

## PART 5 GENERAL REGULATIONS

### REGULATIONS RELATING TO USE

#### 501 Non-Conforming Use

- (1) The regulations governing non-conforming *use* are set out in the Local Government Act.
- (2) No *use* may be established so as to render any existing use on the same lot non-conforming as to regulations, for example, setbacks, *lot coverage*, floor space ratio.

#### 502 Uses Permitted in All Zones

- (1) Land in any zone may be used for highways, utility poles, transmission towers, wires, traffic controls, telephone booths, bus benches and shelters, directional signs and underground utility systems, except where prohibited by this or another Bylaw.
- (2) Except where specifically permitted in a zone or permitted as a *public service use* in a zone, an underground utility system must not include buildings or *structures* for compressor stations or pumping stations.
- (3) Subject to section 520, one satellite dish and related equipment is permitted as an *accessory use* and *structure* in any zone.
- (4) *Residential sales use* is permitted in all *commercial* and *residential* zones, and in any Comprehensive Development zone, subject to the following conditions:
  - (a) must comply with the *building setback* and *building height* of the zone in which it is located;
  - (b) must be sited a minimum of 1.5 metres away from any active construction area;
  - (c) for the purposes of calculating the required number of *parking spaces*, are considered an *office use* and must provide a minimum of two *off-street parking spaces*;
  - (d) must only market a development that has received a development permit or, where a development permit is not required, final *subdivision* plan approval; and
  - (e) unless located within an existing *commercial* unit or *building* within a *commercial* zone,
    - (i) must be located on the same development site as the approved development that is being marketed; and
    - (ii) must be removed before the development can receive a full occupancy permit.

- (5) Advanced Light Rapid Transit (ALRT) stations and ALRT subs-stations are permitted in all zones, including any *accessory commercial use* as permitted by the applicable transit authority.
- (6) The following *uses* are permitted in any zone, subject to the provisions of Part 5, Part 7 and any other applicable regulations in this Bylaw:
  - (a) *Accessory off-street parking*
  - (b) *Accessory off-street loading*
- (7) *Civic*, limited to parks and playgrounds, is permitted in all zones.
- (8) Property management office is permitted as an *accessory use* within an *apartment* or *townhouse* residential development.

### 503 Uses Prohibited in All Zones

The following *uses* are prohibited in all zones, except where specifically permitted in this Bylaw:

- (1) *Residential use of a mobile home, tent, trailer or recreation vehicle;*
- (2) Any portion of a *building or structure* for the purpose of *casino gaming*
- (3) A *use of one dwelling unit or one sleeping unit* by more than one *person* per 10 m<sup>2</sup> of residential floor area, or a *use of one dwelling unit* by more than one *family* or three unrelated *persons*, except where permitted in this Bylaw as a *boarding use*;
- (4) A *use of a lot* where the *General Manger Engineering and Public Works* has determined that, due to physical constraints, no access is available from a constructed or usable *street*;
- (5) A *use of land* for an accessory parking use, *off-street parking use* or *storage use*, for a motor vehicle exceeding 4,500 kilograms *gross vehicle weight rating*, except that:
  - (a) *recreational vehicles* and passenger vehicles of any *gross vehicle weight rating* may be parking or stored on any *lot*, subject to other restrictions in this Bylaw;
  - (b) motor vehicles of up to 14,000 kilograms *gross vehicle weight rating* may be parked or stored on a lot:
    - (i) in an A-3 zone used for *resource or agricultural use*;
    - (ii) in an M-1, M-2 or B-1 zone;
    - (iii) used for *commercial or service station use*, or for *assembly use* for a place of worship;
  - (c) where the *lot* is located on a municipal truck route designated by the *City of Coquitlam Street and Traffic Bylaw* currently in force, motor vehicles of any *gross vehicle weight rating* may be parked or stored on land:
    - (i) in an A-3 zone used for *resource or agricultural use*;

- (ii) in an M-1, M-2 or B-1 zone;
  - (iii) used for *commercial* or *service station use*, or for *assembly use* for a place of worship, and provided that the *lot* is not in the C-5 or C-7 zones.
- (6) Any portion of land, a *building* or *structure* for purposes of *electronic gaming*, except as may be specially permitted by this Bylaw at any time or from time to time.
- (7) *Pawnbrokers, pawnshops, massage parlours, escort services, and exotic dancing.*
- (8) The growth, cultivation, production, processing, storage, distribution, barter, or sale of cannabis, or any products containing or derived from cannabis, except *cannabis production, cannabis processing, cannabis retail* where expressly permitted in this Bylaw.

#### 504 Temporary Building

Land may be used for a *temporary building* provided that the *temporary building*:

- (1) Is not used as a *dwelling unit*;
- (2) Does not:
  - (a) create or contribute to any public nuisance or public hazard;
  - (b) affect or obstruct any *street* or *lane*;
- (3) Complies with the following provisions of the bylaw for the zone in which it is located:
  - (a) *use and density*;
  - (b) *accessory off-street parking*;
  - (c) *building setbacks and building height*;
- (4) Notwithstanding sub-section (3) above, a *temporary building*:
  - (a) used as a newspaper distribution depot must be located within a C zone and shall not be required to comply with sub-section (3) above;
  - (b) used for *primary or secondary school* purposes on elementary or middle school sites shall not be required to comply with sub-section (3)(b) above, provided that the placement of the *temporary building* does not result in reduction to the number of *accessory off-street parking* spaces then existing on the *lot*, unless with the reduction the required parking under this Bylaw for all permanent and *temporary buildings* is met;
  - (c) used as a construction trailer shall not be required to comply with sub-section (3) above.

#### 505 Landscaping

All portions of a *lot* not occupied by a *building* or *structure* or used for *off-street parking* or off-street loading must be landscaped and maintained.

**506 Landscaping Requirements for Development in Northeast Coquitlam**

- (1) Development occurring within the area of Northeast Coquitlam shown on the map illustrate in Schedule “H” shall provide landscaping in accordance with the specification in the following table
- (2) In addition to (1) above, all planted trees:
  - (a) shall be nursery grown stock; and
  - (b) must meet BCSLA/BCNTA standards as well as the tree planting standards included in the *City of Coquitlam’s* Supplementary Specifications and Detailed Drawings to the 2000 edition of the British Columbia Master Municipal Construction Documents (BC MMCD).

Lot Size in square metres (m <sup>2</sup> )	Retained trees > 20 cm diameter		Number of Trees retained or Trees planted greater than 10 cm diameter (see List A) <sup>1</sup>		Number Trees retained or Trees planted greater than 5 cm diameter (see list B) <sup>2</sup>		Number of any other Trees retained or Trees planted (see List C) <sup>3</sup>
<250	0	<b>OR</b>	0	<b>OR</b>	1	<b>OR</b>	1
251-500	1		2		3		4
501-750	2		4		6		8
751-1000	3		6		9		12
1001-1250	4		8		12		16
Over 1250	1 Tree per 250 m <sup>2</sup> (*)		1 Tree per 125 m <sup>2</sup> (*)		1 Tree per 85 m <sup>2</sup> (*)		1 Tree per 65 m <sup>2</sup> (*)

(\*) rounded to the nearest whole number

<sup>1,2, &3</sup> - for guidance refer to the City’s applicable standards regarding Tree Retention and Replacement

**507 Common Amenity Area Standards**

Common amenity areas must be designed to attract residents to use the space.

- (1) Minimum Area:  
The minimum size of any portion of *common amenity area* shall be not less than 1.8 metre x 1.8 metre of area.
- (2) Surfacing Materials:  
Outdoor *common amenity areas* must be surfaced with lawn, pavers, decking, sport court paving, or similar features which allow the area to be used for active or passive recreational use.

(3) Facilities and Landscaping:

Tables, benches, trees, garden plots, children's play *structures*, fountains, pools, or similar features, may be incorporated into *outdoor common amenity areas*. An indoor *common amenity area* may include recreation facilities, guest rooms, and meeting rooms.

**508 Accessory Uses**

**(1) Boarding Use**

A *boarding use*:

- (a) must not accommodate more than two boarders per *dwelling unit*;
- (b) in the form of bed and breakfast accommodation, may provide accommodation for one *family* or two boarders; and
- (c) must be completely enclosed within a *building*.

**(2) Accessory Dwelling Units on Lots with Private Sewage Disposal Systems**

Where a *single-detached dwelling* is serviced by a private, on-site sewage disposal system, an *accessory dwelling unit* is only permitted if permitted in the applicable zone and the applicable licensing body confirms in writing that the capacity of the sewer system will not be compromised by the presence of the *accessory dwelling unit*.

**(3) Accessory Home Occupation**

An *accessory home occupation use*:

- (a) must be validly licensed;
- (b) must not involve the retail sale and delivery of goods on the premises unless the goods are produced on the premises;
- (c) must not involve the outdoor display or storage of goods and materials;
- (d) shall be conducted by at least one permanent resident *person* of the *residential use* to which it is accessory and shall employ no more than one non-resident *person*;
- (e) must not detract in any way from the residential character of the exterior of *building* in which it is conducted nor indicate in any way from the exterior that the premises are being so used, except for non-illuminated fascia signage (0.2 square metres maximum) as permitted in the *City of Coquitlam Sign Bylaw* currently in force;
- (f) must not result in parking, pedestrian or vehicular traffic to the home, in excess of that which is characteristic of the zone within which it is located;
- (g) must not involve the storage of dangerous goods or discharge or emit odorous, toxic or noxious matters, heat, glare, radiation or noise except as characteristic of a residential *dwelling unit* nor produce solid or offensive waste not characteristic

or in excess of volumes characteristic of a residential *dwelling unit* and as permitted under the City's Solid Waste Bylaw currently in force;

- (h) must not involve the keeping of animals for financial gain or breeding of any animals as an *accessory home occupation use*;
- (i) must be completely enclosed within a *building* used for *residential* or *accessory residential use*, except when the *accessory home occupation use* involves *child care*;
- (j) may be accessory to either a principal *dwelling unit* or *accessory dwelling unit*;
- (k) must not occupy more than 40% of the residential floor area of the *dwelling unit* the *accessory home occupation* is located within;
- (l) must not carry on a *business* as an *adult entertainment use*, *adult video store*, *cheque cashing business*, *scrap metal dealer*, or *tattoo parlour*; and
- (m) must not involve the repair, salvaging or maintenance of motor vehicles as an *accessory home occupation use*.

#### **(4) Building of Boats**

The building of any boat must:

- (a) take place within a *building* used for *accessory residential use*, *accessory off-street parking*; or
- (b) be completely screened so as not to be visible from outside the lot on which the boat is being built; and
- (c) not take place in an area between a *building* and the *front lot line* or between the *building* and an exterior side lot.

#### **(5) Accessory Off-Street Parking in Residential Zones**

This section applies to all zones in Part 10 Low-Density Residential Zones and Part 22 Legacy Zones, and to the RT-2, RM-1 and RMH-1 zones.

In the above zones, *accessory off-street parking* must not be used for the parking or storing of:

- (i) *contractor's equipment* unless completely enclosed within a *building*;
- (ii) greater than two of any combination of *recreational vehicle* or boat trailers unless completely enclosed within a *building*;
- (iii) *recreational vehicles* exceeding 3.7 metres in height, unless completely enclosed within a *building*;
- (iv) *recreational vehicles* or boat trailers within an interior or exterior side yard setback unless:
  - (i) screened from the adjacent side lot line by a solid *fence* or landscaping not less than 1.8 metres in height; and
  - (ii) the use is not otherwise prohibited elsewhere in this Bylaw.

- (v) *recreational vehicles* or boat trailers which exceed 7.6 metres in length unless:
  - (i) completely enclosed within a building; or
  - (ii) the length of the property's driveway (and contiguous parking pad, if present) exceeds 7.6 metres, in which case the length of each *recreational vehicle* or boat trailer must not exceed the length of the driveway (and contiguous parking, if present), to a maximum length of 15.2 metres.
- (vi) Commercial vehicles unless:
  - (i) if less than or equal to 7.6 metres in length
    - (i.i) parked or stored within an interior or exterior side yard setback, screened from the adjacent side lot line by a solid *fence* or landscaping not less than 1.8 metres in height, and not otherwise prohibited elsewhere in this Bylaw; or
    - (i.ii) completely enclosed within a *building*; or
    - (i.iii) the length of the property's driveway (and contiguous parking pad if present) exceeds 7.6 metres.
  - (ii) if greater than 7.6 metres in length
    - (ii.i) completely enclosed within a *building*; or
    - (ii.ii) the length of the property's driveway (and contiguous parking pad if present) exceeds 7.6 metres, in which case the length of the commercial vehicle must not exceed the length of the driveway (and contiguous parking pad if present), to a maximum length of 15.2 metres.
    - (iii) if greater than 3.7 metres in height, it is completely enclosed within a *building*.
- (vii) *recreational vehicles* or commercial vehicles not owned by the occupant or owner of the property.

**(6) Lock-off Units**

A *lock-off unit* is permitted only where it complies with all of the following:

- (a) only one *lock-off unit* is permitted in an *apartment* or a *townhouse dwelling unit*;
- (b) the *lock-off unit* is not subject to *subdivision* under the provisions of either the Land Title Act or the Strata Property Act; and
- (c) the additional amount of *off-street parking* required for *lock-off units* must be located on-site.

**(7) Accessory Unenclosed Storage**

- (a) The goods or materials stored must not extend at any point more than 2.2 metres above finished ground level.
- (b) An *accessory unenclosed storage use* must be bounded on all sides by a *fence* not less than 1.5 metres in height.

(c) Land used for an *accessory unenclosed storage use* must be surfaces with asphalt, concrete or other dust-free material.

**(8) Accessory Street Vending**

*Accessory street vending uses* are subject to the regulations of the “City of Coquitlam Street Vending and Special Event Vending Bylaw,” currently in force.

**509 Residential and Commercial Waste and Recycling Area Requirements**

(1) All new *residential* and *commercial* development shall provide an enclosed space to accommodate waste, green waste and/or recycling in accordance with the following:

(a) <b>Use</b>	<b>Cart Allocation and/or Collection</b>	<b>Minimum Dimensions or Area</b>
<i>Small-Scale Residential</i>	Individual carts for each <i>principal dwelling unit</i> or carts shared between one <i>principal dwelling unit</i> and no more than one <i>accessory dwelling unit</i>	0.6 m in length x 1.6 m in width x 1.1 m in height
	Carts shared between one <i>principal dwelling unit</i> and two or more <i>accessory dwelling units</i>	0.8 m in length x 1.8 m in width x 1.2 m in height
	Carts shared between two <i>principal dwelling units</i>	0.8 m in length x 1.8 m in width x 1.2 m in height
<i>Street-Oriented Village Home Residential</i>	Individual carts for each <i>principal dwelling unit</i>	0.6 m in length x 1.6 m in width x 1.1 m in height
<i>Townhouse</i>	Individual carts for each <i>principal dwelling unit</i> or carts shared between one <i>principal dwelling unit</i> and no more than one <i>lock-off unit</i>	0.6 m in length x 1.6 m in width x 1.1 m in height
	Common collection area	The greater of 7.5 m <sup>2</sup> or 0.29 m <sup>2</sup> per <i>dwelling unit</i> up to a maximum of 50 m <sup>2</sup> .



<b>Use</b>	<b>Cart Allocation and/or Collection</b>	<b>Minimum Dimensions or Area</b>
<i>Apartment</i>	Common collection area	The greater of 7.5 m <sup>2</sup> or 0.29 m <sup>2</sup> per <i>dwelling unit</i> up to a maximum of 50 m <sup>2</sup> .
<i>Commercial</i>	Common collection area	The greater of 4 m <sup>2</sup> or 0.015 m <sup>2</sup> per square metre of <i>gross floor area</i> up to a maximum of 50 m <sup>2</sup> .

- (b) For *residential* developments providing individual carts for each *principal dwelling unit*, a private garage may be considered an enclosed space provided that the garage is accessible to all *accessory dwelling units* using the carts, where such *dwelling units* are permitted, and that the required waste storage area does not encroach on *off-street parking spaces*.
- (c) Notwithstanding Sub-section 509(1)(a), the Director of Development Services may permit an enclosed space with reduced dimensions if satisfied that sufficient storage space is otherwise provided.

## 510 Uses That May Be Unenclosed

The following *uses* do not need to be enclosed within a *building*:

- (1) An outdoor play area that is accessory to a child-minding service, *assembly child care use*, or *child care use* and that is required by the provincial health licensing authority;
- (2) *Accessory* outdoor seating for patrons of a permitted *restaurant*, *liquor primary establishment* or *liquor manufacturing use*, provided that such seating does not encroach upon the areas for parking, pedestrian circulation, loading or landscaping otherwise required under this Bylaw;
- (3) A pedestrian accessed or *drive-through* pickup window accessory to a *restaurant use*;
- (4) A pedestrian accessed or *drive-through* automated teller machine (ATM) that is accessory to a *commercial use*;
- (5) The outdoor display and sale of retail goods if located between the front of the *building* and the property line or public right-of-way, whichever is closest, provided the display does not encroach upon the areas for parking, loading, pedestrian circulation or landscaping otherwise required by this Bylaw; and

- (6) Carnival rides, circuses and similar *commercial* promotional activities for a period not in excess of fourteen days, notwithstanding that *accessory off-street parking* spaces required by this Bylaw may not be usable for that period.

## **SIZE, SHAPE AND SITING OF BUILDING AND STRUCTURES**

### **511 Non-Conforming Size, Shape and Siting**

- (1) No *building* or *structure* may be constructed, reconstructed, altered, moved or extended so as to cause any existing *building* or *structure* on the same *lot* to contravene the provisions of this Bylaw.
- (2) A *small-scale residential use* is not permitted on a *lot* smaller than the minimum *lot size* specified in the applicable zone unless the *lot* (which may include a *strata lot*) was registered in the Land Title Registry before June 30, 2025 and is serviced by the municipal water supply system and the municipal sanitary sewer system.
- (3) Notwithstanding Sub-section (2), a *single-detached dwelling* is not permitted on a *lot* less than the minimum *lot size* specified in the applicable zone unless:
  - (a) the *lot* (which may include a *strata lot*) was registered in the Land Title Registry before June 30, 2025 and is serviced by the municipal water supply system and the municipal sanitary sewer system; or
  - (b) the *lot* (not including a *strata lot*) was registered in the Land Title Registry before September 27, 1971 and:
    - (i) the *lot* is not serviced by the municipal water supply system and the *Medical Health Officer* has approved in writing an alternate source of water supply; and
    - (ii) the *lot* is not serviced by the municipal sanitary sewer system and the *Medical Health Officer* has approved, in writing, an on-site sewage disposal system, or accepted for filing certification that such system has been completed according to filed plans.

### **512 Buildings Per Lot**

One or more *principal buildings* may be located on a *lot*, except otherwise limited in this Bylaw.

### **513 No Building Over Lot Line**

No *building* may be located over a *lot* line.

**514 Siting Exceptions**

	<b>Siting Exceptions</b>	<b>Exceptions Permitted</b>	<b>Additional Requirements</b>
(1)	Chimneys, Bay windows, Ornamental features, Unglazed alcoves	The minimum setback may be reduced by 0.6 metre from the approved or permitted setback.	In all RS zones, R zones and RT zones, bay windows must not project into the interior side yard setback requirement of the zone except when adjacent a <i>lane</i> .  All projections are limited to an aggregate maximum of 3.0 metres in length per <i>wall</i> face.
(2)	<i>Awning</i> Steps, Eaves, Sunlight control projections, <i>Canopies</i> , Balconies, Porches, Support columns that project beyond the face of the <i>building</i> , <i>Enclosed balconies</i>	Setback to an interior <i>lot</i> line may be reduced 0.6 metre from the approved or permitted setback.  Setbacks to all other <i>lot</i> lines may be reduced by 1.5 metres from the approved or permitted setback, provided a minimum setback of 0.6 metres is maintained.	
(3)	Weather protection <i>structures</i> for <i>short-term bicycle parking</i> , fully enclosed <i>accessory structures</i> for solid waste and recycling storage	Setback to an <i>interior side lot line</i> may be reduced by 0.6 metres from the approved or permitted setback.  Setbacks to all other <i>lot</i> lines may be reduced by 2.0 metres from the approved or permitted setback, provided a minimum setback of 0.6 metres is maintained.	A solid waste and recycling storage <i>structure</i> is not permitted in the <i>front yard</i> .

	<b>Siting Exceptions</b>	<b>Exceptions Permitted</b>	<b>Additional Requirements</b>
(4)	<i>Underground structure</i>	May be sited on any portion of a <i>lot</i> except as restricted by section 518, 519 and 523.	<p>Maximum projection 1.3m above <i>finished grade</i> (except driveway and stairwell entrances).</p> <p>If projecting above <i>finished grade</i>, a minimum 1.5 metres landscaped setback area must be provided from any <i>lot</i> line.</p>
(5)	<p>Exterior heating and cooling equipment and associated venting terminations, Heat pumps, Ancillary swimming pool heating and filtering equipment, Emergency generators</p>	May be sited on any portion of a <i>lot</i> , except as otherwise limited by this or another bylaw.	<p>For <i>small-scale residential</i> and <i>street-oriented village home residential uses</i>, the subject equipment must be located a minimum of 1.0 metre from the required <i>interior side lot line</i> setback for the zone the <i>building</i> is located in.</p> <p>Venting terminations for central heating and cooling equipment must be located such that they do not vent into the area of a <i>lot</i> adjacent to an <i>interior side lot line</i>.</p> <p>Ancillary swimming pool heating and filtering equipment is restricted to a maximum <i>height</i> of 1.3 metres above grade.</p>
(6)	In-ground swimming pool	May be sited on any portion of a <i>lot</i> , except as restricted under sections 518, 519 and 523.	
(7)	<i>Exterior cladding, pilasters, or belt courses</i>	May project 0.165 metres maximum from the <i>exterior sheathing</i> of a <i>building</i> .	

	<b>Siting Exceptions</b>	<b>Exceptions Permitted</b>	<b>Additional Requirements</b>
(8)	Fences Mailboxes Trellises Benches Outdoor Amenity Areas Children’s Playground Areas	May be sited at any portion of a <i>lot</i> , except as otherwise limited by this or another bylaw.	
(9)	Freestanding lighting poles, Freestanding signs, Warning devices, Antennas, Masts, Utility poles, Wires, Flagpoles	May be sited on any portion of a <i>lot</i> , except as otherwise limited by this or another bylaw.	
(10)	<i>Energized outlet stations for electric vehicle charging service</i>	May be sited at any portion of a <i>lot</i> , except as otherwise limited by this or another bylaw.	

(11) Notwithstanding any permitted projection into an *interior side lot line setback*, an unobstructed path of travel measuring minimum 0.9 metres clear width and 2.1 metres clear height above *finished grade* must be maintained along at least one *interior side lot line* on a *lot* for *small-scale residential use*.

**515 Height Exceptions**

The maximum *heights* of *buildings* and *structures* established elsewhere in this Bylaw may be exceeded for:

- (1) *industrial cranes*, grain elevators, towers, tanks and bunkers;
- (2) monuments, chimneys, smokestacks and flagpoles;
- (3) elevator shafts, mechanical equipment and stair towers;
- (4) radio, television and cellular antennas;
- (5) screening for mechanical equipment and antennas;
- (6) retaining *walls*, except as specified in Section 516;
- (7) scenery lofts, skylights and landscape entry features; and
- (8) spires, belfries, minarets and domes where attached to a place of worship.

516 Landscape Screens, Fences and Retaining Walls

	Landscaping Screens, Fences and Retaining Walls (Type)	Maximum Height	Additional Requirements
(1)	<i>Landscape screen, retaining wall, or fence</i> within 6 metres of an <i>exterior lot corner</i> .	1 metre maximum	Trees and other vegetation must be trimmed so that there is no visual obstruction between 1 and 2 metres above the adjoining pavement level.  No <i>landscape screens, fences, or retaining walls</i> are permitted within a 3 metre by 3 metre area adjacent a <i>lane and/or street</i> intersection.
(2)	<i>Fence height</i> for Part 10 Low-Density Residential Zones, Part 12 Apartment Residential Zones, Part 22 Legacy Zones, and RMH, C-1, C-5 and P-4 zones.  <i>Fence height</i> for all other zones.	1.3 metres  3.1 metres	1.8 metres maximum <i>height</i> to the rear of the front face of a <i>building</i> on an interior <i>lot</i> or an exterior <i>lot</i> .
(3)	<i>Fence height</i> in a public park in a residential zone.	1.3 metres along the <i>front lot line</i> . 1.8 metres for all other <i>lot</i> lines.	
(4)	Retaining <i>wall</i> and <i>fence</i> (combined).	3 metres, <b>except</b> where a retaining <i>wall</i> greater than 1.2 metres in <i>height</i> is permitted, the maximum <i>height</i> of the <i>fence</i> on top of the retaining <i>wall</i> is 1.8 metres.	

	<b>Landscaping Screens, Fences and Retaining Walls (Type)</b>	<b>Maximum Height</b>	<b>Additional Requirements</b>
(5)	Retaining Walls		
	Individual Retaining Walls	<p>1.2 metres except those required to be constructed as a condition of <i>subdivision</i> approval in which case the maximum <i>height</i> is 2.4 metres. The <i>General Manager Planning and Development</i> or duly authorized designate may also permit a higher retaining wall, up to a maximum of 2.4 metres under certain conditions.</p> <p>The <i>General Manager Planning and Development</i> or duly authorized designate may permit up to 4.8 metres combined <i>height</i> of two retaining walls, with 3.6 metres maximum <i>height</i> for any individual retaining walls.</p>	<p>Minimum 1.2 metres horizontal separation between any two retaining walls.</p> <p>The <i>General Manager Planning and Development</i> or duly authorized designate must approve all stepped retaining walls that are spaced horizontally less than a minimum distance of two times the <i>height</i> of the immediate lower retaining wall.</p>
	Stepped retaining walls situated between two <i>small-scale residential lots</i> that share (either wholly or partially) a <i>rear lot line</i> or a <i>side lot line</i> or a combination of the two.	The <i>General Manager Planning and Development</i> or duly authorized designate may permit up to 4.8 metres combined <i>height</i> of two retaining walls, with 3.6 metres maximum <i>height</i> for any individual retaining walls.	<p>Minimum 1.2 metres horizontal separation between any two retaining walls.</p> <p>Only one retaining wall system comprised of two retaining walls is permitted between <i>lots</i>.</p>
(6)	Barbed wire, razor wire and similar materials.		Prohibited in all zones on <i>fences, buildings or structures</i> , except barbed wire is permitted in the A-3 zone, all M-zones, and the P-3 zone where the wire is located on a <i>fence</i> above the <i>height</i> of 1.8 metres.

**517 Future Streets**

- (1) A *building* on a *lot* 280 m<sup>2</sup> or over in area must be sited to accommodate future *streets* and *lanes* as required by the *Approving Officer* or the *Servicing Officer*, or as shown on a *subdivision* plan which has received preliminary approval. The required setbacks for all *buildings* shall be measured from the future *lot line*.
- (2) For properties zoned or rezoning to a Part 10 Low-Density Residential zone, Part 12 Apartment Residential zone, Part 15 Commercial zone or to the RT-1 Infill Residential zone, if the *lot area* is reduced due to road dedication, *lot area* for the purpose of calculating *density* will be based on the *lot area* prior to the road dedication.
- (3) For properties zoned or rezoning to RT-1 or a Part 10 Low-Density Residential zone, if road dedication is required, the *lot width* will be determined prior to the road dedication except where the road dedication is required as a condition of a *subdivision* that creates one or more additional *lots*.

**518 Building Line on Major Arterial Streets**

All *buildings* and *structures* on *lots* abutting a major arterial *street* must set back an additional 3.5 metres beyond the setback otherwise required; except that, the required additional setback shall be reduced by the distance the abutting road allowance has been widened, either by dedication and/or statutory right-of-way beyond 10.06 metres from the original centerline of the *road* allowance. The following are major arterial *streets*:

<b>Street</b>	<b>From</b>	<b>To</b>
Austin Avenue	North Road	Mariner Way
Barnet Highway	Port Moody Boundary	Pinetree Way
Bernatchey Street	Brunette Avenue	Lougheed Highway
Blue Mountain Street	Brunette Avenue	Como Lake Avenue
Brunette Avenue	Trans Canada Highway	Dawes Hill Road
Clarke Road	North Road	Ingersoll Avenue
Coast Meridian Road	Victoria Drive	Harper Road
Como Lake Avenue	North Road	Mariner Way
David Avenue	Port Moody Boundary	Victoria Drive
Dewdney Trunk Road	Mariner Way	Lougheed Highway
Freemont Street	Port Coquitlam Boundary	David Avenue
Guildford Way	Port Moody Boundary	Pipeline Road
Johnson Street	Barnet Highway	Panaroma Drive
Lincoln Avenue	Pinetree Way	Oxford Street
Lougheed Highway	North Road	Myrnham Street
Lougheed Highway	Colony Farm Road	Barnet Highway
Lougheed Highway	Pinetree Way	Westwood Street
Mariner Way	United Boulevard	Barnet Highway
North Road	Brunette River	Como Lake Avenue



Street	From	To
Ozada Avenue	Lincoln Avenue	Pipeline Road
Pinetree Way	Lougheed Highway	Robson Avenue
Pipeline Road	Lincoln Avenue	Galette Avenue
Schoolhouse Street	Trans Canada Highway	Brunette Avenue
United Boulevard	Braid Street	Trans Canada Highway
Victoria Drive	Coast Meridian Road	Calgary Drive
Westwood Street	Christmas Way	Guildford Way

## 519 Flood Protection and Slope Control Measures

(1) In this Section 519, unless the context otherwise requires:

*ADJACENT* means the area within a horizontal distance equal to the length determined by 2 times the vertical difference between the *crest* and 3 times the vertical difference between the *toe* of the *slope* as determined from the mid-point measured horizontally between the *crest* and *toe* of *slope* locations.

*CREST* means as defined by the ground transition where the gradient of the adjacent upper surface is no steeper than 18 degrees (1.0 vertical to 3.0 horizontal).

*DESIGNATED DESIGN FLOOD* means, with respect to all *watercourses* other than the Fraser River, a flood, which may occur in any given year, of such magnitude as to equal a flood having a 200-year occurrence interval and, with respect to the Fraser River, a *Fraser River 1894 design flood*.

*DESIGNATED DESIGN FLOOD LEVEL* means the observed or calculated elevation of a *designated design flood* at any point within the *designated floodplain* which is used to calculate the *flood construction level*.

*DESIGNATED FLOODPLAIN* means the area designated by the City as having the potential to be submerged by a *designated design flood* as specified in Subsection 519(2)(a).

*FLOOD CONSTRUCTION LEVEL* means, at any point within the *designated floodplain*, the *designated design flood level* plus 1.0m for anticipated sea level rise plus *freeboard*, or such other level as specified in a restrictive covenant under Section 219 of the *Land Title Act* which has been registered against the land after December 21, 1989, specifying a *flood construction level* approved by the *Minister* and holding the *City* free of all claims for liability or damages in the event of flooding or erosion, or where a designated flood level cannot be determined, a specified height, accepted by the *City*, above a *natural boundary*, *natural ground elevation*, or any obstruction that could cause ponding.

*FLOOD MANAGEMENT GUIDELINES* means the Province of British Columbia “Flood Hazard Area Land Use Management Guidelines” dated May 2004, the Association of Professional Engineers and Geoscientists of British Columbia “Professional Practice Guidelines – Legislated Flood Assessments in a Changing Climate in BC” dated June 2012, and the British Columbia Ministry of Environment “Sea Level Rise Adaptation Primer – A Toolkit to Build Adaptive Capacity on Canada’s South Coasts” dated January 2011, each as amended from time to time.

*FLOODPLAIN MAPS* means maps showing the floodplain extents and design flood levels for current and future climate change conditions as provided by the *City* and amended from time to time.

*FRASER RIVER 1894 DESIGN FLOOD* means the historic Fraser River flood magnitude that occurred in 1894 as selected by the Province of British Columbia for design of flood protection works along the Fraser River.

*FREEBOARD* means a vertical distance of 0.6 metres added to a daily peak *designated design flood level* or 0.3 metres added to an instantaneous peak *designated design flood level*, used to establish a *flood construction level*.

*HABITABLE AREA* means any space or room, including a manufactured home, that is or can be used for dwelling purposes, business, or the storage of goods which are susceptible to damage by floodwater: and for certainty, *habitable area* includes any enclosed space within a *building* with headroom greater than 1.5 metres (4.92 ft.).

*MINISTER* means the appropriate Minister of the Province of British Columbia, or his or her designate.

*MOVEMENT-SENSITIVE OR VULNERABLE INFRASTRUCTURE* means infrastructure that may result in water discharge and/or damage to *habitable areas*, as determined by the Building Official, including but not limited to:

- storage sheds;
- stormwater conveyance and infiltration facilities;
- including rock pits, infiltration fields, galleries;
- trenches and dry wells;
- pools and landscaping ponds;
- pool/pond mechanical systems and plumbing; and
- water transport pipes (including for irrigation).

*NATURAL BOUNDARY* means the visible high water mark of any lake or *watercourse*, 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 or *watercourse* a character distinct from that of the banks of the lake or *watercourse*, in respect to vegetation as well as in respect to the nature of the soil itself (*Land Act* Section 1) and also includes the edge of dormant side channels of any lake, river, stream, or other body of water.

*NATURAL GROUND ELEVATION* means the undisturbed ground elevation prior to site preparation.

*REGISTERED OWNER* means the *person* or *persons* registered in books of the Land Title Office as entitled to an estate in fee simple in the real property concerned.

*SLOPE* means a stretch of rising or falling ground or a portion of land surface marked by an ascent or descent as determined by a registered British Columbia Land Surveyor.

*TOE* means as defined by the ground location where the gradient of the lower elevation surface is nearest horizontal and from which a line extending at a gradient of 18 degrees (1.0 vertical to 3.0 horizontal) intercepts the adjacent lower elevation *slope* surface.

*WATERCOURSE* means a stream or source of water supply, whether usually containing water or not, a pond, lake, river, creek, brook, ditch and a spring or *wetland* that is integral to a *watercourse*.

- (2) (a) The following lands are designated as floodplain:
- (i) those floodplain areas of the Brunette, Coquitlam, Fraser and Pitt Rivers shown in Schedule “G” of this Bylaw.
  - (ii) land within the floodplain setbacks specified in Subsection 519(2)(b); and
  - (iii) land Lower than either *flood construction level* or the level specified in Subsection 519(2)(c).
- (b) No *building* or *structure* or part of any *building* or *structure*, except for *public service uses* providing for flood control, shall be located within;
- (i) 30 metres of the *natural boundary* of the DeBoville Slough, Brunette, Coquitlam, Fraser and Pitt Rivers; or
  - (ii) 15 metres of the *natural boundary* of any other *watercourse* having a drainage area of 2.0 square kilometres or more and having a *watercourse* bed at least 0.6 metres below the surrounding land.
- (c) No *building* or *structure* or part thereof shall be sited such that the elevation of the underside of any *habitable* floor system is:
- (i) lower than 1.5 metres above the *natural boundary* of any *watercourse* having drainage area of 2.0 square kilometres or more and having a *watercourse* bed at least 0.6 metres below the surrounding land outside the *designated floodplain* shown on Schedule “G”;
  - (ii) lower than the *flood construction level* for that site, as determined on a site-specific basis by a licensed professional with appropriate training and experience using the guidance of the *floodplain* maps available from the *City*, and in a manner consistent with the *flood management guidelines* and other guidance from the Province of British Columbia, within the *designated floodplain* (approximate extents show on Schedule “G”);

- (iii) lower than the *flood construction level* for that site as specified in a restrictive covenant under Section 219 of the Land Title Act registered against the land at any time after December 21, 1989 specifying a *flood construction level* approved by the *Minister*, and holding the *City* free of all claims for liability or damages in the event of flooding or erosion.
- (d) The elevation required by 519(2)(c) may be achieved by compacted landfill, structural means or a combination of the two, provided that:
  - (i) such landfill or structural element is sited in accordance with requirements of Subsection 519(2)(b);
  - (ii) the face of such landfill is adequately protected against erosion by floodwaters; and
  - (iii) such landfill or structural element is designed, certified, and inspected by a licensed professional with appropriate training and experience.
- (i) Notwithstanding the flood elevation and setback standards in this Bylaw, a site specific geotechnical study, pursuant to Section 56 of the Community Charter, may be required by the *building inspector* prior to building permit approval.
- (ii) Subsection 519(2)(c) will not apply to:
  - (i) renovation of an existing *building* or *structure* occupied as a residence that does not involve an addition to the *building* or *structure*;
  - (ii) an addition to a *building* or *structure* by less than 25 percent of the *floor area* existing the date of adoption of Bylaw No. 3923, 2008;
  - (iii) that portion of a *building* or *structure* designed or intended for *residential use* that is comprised of essentially non-habitable areas such as carports or garages, utility areas or workshops;
  - (iv) that portion of a *building* for *apartment use* designated or intended for *accessory off-street parking use*;
  - (v) an addition to any existing *building* or *structure* occupied as a residence, to be created by raising the existing residence and creating non-habitable area underneath;
  - (vi) farm *buildings* in the Agricultural Land Reserve other than:
    - (vi.i) *dwelling units*; and
    - (vi.ii) closed-sided livestock housing unless such housing is behind standard dykes designated for the designated *design flood* and approved by the *Minister*;
  - (vii) *buildings* for *industrial use* insofar as being affected by their location in the floodplain on the Fraser River, where the underside of the floor system is not lower than the *designated design flood level* of the Fraser River; or

- (viii) heavy industry behind standard dykes designed for the *designated design flood* and approved by the Minister; heavy industry includes *uses* such as manufacturing or processing of wood and paper products, petroleum and coal products, *industrial* chemical and by-products and allied products.
- (iii) Notwithstanding 519(2)(c), closed-sided livestock housing in the Agricultural Land Reserve not behind standard dykes designed for the *designated design flood* must be elevated 1.0 metre above the *natural ground elevation*;
- (iv) Where a *lot* is of such a size, shape or condition or so located that because of Subsections 519(2)(b) or (c) of this Bylaw, it is impracticable for a *building* or *structure* otherwise allowed to be built or renovated on the *lot* in accordance with all other bylaws, enactments of the Province, and all other rules of law, the *Council* may under the provisions of Subsections 524(7) and (8) of the Local Government Act, permit an exemption, by resolution of *Council*, provided that:
  - (i) *Council* considers the proposed development to be consistent with the *flood management guidelines*;
  - (ii) *Council* has received a report prepared by a licensed professional with appropriate training and experience stating that the land may be safely used for the intended use; and
  - (iii) the owner of the land has had registered against the land in question, under Section 219 of the *Land Title Act*, in favour of the *City*, and with priority over any financial charges, a covenant waiving the *City* from all liability or damage in the event of flooding or erosion.
- (3) (a) Any *building, structure, or movement-sensitive or vulnerable infrastructure* or any part of either may not be constructed, reconstructed, moved, extended, or located:
  - (i) on a *slope* or adjacent to the *crest* or *toe* of a *slope* that is steeper than 18 degrees (32% or 1.0 vertical to 3.0 horizontal); or
  - (ii) within a horizontal setback distance of 3.0 metres from a side yard, and 5.0 metres from a back or front yard from the *crest* or *toe* of *slope* that is steeper than 18 degrees (32% or 1.0 vertical to 3.0 horizontal); or
  - (iii) on or adjacent to a *slope* with known *slope* issues, without having completed a Slope Hazard Assessment, as defined in the City of Coquitlam's Slope Hazard Regulation, to the satisfaction of the City Building Official.
- (b) All development must be in accordance with the City's Slope Hazard Regulation.

## 520 Satellite Dishes

- (1) A satellite dish greater than 0.8 metres in diameter:
  - (a) must be located to the rear of the rear *wall* of the *principal building*, except as permitted by paragraph (d);

- (b) must be located no less than 1.2 metres from the rear and *interior side lot lines* and no less than 3.8 metres from an *exterior side lot line*, to be measured from the *lot line* to the point where the dish is the widest; where the required setback from an interior or exterior *lot line* as it applies to an *accessory building* or *structure* is greater than 1.2 metres and 3.8 metres, respectively, the greater setback applies;
  - (c) located at ground level, must not exceed the maximum *height* for an *accessory building* in the applicable zone; where the zone contains no *height* limitations for an *accessory building* or *structure*, the maximum allowable *height* is 3.7 metres;
  - (d) is permitted on the rooftop of a *building* in all zones, as long as the base of the dish is not higher than 0.6 metres above the nearest point of the roof, except a satellite dish must not be located on the roof of a *building* which contains a *dwelling unit* if the *building* has less than 4 *storeys*;
  - (e) where it becomes necessary, may be mounted above ground level on a free standing *structure*, as long as:
    - (i) it meets the regulations set out in paragraphs (a) and (b);
    - (ii) the top of the dish does not project above the highest point of the *principal building*;
  - (f) and related equipment must not contain any *advertising* signs or devices or be illuminated.
- (2) Where a *person* can demonstrate to the satisfaction of *Council* that a satellite dish complying with these regulations is unable to receive reception, *Council* may, but is in no way obligated, to vary these requirements by way of a development variance permit.

**521 Conformance with the Sign Bylaw**

All *advertising* and *accessory advertising* must conform to the regulations in the City of Coquitlam Sign Bylaw currently in force.

**522 Minimum Dwelling Unit Size**

A *dwelling unit* must be greater than 29 m<sup>2</sup> in *gross floor area*.

**523 Riparian Areas Protection Regulation**

**(1) Definitions in this Section**

In this Section 523 only:

*ACTIVE FLOODPLAIN*, in relation to a *stream*, means land that is:

- (a) adjacent to the *stream*;
- (b) inundated by the 1 in 5 year return period flow of the *stream*; and

- (c) capable of supporting plant species that are typical of inundated or saturated soil conditions and distinct from plant species on freely drained upland sites adjacent to the land.

*ALLOWABLE FOOTPRINT*, for a *site* subject to *undue hardship*, has the meaning given to it in Sub-sections (a) and (b) below:

- (a) if the *area of human disturbance* on the *site* is less than or equal to 70% of the area of the *site*, the *allowable footprint* is 30% of the area of the *site*; and
- (b) if the *area of human disturbance* on the *site* is greater than 70% of the area of the *site*, the *allowable footprint* is 40%.

*AREA OF HUMAN DISTURBANCE* means an area that is subject to enduring disturbance as a result of human occupation or activity and includes, without limitation:

- (a) *footprints of buildings and other structures*;
- (b) areas where soil or vegetation has been added, removed or altered; and
- (c) without limiting Sub-sections (a) and (b), the following areas:
  - (i) areas modified for *agricultural use*, including, without limitation, for crops pasture, range, hayfields and *normal farm practices*;
  - (ii) areas that are or have been used for *resource* extraction and have not been restored to their natural conditions; and
  - (iii) areas occupied by invasive plant species to an extent that precludes the unassisted reestablishment of native plant species.

*ASSESSMENT REPORT* means a report prepared:

- (a) by or under the direction of a *primary qualified environmental professional*; and
- (b) in accordance with:
  - (i) Sections 15 to 19 of the *Riparian Areas Protection Regulation*; and
  - (ii) the *technical manuals*.

*DETAILED ASSESSMENT* means an assessment of a proposed *development* for the purposes of the *Riparian Areas Protection Regulation* that is carried out:

- (a) by one or more *qualified environmental professionals*; and
- (b) in accordance with:
  - (i) a method that determines the *streamside protection and enhancement area* based on the location of *natural features, functions and conditions* that support the life processes of *protected fish*; and
  - (ii) the *technical manuals*.

*DEVELOPABLE AREA* in relation to a *site*, means the area of the *site* other than:

- (a) the *streamside protection and enhancement area*; and
- (b) the *naturally and legally restricted areas* of the *site*.

*DEVELOPMENT* includes the following:

- (a) the addition, removal or alteration of soil, vegetation or a *building* or other *structure*;
- (b) without limiting Sub-section (a), the addition, removal or alteration of works and services described in Sub-section 506(1) of the Local Government Act; and
- (c) *subdivision* as defined in Section 455 of the Local Government Act.

*FISH HABITAT* means water frequented by fish and any other areas on which fish depend directly or indirectly to carry out their life processes, including spawning grounds and nursery, rearing, food supply and migration areas.

*FOOTPRINT* in relation to a *building* or other *structure*, means the area covered by:

- (a) the *structure*; or
- (b) a projection from the *structure*, whether or not the projection is in contact with the ground.

*LEGALLY RESTRICTED AREA*, in relation to a *site*, means the area of the *site* that is unavailable for *development* because of restrictions imposed or rights granted under enactment, including, without limitation, easements, rights-of-way, setback requirements and restrictive covenants.

*MEASURE*, in the case of a *detailed assessment*, means recommended *measures* to be taken to avoid any potential hazards posed by the proposed *development* to *natural features, functions and conditions* in the *streamside protection and enhancement area* that support the life processes of *protected fish*.

*MINISTER* means the responsible minister for the Province of British Columbia for the *Riparian Areas Protection Regulation*.

*NATURAL FEATURES, FUNCTIONS AND CONDITIONS* include the following:

- (a) large organic debris that falls in or around *streams*, including logs, snags and root wads;
- (b) areas for channel migration, including *active floodplains*;
- (c) side channels, intermittent *streams*, seasonally wetted contiguous areas and floodplains;
- (d) the multi-canopied forest and ground cover adjacent to *streams* that:
  - (i) moderate water temperatures;
  - (ii) provide a source of food, nutrients and organic matter to *streams*;
  - (iii) establish root matrices that stabilize soils and *stream* banks, thereby minimizing erosion; or
  - (iv) buffer *streams* from sedimentation and pollution in surface runoff;
- (e) a natural source of *stream* bed substrates; and



- (f) permeable surfaces that permit infiltration to moderate water volume, timing and velocity and maintain sustained water flows in *streams*, especially during low flow periods.

*NATURALLY RESTRICTED AREA*, in relation to a *site*, means the area of the *site* that is unavailable for *development* because of *natural features* that preclude *development*.

*NORMAL FARM PRACTICE* has the same meaning as in Section 1 of the Farm Practices (Right to Farm) Act.

*PRIMARY QUALIFIED ENVIRONMENTAL PROFESSIONAL* means an individual that:

- (a) is a *qualified environmental professional*; and
- (b) has completed and achieved a passing grade on a course of study, approved by the *Minister*, relating to assessments and *assessment reports*.

*PROTECTED FISH* means all life stages of:

- (a) salmonids;
- (b) game fish; and
- (c) fish that are listed in Schedules 1, 2 or 3 of the Species at Risk Act (Canada).

*QUALIFIED ENVIRONMENTAL PROFESSIONAL* means an applied scientist or technologist, acting alone or together with another *qualified environmental professional*, if:

- (a) the individual is one of the following professionals:
  - (i) an agrologist;
  - (ii) an applied technologist or technician;
  - (iii) a professional biologist;
  - (iv) a professional engineer;
  - (v) a professional forester;
  - (vi) a professional geoscientist;
  - (vii) a registered biology technologist; or
  - (viii) a registered forest technologist;
- (b) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act for the individual's profession; and
- (c) when carrying out that part of the assessment, the individual is acting:
  - (i) within the individual's area of expertise;
  - (ii) within the scope of professional practice for the individual's profession; and
  - (iii) under the code of ethics of the appropriate professional association and is subject to disciplinary action by that association.

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

*RIPARIAN AREAS PROTECTION REGULATION* means B.C. Reg. 178/2019 as amended or superseded.

*RIPARIAN ASSESSMENT AREA* means that area around a *stream* that is determined in accordance with Sub-sections (a) and (b) below:

- (a) subject to Sub-section (b), the *riparian assessment area* for a *stream* consists of a 30 metre strip on each side of the *stream*, measured from the *stream boundary*; and
- (b) if a *stream* is in a *ravine*, the *riparian assessment area* for the *stream* consists of the following areas, as applicable:
  - (i) for a *ravine* less than 60 metres wide, a strip on each side of the *stream* measured from the *stream boundary* to a point that is 30 metres beyond the *top of the ravine bank*; and
  - (ii) for a *ravine* 60 metres wide or greater, a strip on each side of the *stream* measured from the *stream boundary* to a point that is 10 metres beyond the *top of the ravine bank*.

*RIPARIAN DEVELOPMENT* means a *development* that:

- (a) is a residential, *commercial* or *industrial development*;
- (b) is proposed to occur in a *riparian assessment area* of a *stream* that provides *fish habitat* to *protected fish*; and
- (c) the *City* has the power to regulate, prohibit or impose requirements on under Part 14 of the Local Government Act.

*RIPARIAN PROTECTION STANDARD* has the meaning given to it in Sub-sections (a) to (d) below:

- (a) subject to Sub-sections (b) to (d), a proposed *development* meets the *riparian protection standard* if the *development*:
  - (i) will not occur in the *streamside protection and enhancement area*; and
  - (ii) in the case of a *detailed assessment*, will not result in any harmful alteration, disruption or destruction of *natural features, functions and conditions* in the *streamside protection and enhancement area* that support the life processes of *protected fish*;
- (b) subject to Sub-sections (c) and (d), a proposed *development* on a *site* that is subject to *undue hardship* meets the *riparian protection standard* if:
  - (i) the *development*:
    - (i.i) will not occur in the *streamside protection and enhancement area*, other than in a part of that area that is already an *area of human disturbance*;

- (i.ii) will be situated and otherwise designed so as to minimize any encroachment into the *streamside protection and enhancement area*; and
- (i.iii) in the case of a *detailed assessment*, will not result in any harmful alteration, disruption or destruction of *natural features, functions and conditions* in the *streamside protection and enhancement area* that support the life processes of *protected fish*; and
- (ii) the *areas of human disturbance* on the *site* after the *development* is complete will not exceed the *allowable footprint* for the *site*;
- (c) Sub-sections (a) and (b)(i) do not require:
  - (i) a *building* or other *structure* that exists before the *development* occurs to be removed, if the *structure* will remain on its existing foundation and within its existing *footprint*; or
  - (ii) any other *area of human disturbance* that exists before the *development* occurs to be returned or allowed to return to a natural condition, if the area will not be extended and the type of the disturbance will not be changed; and
- (d) a proposed *development* that involves a *subdivision* of a parcel or *strata lot* does not meet the *riparian protection standard* if the *subdivision* would create:
  - (i) a parcel that has a *developable area* that is less than the *allowable footprint* for that parcel; or
  - (ii) a *strata lot* that has a *developable area* that is less than the *allowable footprint* for that *strata lot*.

*SIMPLE ASSESSMENT* means an assessment of a proposed *development* for the purposes of the *Riparian Areas Protection Regulation* that is carried out:

- (a) by one or more *qualified environmental professionals*; and
- (b) in accordance with:
  - (i) a method based on measurement from the *stream boundary* or, if the *stream* is in a *ravine*, from the *top of the ravine bank*; and
  - (ii) the *technical manuals*.

*SITE*, in relation to a proposed *development*, means:

- (a) the parcel on which the *development* is proposed to occur; or
- (b) if the *development* is proposed to occur on a *strata lot*, the *strata lot*.

*STRATA LOT* has the same meaning as in Section 1(1) of the Strata Property Act.

*STREAM* means:

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

- (b) any of the following that is connected by surface flow to a watercourse or body of water referred to in Sub-section (a):
  - (i) a ditch, whether or not usually containing water;
  - (ii) a spring, whether or not usually containing water; or
  - (iii) a *wetland*.

*STREAM BOUNDARY*, in relation to a *stream*, means whichever of the following is farther from the centre of the *stream*:

- (a) the visible high water mark of a *stream* where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the *stream* a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself; or
- (b) the boundary of the *active floodplain*, if any, of the *stream*.

*STREAMSIDE PROTECTION AND ENHANCEMENT AREA* means for a *stream*, the portion of the *riparian assessment area* for the *stream* that:

- (a) includes the land, adjacent to the *stream boundary*, that:
  - (i) links aquatic to terrestrial ecosystems; and
  - (ii) is capable of supporting *streamside vegetation*; and
- (b) in the case of a *simple assessment*, extends far enough upland from the *stream* that *development* outside the *streamside protection and enhancement area* will not result in any harmful alteration, disruption or destruction of *natural features, functions and conditions* in the area referred to in Sub-section (a) that support the life processes of *protected fish*, and without limiting Sub-section (a)(ii), an *area of human disturbance* must be considered to be capable of supporting *streamside vegetation* if the area would be capable of supporting *streamside vegetation* were the area in a natural condition.

*STREAMSIDE VEGETATION*, in relation to a *stream*, means:

- (a) riparian vegetation; and
- (b) upland vegetation that exerts an influence on the *stream*.

*SUBDIVISION* has the same meaning as in Section 455 of the Local Government Act.

*TECHNICAL MANUAL* means a manual published under Sub-section 13.1(1) of the Riparian Areas Protection Act.

*TOP OF THE RAVINE BANK* means the first significant break in a *ravine* slope where:

- (a) the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 metres measured perpendicularly from the break; and
- (b) the break does not include a bench within the *ravine* that could be developed.

*UNDUE HARDSHIP*, for the purposes of this Section 523, applies to a *site* if:

- (a) the *site* was created by *subdivision* in accordance with the laws in force in British Columbia at the time the *site* was created;

- (b) the developer has sought and received a decision on every *variance* that would reduce the *legally restricted area* of the *site*; and
- (c) the *developable area* of the *site* is less than the *allowable footprint* for the *site*.

*VARIANCE* means any of the following:

- (a) a *variance* that a board of variance may order to be permitted under Section 542 of the Local Government Act;
- (b) a *variance* that a local government may permit under Section 498 of the Local Government Act; and
- (c) an amendment to a zoning bylaw.

*WETLAND* means land that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, plant species that are typical of inundated or saturated soil conditions, including swamps, marshes, bogs, fens, estuaries and similar areas that are not part of the *active floodplain* of a *stream*.

## **(2) Applicability**

Subject to Sub-section 523(3), this Section 523 applies to the exercise of local government powers by the *City* under Part 14 of the Local Government Act.

## **(3) Exceptions**

This Section 523 does not apply in relation to a *development* that consists only of:

- (a) repairs or other non-structural alterations or additions to a *building* or other *structure*, if the *structure*:
  - (i) will remain on its existing foundation and within its existing *footprint*; and
  - (ii) is not damaged or destroyed to the extent described in Section 532(1) of the Local Government Act; or
- (b) the maintenance of an *area of human disturbance*, other than a *building* or other *structure*, if the area is not extended and the type of disturbance is not changed.

## **(4) Development Proposals in Riparian Assessment Areas**

Subject to Sub-section 523(3), in respect of *development* proposals related wholly or partially to *riparian assessment areas* within the *City*, the *City* must not approve or allow a *riparian development* to proceed unless the *development* proceeds in accordance with Sub-sections 523(5), 523(6), or 523(7) and otherwise complies with all other applicable requirements.

## **(5) Requirements for Riparian Development Approval based on the Simple Assessment Methodology**

The *City* may approve or allow a *riparian development* near a *stream* to proceed if:

- (a) the *City* has developed a map by which the *streamside protection and enhancement area* width for the *stream* is delineated based on the *Simple Assessment* methodology; and
- (b) the *development* is entirely located outside the predetermined *streamside protection and enhancement area* for the *stream*.

**(6) Requirements for Riparian Development Approval based on the Detailed Assessment Methodology**

Subject to Sub-section 523(5), the *City* must not approve a *riparian development* unless the *City*:

- (a) has received an *assessment report* from the *Minister* in relation to the *development* that has not expired pursuant to Section 7 of the *Riparian Areas Protection Regulation*; and
- (b) imposes as a condition of the approval that the *development* proceed as proposed in the *assessment report* and comply with any *measures* recommended in the *assessment report*.

**(7) Fisheries Act Authorization**

Notwithstanding Sub-sections 523(5) and 523(6), the *City* may allow a *riparian development* to proceed if the *City* has received from the owner a copy of an authorization issued under Sub-sections 35(2)(b) or 35(2)(c) of the *Fisheries Act* (Canada) for the *development*.

**(8) Amendments**

In the event that the *Riparian Areas Protection Regulation* should change, such changes are deemed to be incorporated by reference into the applicable provisions of this Section 523.

**(9) Species at Risk Act**

The *City* may, before allowing a *riparian development* to proceed, require a *qualified environmental professional* to ensure that the *streamside protection and enhancement area* specified in an *assessment report* satisfies the requirement for critical habitat protection of wildlife species under the *Species at Risk Act* (Canada) including any order thereunder.

**524 Maximum Floor Area for Principal Buildings Containing a Single Principal Dwelling Unit**

Within the area shown in dark outline on Schedule “Q” and in the R-1, R-2, R-3 and R-4 zones, the maximum *floor area* of a *principal building* containing a single *principal dwelling unit* is 511 m<sup>2</sup> or the maximum *density* as prescribed in the applicable zone, whichever is less, except that the *floor area* may be increased by up to 40 m<sup>2</sup> for an attached *accessory off-street parking use*.

**525 Maximum Floor Area for Beverage Container Return Centre**

A *beverage container return centre* is limited to a maximum *gross floor area* of 280 m<sup>2</sup>.

**526 Size and Location of Accessory Liquor Store**

An *accessory liquor store*:

- (1) must not have a *gross floor area* larger than 186 m<sup>2</sup>; and
- (2) must be located within or immediately abutting a *liquor primary establishment* and in no case can the area of the *accessory liquor store* portion exceed the area of the *liquor primary establishment* open to the public, nor can the *liquor establishment* contain less than 87 m<sup>2</sup> of *gross floor area* open to the public.

**527 Limiting Distances for Certain Uses**

- (1) No *adult entertainment use, adult video store, cheque cashing business, scrap metal dealer* or *tattoo parlour* shall locate within 1 kilometre of the *lot line* of an existing *adult entertainment use, adult video store, cheque cashing business, tattoo parlour, massage parlour, pawnbroker, pawnshop, escort service, exotic dancing use* or *scrap metal dealer*.
- (2) A *liquor store* or *accessory liquor store* is permitted only if the *use* is a minimum distance of:
  - (a) 300 metres from another *liquor store* or *accessory liquor store* and the parcel on which it is located; and
  - (b) 300 metres from a site designated “school” or “school/park” in the Citywide Official Community Plan and the parcel on which it is located.
- (3) A *wine store* is permitted only if the *use* is a minimum distance of 300 metres from a site designated “school” and/or “school/park” in the City Wide Official Community Plan and the parcel on which it is located.
- (4) A *cannabis production* or *cannabis processing use* is permitted only on a parcel that is a minimum distance of 200 metres from:
  - (a) a parcel designated for *residential use* in the Citywide Official Community Plan;
  - (b) a parcel designated “School”, “School/Park”, or “Parks and Recreation” in the Citywide Official Community Plan; and
  - (c) a parcel that has an existing *child care* or *assembly child care use* or a *community care use*.

- (5) A *cannabis retail use* is permitted only on a parcel that is a minimum distance of 150 metres from a parcel designated “School” or “School/Park” in the Citywide Official Community Plan.

**528 Permitted Locations for Cannabis Retail**

*Cannabis retail*, is permitted only at the following locations:

<b>Parcel Identifier No.</b>	<b>Address</b>
000-483-940	2700 Barnet Highway, Unit 103
005-742-820	552 Clarke Road, Unit 105
015-154-360	935 Brunette Avenue, Unit 102
028-602-099	2957 Glen Drive, Unit 109
010-021-086	1052 Austin Avenue, Unit B
030-997-429	512 Young Drive

**529 Enclosed Balconies**

An *enclosed balcony* shall:

- (1) facilitate natural ventilation, with at least 80% of the window area being openable;
- (2) not enclose mechanical ventilation intakes and outlets within the *enclosed balcony* (such as air intake vents, dryer vents, washroom vents, kitchen hoods, etc.);
- (3) only be located in a *building*:
  - (a) equipped with a functional fire suppression system where the *enclosed balcony* is protected by this system; and
  - (b) equipped with a carbon monoxide detector, as constructed to the satisfaction of the *Building Inspector*; **unless**:
    - (i) located in a *building* situated on a *lot* zoned or rezoning to a Part 10 Low-Density Residential zone or a Part 22 Legacy Zone; or
    - (ii) located in a *building* for a *small-scale residential* or *townhouse use* that does not require the installation of a functional fire suppression system;
- (4) function as an unconditioned and unsealed space;
- (5) be constructed with an impervious floor system with adequate drainage;
- (6) not function as a *habitable room*; and



(7) as part of a strata plan, be located in an area designated as limited common property or common property.

**530 Permitted Locations for Grocery Store with Wine on the Shelf**

*Grocery store with wine on the shelf*, is permitted only at the following locations:

<b>Parcel Identifier No.</b>	<b>Address</b>
003-918-823	3025 Lougheed Highway, Unit 100
009-539-581	1301 Lougheed Highway