RECEIVED THE APPROVAL OF THE MINISTRY OF TRANSPORTATION AND HIGHWAYS THIS 22ND DAY OF MARCH, 1988.

READ A THIRD TIME THIS 28TH DAY OF MARCH, 1988.

RECONSIDERED AND FINALLY ADOPTED THIS 28TH DAY OF MARCH, 1988.

"D. T. DRISCOLL"

MAYOR

"P. D. GOODWIN"

CITY CLERK

SCHEDULE "B" TO BYLAW NO. 1890
CRITERIA FOR DEVELOPMENT OF MARINA FACILITIES

1001 - PURPOSE

The purpose of this 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.

1002 - DEFINITIONS

1. 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.

2. INCLUDES OR INCLUDING

Means includes or including amongst other things.

3. LAND TO WATER RATIO

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.

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.

1003 - PERMITTED USES

1. Small craft launching ramps and mooring facilities.
2. Comprehensive Marina Developments, which shall include mooring facilities and may include launching ramps. Associates uses may include:
 - (a) Restaurant and/or Coffee Shop
 - (b) Bait, Tackle, Food and Chandlery Store
 - (c) Smallcraft Boat and Engine Sales and Repair, including Marine Railway
 - (d) Marine Fueling Station
 - (e) Smallcraft Dry Storage Yards
 - (f) Launching Ramp, Elevator, Derrick or other launching apparatus
 - (g) Administration Facilities, including Living Quarters for Manager or Watchman
 - (h) Boat Rentals and Passenger Charter Operations
 - (i) Park, Picnic Grounds and Passive Recreation areas.

1004 - PROHIBITED USES

1. Boat or ship building, other than for facilities necessary for Section 1003 (2) (c)
2. Above-ground petroleum, oils or liquid storage
3. Freight charter operations
4. Fish docks
5. Industrial operations including offices, moorage, or storage of any kind
6. Commercial accommodation, retail or service facilities other than as enumerated in Section 1003 (2).

1005 - MINIMUM LAND TO WATER RATIO

The Minimum land to water ratio shall be 1:1.

1006 REGULATIONS IN ADDITION TO THOSE IN SECTION 1003 FOR PERMITTED USES OF WATER, LAND, BUILDINGS & STRUCTURES ON THE MARINA ZONE

1. 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 manoeuverability of boat trailer units where applicable.
- (c) Marine traffic shall not be drawn through a residential neighbourhood.

2. 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.

1006 REGULATIONS IN ADDITION TO THOSE IN SECTION 1003 FOR PERMITTED USES OF WATER, LAND, BUILDINGS & STRUCTURES ON THE MARINA ZONE

3. 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.

4. 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.

5. 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.
- (c) Shall be constructed in accordance with the National Building Code 1970.

1006 REGULATIONS IN ADDITION TO THOSE IN SECTION 1003 FOR PERMITTED USES OF WATER, LAND, BUILDINGS & STRUCTURES ON THE MARINA ZONE

6. 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.
- (c) 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.
- (d) Shall not exceed a height of 16 feet above the water surface nor exceed a length of 45 feet.
- (e) Shall not exceed in total area, including supporting and access floats, more than 10% of the total area of the waterlot lease.
- (f) Shall be constructed on non-combustible, non-reflective sheeting which shall cover all roof bracing from external view.

7. 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.

1006 REGULATIONS IN ADDITION TO THOSE IN SECTION 1003 FOR PERMITTED USES OF WATER, LAND, BUILDINGS & STRUCTURES ON THE MARINA ZONE

7. OFF-STREET PARKING (CONTINUED)

- (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.

8. 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.

1006 REGULATIONS IN ADDITION TO THOSE IN SECTION 1003 FOR PERMITTED USES OF WATER, LAND, BUILDINGS & STRUCTURES ON THE MARINA ZONE

8. SANITARY AND WASTE DISPOSAL (CONTINUED)

- (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.

9. 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.

10. 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.

11. 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.

12. Signs

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

13. Site Coverage

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

1006 REGULATIONS IN ADDITION TO THOSE IN SECTION 1003 FOR PERMITTED USES OF WATER, LAND, BUILDINGS & STRUCTURES ON THE MARINA ZONE

14. 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.

15. 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.

1007 - DEVELOPMENT OF MARINA ZONES

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.

Adopted by resolution, as Council Policy on the 10th day of December, 1973.

"P.D. GOODWIN"

CITY CLERK