

120 - General Regulations for all Zones

120.01 Use of Land or Buildings

- (1) No land shall be used, altered, kept or maintained contrary to the provisions of this Zoning Bylaw.
- (2) No building shall be erected, constructed, altered or used contrary to the provisions of this Zoning Bylaw.
- (3) The use of land or buildings shall not be changed unless or until it complies with this Zoning Bylaw.
- (4) No social escort service shall be conducted or operated in any zone.
- (5) No video lottery terminals shall be installed or used in any zone.
- (6) Cannabis Production and Cannabis Sales are prohibited in every zone. (#4982)
- (7) Vape retail is prohibited in every zone. (#5328)
- (8) In every zone, (Bylaw #5425)
 - (a) above and below ground utilities and services are permitted;
 - (b) streets and lanes may be used for highway purposes;
 - (c) parks are a permitted use;
 - (d) community care is a permitted use;
 - (e) child care is a permitted use; and
 - (f) shipping containers are not permitted on residential sites.
- (9) As an accessory use in every zone, (#5353)
 - (a) Home-based businesses are permitted within residential dwelling units in accordance with Section 130.04; and
 - (b) Where a commercial premises includes food production, manufacture of food goods is permitted as an accessory to the principal use, and those products may be sold retail or wholesale on the premises.

120.02 Use of Smaller Lots of Record (Bylaw #5351)

- (1) Lots zoned for single family dwelling use that existed as lots of record at the time of adoption of Zoning Bylaw 4662, 2010 (effective January 24, 2011) and which are smaller than required in the zone to qualify for single family dwelling use may be used for single family dwelling use with secondary suite and/or detached secondary suite uses, at 3 dwellings maximum, in addition to accessory and non-residential uses customarily permitted in single family dwelling zones.
- (2) Lots zoned for duplex and/or ground-oriented dwelling uses that existed as lots of record at the time of adoption of Zoning Bylaw 4662, 2010 (effective January 24, 2011) and which are smaller than required to qualify for the permitted residential uses in the zone may be used as follows:

	Parcel	Permitted Use	Density
(a)	Site area equal to or less than 280 square metres	(i) Detached secondary suites (ii) Single family dwellings (iii) Secondary suites	3 dwellings maximum
(b)	Site area greater than 280 square metres	(i) Detached secondary suites (ii) Duplex dwellings (iii) Ground-oriented dwellings (iv) Single family dwellings (v) Secondary suites	4 dwellings maximum
(c)	Site area greater than 280 square metres, and wholly or partly within 400 metres from a prescribed bus stop	(i) Detached secondary suites (ii) Duplex dwellings (iii) Ground-oriented dwellings (iv) Single family dwellings (v) Secondary suites	6 dwellings maximum

In addition to accessory and non-residential uses customarily permitted in ground-oriented dwelling use zones.

- (3) Lots zoned for commercial use that existed as lots of record at the time of adoption of Zoning Bylaw 4662, 2010 (effective January 24, 2011) and which are smaller than required in the zone to qualify for commercial use, may be used for any commercial use permitted in the zone.

120.03 Siting of Structures Under 1.2 Metres

Any structure other than a building, no more than 1.2 metres in height above the lower of the adjacent finished grade or natural grade, may be located anywhere on a lot.

120.04 One Principal Building Per Site

No more than one principal building, being the building containing the primary use of a site, may be located on one site, except where otherwise permitted in this Zoning Bylaw.

120.05 Sites Composed of More than One Legal Lot

- (1) Where a site is composed of more than one lot, and requires all lots to continue to be included in the site in order to comply with this Zoning Bylaw, all such lots shall be kept in a single ownership to maintain conformance.
- (2) Subsequent to the date of adoption of this Zoning Bylaw,
 - (a) any site composed of more than one lot may be used as a single site for purposes of accessory buildings, structures and uses only.
 - (b) the principal building upon such site shall be located entirely upon a single lot and the siting, floor area, site coverage, setbacks and uses of the principal building shall conform with the regulations applicable to the single lot upon which it is located.

- (c) any accessory building, structure or use on or partially on an accessory lot that would become non-conforming should that lot be sold to a different owner, must be restricted by way of legal covenant to prevent transfer unless the building, structures and use are brought into conformance for the new site.

120.06 Two Front Yards for Through Sites

A building on a through site shall provide a front yard on each street, except where otherwise permitted in this Zoning Bylaw. (Bylaw # 5155)

120.07 Regulations Pertaining to Dwellings Over Commercial Premises

Unless otherwise provided for in a zone:

- (1) No portion of the first storey of commercial premises having direct access to street level grade shall be used for residential purposes except for entrances to permitted dwellings over commercial premises.
- (2) Dwellings over commercial premises shall not be less than 37.5 square metres in floor area.
- (3) At least one balcony or patio, having an area of at least 5.0 square metres, shall be provided for each dwelling over commercial premises.
- (4) A minimum of one parking space per dwelling shall be provided.

120.08 Landscaping Requirements

- (1) Within all zones:
 - (a) all portions of the site which are not occupied by buildings, accessory uses or structures, parking areas, driveways or pedestrian ways shall be landscaped and maintained in good condition at all times.
 - (b) Except on sites occupied by single family dwelling and duplex dwelling uses, exterior lighting shall be arranged to reflect light away from any residential uses adjacent to the zone, whether a lane intervenes or not.
- (2) In addition, within Section 350 (Commercial); Section 400 (Commercial Restricted); Section 450 (Marine); and Section 550 (Private Hospital and Assembly zones):
 - (a) except for crossovers, a planter shall be provided having a minimum planting width of 1.2 metres, along the boundaries of the site adjoining a street or streets.
 - (b) where any parking area, including access aisles, adjoins a residentially zoned site, a landscaped screen or a uniformly painted fence or wall of not less than 1.2 metres in height shall be provided and maintained in good condition at all times.

120.09 Community Care

- (1) A community care facility is allowed on any site that meets Provincial legislation and regulation:
 - (a) as a day care for no more than 8 persons, or (Bylaw #4712)
 - (b) as a residence for no more than 10 persons, not more than 6 of whom are persons in care. (Bylaw #4712)
- (2) Despite Section 120.09 above, a community care facility is permitted to exceed the numbers of permitted persons in the following zones: CD5, CD6, CD15, CD25, CD36, PH1 and PH2.
- (3) Unless the specific zone provides a different standard, on-site parking for a community care facility shall provide as follows:
 - (a) one parking space for every staff member position, plus
 - (b) one parking space for every three residents,
 - (c) where more than 1 parking space is required for residents, such parking spaces may be located in tandem, to a maximum of 2 deep. (Bylaw #4712)

120.10 Pet Care Establishments and Veterinary Medical Clinics

- (1) Every pet care establishment and every veterinary medical clinic shall have an outside public entrance opening directly from the premises onto a street.
- (2) The business of a pet care establishment or a veterinary medical clinic must be conducted entirely within an enclosed building.
- (3) A daycare business for dogs shall be limited at any one time to the lesser of 15 dogs, or 1 dog for each 4.65 square metres of daycare building area used exclusively for the keeping of dogs by the daycare business. (Bylaw #4712, #5110)
- (4) Neither a pet care establishment nor a veterinary medical clinic is permitted as a home based business.
- (5) The overnight boarding of dogs is not permitted in any zone, except as specifically provided for in this Zoning Bylaw.

120.11 Boats and Vessels

- (1) No more than one boat or vessel shall be stored, constructed, altered, repaired or maintained on any site in any zone other than in a marine zone.
- (2) Such boat shall:
 - (a) not exceed 6 metres in length; and
 - (b) not be located within a front yard.

120.12 Derelict Boats

No wrecked, derelict or abandoned boat or vessel or parts thereof shall be kept, stored or parked except within a building in any zone except where specifically provided in this Zoning Bylaw.

120.13 Derelict Vehicles

No wrecked, derelict or abandoned vehicle or other trailer, or engine, frame, chassis, body, box or van unit shall be kept, stored or parked on any site in any zone except within a building unless specifically provided in this Zoning Bylaw.

120.14 Public Utilities

Except for transportation companies, public utilities, as defined in the *Utilities Commission Act* and their respective pumping and transmission facilities and structures, other than hydro generating facilities, are permitted in any zone subject to compliance with the applicable regulations of the zone in which it is proposed to locate.

120.15 Temporary Uses and Buildings (Bylaw #4854)

- (1) With the exception of temporary classroom buildings (i.e. "portable classroom") on sites zoned for school uses that are sited in accordance with the requirements of the applicable zone, the erection, construction and location of temporary buildings, structures and uses are prohibited except where expressly permitted by this Zoning Bylaw.
- (2) The temporary use of permanent buildings or structures, and the erection or construction of temporary buildings or structures, or the use of the site for temporary uses may be permitted by a Temporary Use Permit in any zone:
 - (a) Subject to any conditions that Council may specify in the permit including conditions respecting:
 - (i) the permitted days and hours of operations;
 - (ii) the siting of any temporary building or structure or use;
 - (iii) the form and character of any temporary building or structure, including without limitation the particulars of landscaping and a landscape security and the size, dimensions, exterior design and the finish of the building;
 - (iv) the alteration of any land, including but not limited to tree cutting, vegetation removal, grading and retention;
 - (v) the provision of on-site parking spaces, including the standards respecting the size, surfacing and lighting of the spaces;
 - (vi) on-site signage and any advertising;
 - (vii) access to the site; and
 - (viii) the restoration and landscaping of the land, and that any buildings or structures have been removed, and the temporary use has been discontinued prior to or upon the expiry of the permit.
 - (b) When considering the issuance of a Temporary Use Permit, Council may consider that the temporary use will:
 - (i) operate at an intensity of use suitable to the surrounding area;
 - (ii) be compatible with regard to the use, design and operation of the temporary use with other surrounding land use; and

- (iii) operate on a temporary basis only and includes plans, or a letter of undertaking, to terminate the use prior to the expiry date of the permit, and that a financial security is in place to ensure that the temporary use is removed and the site is appropriately restored.
- (3) Pursuant to section 492 of the *Local Government Act*, all areas in the District are designated as areas for which a temporary use may be allowed, where authorized by a temporary use permit. (Bylaw #4944)

120.16 Vehicle Access to Site

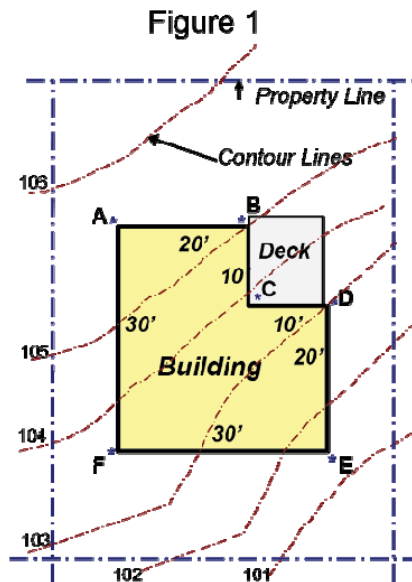
In any zone where a parking space is required by this Zoning Bylaw, the site must be capable of access thereto by a vehicle, using a street or lane on which the site abuts, actually opened by the District and in use by the public unless such access is provided by a road across privately owned adjoining lands in accordance with a registered easement for that purpose and which easement cannot be removed without approval of the District.

120.17 Average Grade Calculation (Bylaw #5122)

- (1) Define the perimeter of the building or structure as the outermost projection of the exterior walls inclusive of basements and upper floor overhangs:
 - (a) including attached garages and carports (measured to the posts); but
 - (b) excluding decks.
- (2) Divide this perimeter into wall sections with endpoints defined by:
 - (a) corners; and
 - (b) significant changes in elevation or slope along a wall including where the ground:
 - (i) changes from level to sloping; or
 - (ii) steps with retaining walls;
- (3) Determine the grade of each wall section by:
 - (a) finding the natural grade and finished grade at each endpoint;
 - (b) using the lower of these measured at each endpoint for the purpose of grade calculation;
 - (c) notwithstanding (b) above, along the entire perimeter, one continuous wall section may be calculated using only the natural grade to enhance livability for exposed patios found in (a) above, provided that this wall section is: (Bylaw #5230)
 - (i) the lesser length of 5.0 metres or 15% of the building or structure perimeter;
 - (ii) not contiguous to or combined with a window well, and the combined length of this wall section and window wells is less than 50% of the building face to which they form a part; and
 - (iii) clearly defined as part of the permit application, including the natural grade determined for each endpoint.
 - (d) adding this grade at each endpoint, dividing by two and multiplying by the length of the wall section:

$$\frac{(\text{Grade 'x' + Grade 'y'})}{2} \times \text{Length 'xy'}$$

- (4) Determine average grade for the building or structure (Figure 1) by: (Bylaw #5192)
- (a) adding the resulting grade of each wall section determined in 120.17(3) for all wall sections that comprise the perimeter; and
 - (b) dividing the sum of (a) above by the total perimeter.



Wall Section (lower of natural grade and finished grade at each endpoint)

Average Grade	x	Length	= Y
AB (105.5 + 105.0) ÷ 2	x	20	= 2,105
BC (105.0 + 104.0) ÷ 2	x	10	= 1,045
CD (104.0 + 103.0) ÷ 2	x	10	= 1,035
DE (103.0 + 101.5) ÷ 2	x	20	= 2,045
EF (101.5 + 103.5) ÷ 2	x	30	= 3,075
FA (103.5 + 105.5) ÷ 2	x	30	= 3,135
Totals:		120	= 12,440
Total Y ÷ total perimeter length = Average Grade			
12,440 ÷		120	= 103.67

120.18 Basement Storey – Exemption (Bylaw #4679)

- (1) Storeys used for parking and maintenance purposes in basements and sub-basements for buildings other than single and two family dwellings are not considered storeys in the calculation of number of storeys. (Bylaw #4679)
- (2) Storeys of basement and sub-basements levels used for commercial purposes are included in the calculation of number of storeys. (Bylaw #4679)

120.19 Building or Structure Height (Bylaw #5122)

- (1) Height of a building is the vertical distance from average grade measured in accordance with 120.17 to the:
- (a) highest point, inclusive of roof finish, parapet and roof deck railing of a building with a flat roof, butterfly roof or shed roof (Figure 1);
 - (b) midpoint between the highest point of a pitched roof or projected peak of an irregular pitched roof (e.g. pitched roof rising to a flat portion) and a point 2.4 metres above the floor immediately below (Figure 2); or
 - (c) greater of (a) and (b) above for a roof composed of a combination of pitched and flat elements.

Figure 1

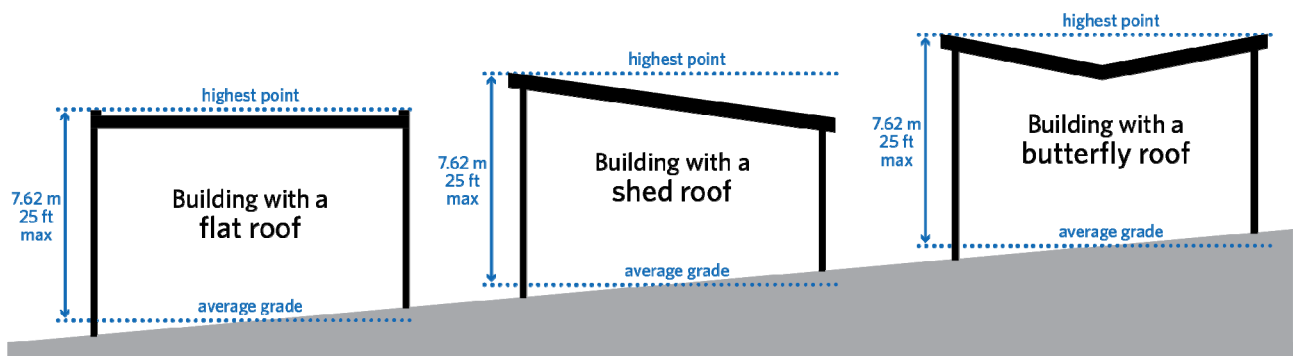
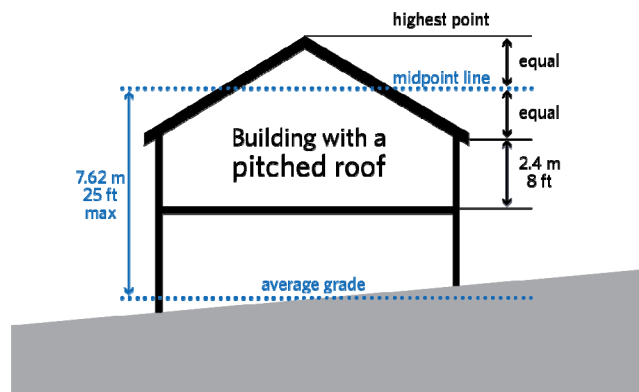


Figure 2

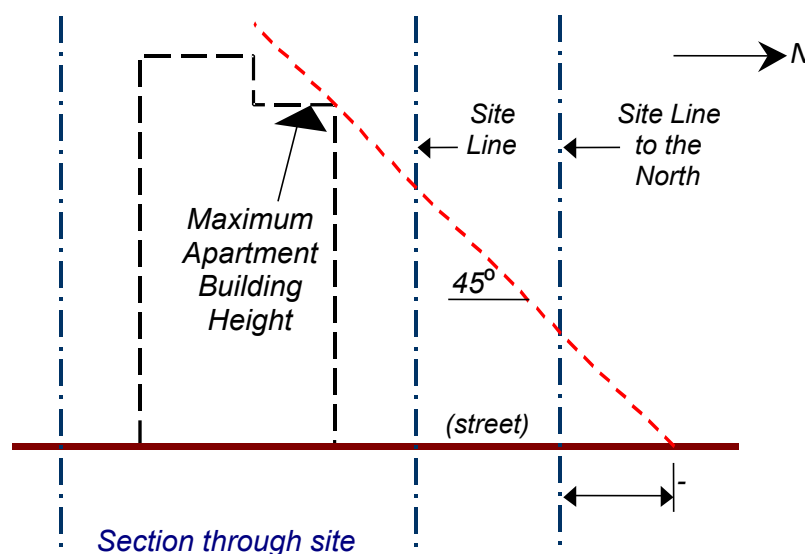


- (2) Height of a structure that is not a building is the vertical distance from average grade measured in accordance with 120.17 to the highest point.
- (3) Height determined in (1) and (2) above shall not include:
 - (a) where a principal building or detached secondary suite is designed to meet the Energy Step Code, the height specified in Section 120.29(1);
 - (b) chimneys no greater than 1.8 metres in horizontal length and vent pipes;
 - (c) Solar energy systems, provided that no part is greater than: (#5353)
 - (i) 0.6 metre above the permitted height of a building with a flat roof; or
 - (ii) 0.6 metre above the finished roof of a building with any other roof form, to a maximum not to exceed the highest point of the building.
 - (d) Mechanical equipment and enclosures, and skylights no greater than 9.0 square metres in cumulative area, provided that no part is greater than: (Bylaw #5353)
 - (i) 0.6 metre above the permitted height of a building with a flat roof; or
 - (ii) 0.6 metre above the finished roof of a building with any other roof form, to a maximum not to exceed the highest point of the building.

120.20 Apartment Building Height Grade Line

- (1) Building height grade line is drawn at an angle of 45° to the horizontal and in towards the apartment building in a due south direction from all points along the nearest of the following lines of any residentially zoned site or sites immediately to the north, whether or not a street or a lane intervenes (See Figure 1):
 - (a) a line extending across the full width of the northern site, on its minimum required front yard or rear yard setback line, whichever is applicable, or
 - (b) a line extending across the full depth of the northern site, 1.5 metres from the side site line.

Figure 1



- (2) Building height grade line shall not include the height specified in Section 120.29(1) where a principal building is designed to meet the Energy Step Code. (Bylaw #4974)

120.21 Floor Area Ratio - Other Than Single Family, Duplex, and Ground-Oriented Dwellings (Bylaw #5351)

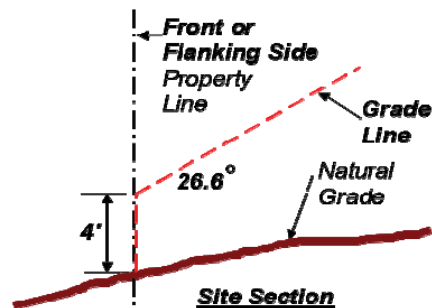
- (1) Floor area ratio calculations shall include:
- (a) the total floor area of all storeys, measured to the exterior faces of the building or buildings, including hallways, elevator shafts and stairwells at each floor level; and
 - (b) accessory buildings.
- (2) Floor area shall not include (Bylaw #4974):
- (a) where a principal building or detached secondary suite is designed to meet the Energy Step Code, the floor area specified in Section 120.29(2);
 - (b) open balconies, open terraces and exterior steps;
 - (c) enclosed balconies provided that the all-weather glass doors and windows remain in place;
 - (d) one entrance lobby per building provided that it is exclusively for residential use;
 - (e) common recreation rooms and swimming pools;
 - (f) common floor area in a basement or sub-basement for the following uses:
 - (i) hallways, elevator shafts and stairwells;
 - (ii) boiler rooms, mechanical rooms, electrical rooms, transformer vaults, garbage rooms and building maintenance rooms;
 - (iii) laundries, workshops, lockers and storage spaces;
 - (g) bicycle parking, parking and loading areas. (Bylaw #5055)
- (3) Notwithstanding subsection (1)(a) and limited to existing strata-titled apartment buildings in RM zones built before the year 2000, common areas which are converted into residential dwelling unit(s) are exempted from floor area ratio calculation. (Bylaw #5024)

120.22 Retaining Wall Grade Line and Buildup of Grade

- (1) The following shall not exceed the elevation of the grade line described below:
- (a) creation of grade above the natural grade whether by retaining walls or otherwise;
 - (b) any retaining wall used in the creation of finished grade, including stacked rock walls; or
 - (c) garden walls not used for retaining purposes.
- (2) The retaining wall grade line is drawn vertically from natural grade, or existing grade where grade has been altered as a result of the construction of a public road, at any and all points on the site lines, then inward over the site, perpendicular to such site lines, in accordance with the following:

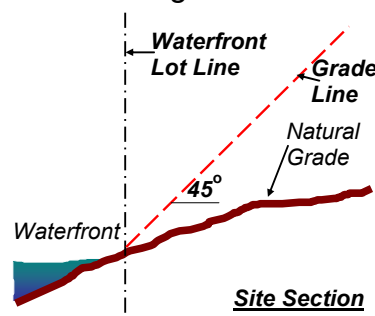
- (a) a front site line or flanking side site line - up 1.2 metres and then in towards the property at a 50% slope (Figure 1); (Bylaw #5122)

Figure 1



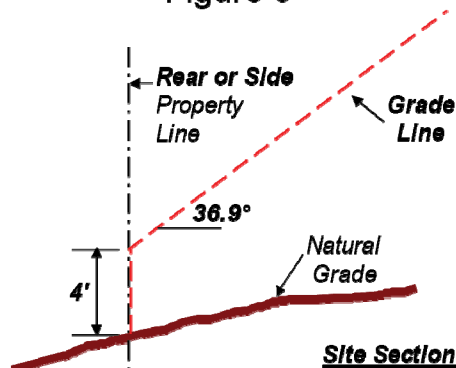
- (b) waterfront site line - in towards the property at a 100% slope from the natural grade. (i.e. not from a point 1.2 metres above it and not from finished grade) (See Figure 2).

Figure 2

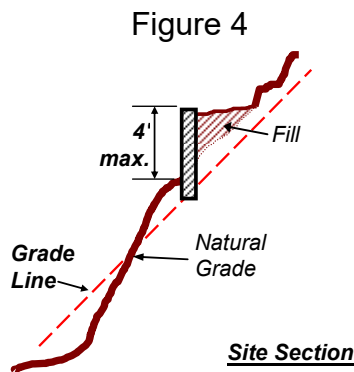


- (c) all other site lines - up 1.2 metres and then in towards the property at a 75% slope (Figure 3). (Bylaw #5122)

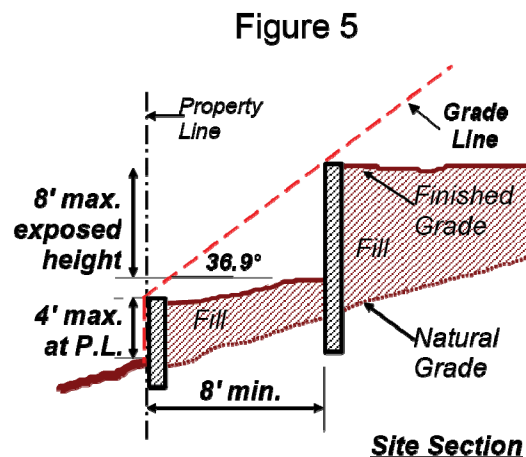
Figure 3



- (3) Notwithstanding other provisions of this section, a single retaining wall of less than 1.2 metres in height above natural grade is permitted where the natural grade on a site exceeds the grade line (See Figure 4).



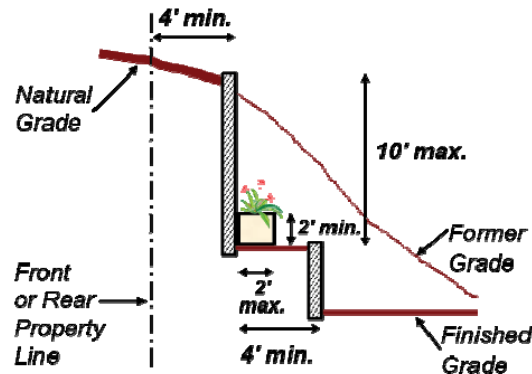
- (4) The exposed face of any retaining wall shall not exceed 2.4 metres in height, with the exception of inclined retaining walls (such as stacked rock walls) provided that the slope of incline is less than 75% (Figure 5). (Bylaw #5122)



- (5) A retaining wall exceeding 1.2 metres in exposed height and having a slope greater than 100% must be at least 1.2 metres from any adjoining and approximately parallel retaining wall.
- (6) A retaining wall over 1.2 metres in exposed height must be at least 2.4 metres from a front or rear site line. (Bylaw #4679)
- (7) The exposed height of a retaining wall is its height above finished grade.
- (8) For an excavated retaining wall (a shoring wall below natural grade), the: (Bylaw #5122)
- (a) minimum setback for a wall from a front site line or rear site line is 1.2 metres;
 - (b) minimum distance between walls is 1.2 metres; and
 - (c) exposed retaining wall height is measured from:

- (i) finished grade; or
- (ii) a permanently constructed and integral structure at the base of the retaining wall and at least 0.6 metre in depth provided the combined exposed height of such excavated retaining wall and structure does not exceed 3.0 metres from finished grade (Figure 6).

Figure 6



Site Section

- (9) Retaining walls less than 1.2 metres in height, must be a minimum of 0.6 m spaced apart and must fall under the grade line. (Bylaw #5230)

120.23 Defined Site Area

- (1) Site area includes:
 - (a) the area within the site lines of a site, plus, if applicable, the pro rata share, calculated as the proportion which the area of a site bears to the entire area of the subdivision of:
 - (i) any common site or sites, excluding any common lot used for road access purposes, within such subdivision and in which the owner of the site holds a share; and
 - (ii) any site or area created by such subdivision and conveyed to the District as green belt, pathway or other recreational use but excluding parks dedicated in accordance with the *Local Government Act*.
- (2) For all sites created after November 04, 1996, site area for purposes of subdivision, and for floor area ratio and site coverage calculations, shall exclude 50% of the total horizontal area within a creek protection area.

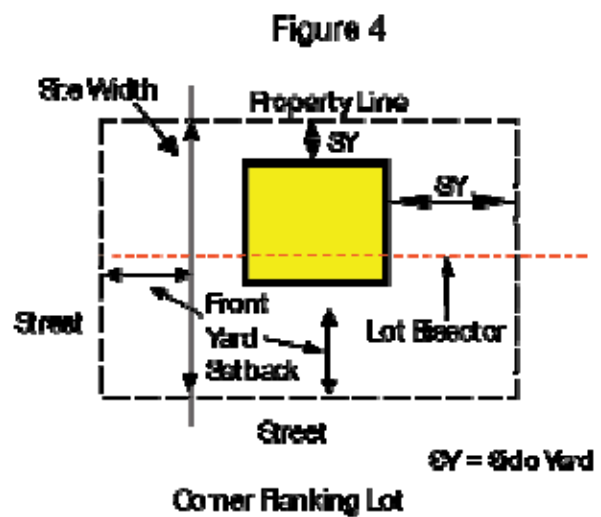
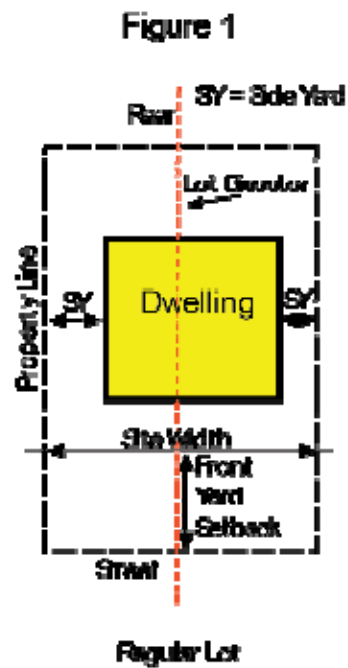
120.24 Site Coverage (Bylaw #4974)

- (1) Site coverage shall not include:
 - (a) where a principal building or detached secondary suite is designed to meet the Energy Step Code, the site coverage specified in Section 120.29(3);

- (b) roof overhangs to a maximum of 1.2 metres from the exterior wall;
- (c) decks or patios provided that no part is greater than 0.6 metre above the higher of natural and finished grade;
- (d) trellises up to a maximum of 3% of site area;
- (e) garden walls;
- (f) children's play equipment.

120.25 Site Width (Bylaw #5122)

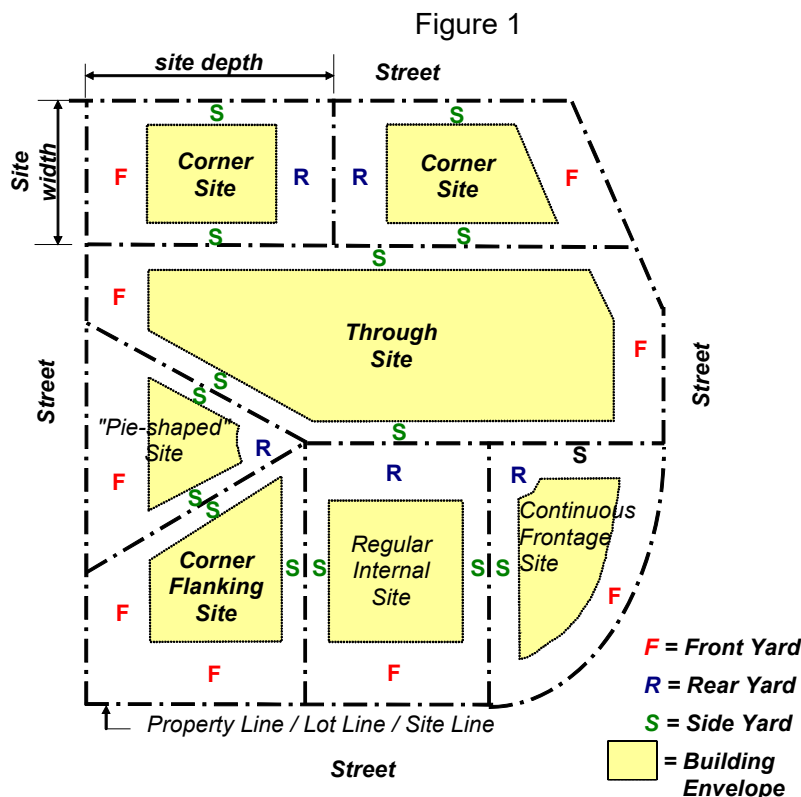
- (1) Site width is the:
 - (a) distance between and perpendicular to the side site lines for a site, where there are only two parallel side site lines (Figure 1);
 - (b) distance between the side site lines, measured at right angles to the bisector of the angle formed by the side site lines projected to their intersection, where one or more side site lines is not perpendicular to the street (Figure 2);
 - (c) length of the shortest straight line between the side lot lines at the required front yard setback line, where there are more than two side site lines or the lot is irregular in shape (Figure 3); or
 - (d) length of the narrower front site line at the required front yard setback line, where a site is bordered by two or more streets (Figure 4);
- (2) For lots registered with the Land Title and Survey Authority of BC after January 1, 2021, and where the site width determined in (1) above varies unreasonably from the typical distance between the side site lines of the developable portion of the site on account of its irregular shape (e.g. panhandle), the site width shall be determined by the District Building Inspector.



120.26 Deleted (Bylaw #5122)

120.27 Yard Provisions and Exemptions

- (1) Every site shall provide the required yards of the zone. Required yards can vary with the location, dimensions, and orientation of the site.
- (2) For clarification, Figure 1 below provides an overview of yard requirements for most types of sites in most zones:



- (3) For a corner site, the front site line shall be the boundary line of the narrow side of the site and the street upon which the narrow side abuts.
- (4) In computing the required depth of a rear yard bounded by a lane, one half the width of the lane may be considered as part of the rear yard. (Bylaw # 4712)
- (5) Mechanical equipment must be located within the permitted building envelope and, despite section 130.01, may be located above or below any portion of the principal building. Mechanical equipment may be located within an enclosed structure but only to the extent required to provide for sound attenuation. (Bylaw #5110).
- (6) The following may be located within a required yard: (Bylaw #4974)
 - (a) structures at or below the grade line for the following uses:
 - (i) underground parking;
 - (ii) vehicle ramp providing parking access in the rear yard only;
 - (b) trellises and flag poles.

-
- (7) The following may be located within a required yard, provided that no part is further than the specified distance from the required yard setback: (Bylaw #4974)
- (a) exterior walls of a principal building:
 - (i) where designed to meet the Energy Step Code in accordance with Section 120.29(4); or
 - (ii) where an application for a building permit was made prior to July 1, 2018, 0.15 metre solely for the provision of additional insulating materials and/or protection against wind, water and vapour;
 - (b) accessory buildings and structures:
 - (i) where a detached secondary suite is designed to meet the Energy Step Code in accordance with Section 120.29(4); or
 - (ii) where permitted elsewhere in this bylaw;
 - (c) chimneys within 0.6 metre provided that:
 - (i) no part is further than 0.6 metre from an exterior wall; and
 - (ii) the combined length of all chimneys is no greater than 3.0 metres in each yard;
 - (d) uncovered and unenclosed steps within 1.2 metres in the front yard only.
 - (e) garage, exclusive of any rooftop railing or structures, up to a maximum of 18.3 square metres where the garage door is oriented 90 degrees from the street (plus or minus 10 degrees), within 3.0 metres in the front yard only. (Bylaw #5122)
 - (f) notwithstanding 120.27(5) heat pumps can be located anywhere on a site. (Bylaw #5353)
- (8) Portions of structures or buildings permitted to be located in a required yard per Section 120.27(6) and 120.27(7) are permitted to be located in a combined side yard.
- (9) Roof overhangs may be located within a required yard, provided that no part, including gutters, is further than the specified distance from the exterior wall:
- (a) 1.2 metres where the exterior wall is no less than 2.4 metres from the site line;
 - (b) 0.6 metre from any other exterior wall.
- (10) Power poles supporting an electrical service for a Lot may be located within a required yard, and exceed the permitted height of an accessory structure, but only to the extent the pole is required to ensure the service meets an overhead clearance requirement of the Canadian Electrical Code and:
- (a) the utility providing the service requires the pole to maintain or reconnect an existing overhead service of the same amperage, or
 - (b) an electrical service to the Lot cannot reasonably be located underground, due to ground conditions such as ravines, rock outcroppings or slope angles. (Bylaw # 5110)
-

120.28 Child Care (#5353)

- (1) Child care up to a maximum of 8 children is allowed on any site that meets Provincial legislation and Regulations. (Bylaw #4679)
- (2) Child care of more than 8 children is allowed in the following zones subject to Provincial legislation and Regulations: Section 200 (Single Family Dwelling Zones); Section 250 (Duplex Dwelling Zones); Section 260 (Ground-Oriented Dwelling Zones); Section 300 (Multiple Dwelling Zones); Section 350 (Commercial Zones); Section 500 (Community/Public Use Zones); Section 550 (Institutional Zones); Section 600 (Comprehensive Development Zones); Section 700 (Ambleside Zones) and Section 750 (Cypress Village Zone), except that: (Bylaw #5206)
 - (a) Child care in an individual dwelling unit is limited to a maximum of 8 children.
- (3) Notwithstanding Section 120.28(2), child care of 9 up to a maximum of 16 children is allowed in a single family dwelling subject to the following conditions:
 - (a) The lot on which a child care facility is sited must be a minimum distance of 182.9 metres from any other lot on which an existing child care facility of more than 8 children in a single family dwelling is sited; and
 - (b) Child care located in a secondary suite or detached secondary suite is limited to a maximum of 8 children.
- (4) Where the zoning permits a principal dwelling with one or more accessory secondary suites on a parcel, a maximum of one child care facility shall be permitted on the parcel.
- (5) The dwelling unit in which the child care facility is operated must be occupied by the operator or a staff person of the child care facility.
- (6) Children's play equipment for the child care facility must be sited a minimum of 1.2 metres from all site lines in all zones.
- (7) Off-street parking requirements for child care facilities are as follows:
 - (a) For single family dwellings, 1 off-street parking space for every 6 child spaces where the site is abutting or directly across from a school, place of worship, park, or community facility; and
 - (b) On all other sites, 1 off-street parking space for every 4 child care spaces unless otherwise specified in the zone of the parcel.

120.29 High-Performance Buildings (Bylaw #4974)

The following adjustments apply where a principal building or detached secondary suite is designed to meet the specified step of the Energy Step Code.

- (1) Building height and highest building face:
 - (a) where a building is considered under Part 9 of the BC Building Code:
 - (i) 0.15 metre where the building meets Step 4;
 - (ii) 0.30 metre where the building meets Step 5;
 - (b) where a building is considered under Part 3 of the BC Building Code:
 - (i) 0.15 metre where the building meets Step 3;
 - (ii) 0.30 metre where the building meets Step 4;
- (2) Floor area:
 - (a) where a building is considered under Part 9 of the BC Building Code:
 - (i) 0.04 times the floor area permitted elsewhere in this bylaw where the building meets Step 4;
 - (ii) 0.08 times the floor area permitted elsewhere in this bylaw where the building meets Step 5;
 - (b) where a building is considered under Part 3 of the BC Building Code:
 - (i) 0.04 times the floor area permitted elsewhere in this bylaw where the building meets Step 3;
 - (ii) 0.08 times the floor area permitted elsewhere in this bylaw where the building meets Step 4;
- (3) Site coverage:
 - (a) where a building is considered under Part 9 of the BC Building Code:
 - (i) 0.04 times the site coverage permitted elsewhere in this bylaw where the building meets Step 4;
 - (ii) 0.08 times the site coverage permitted elsewhere in this bylaw where the building meets Step 5;
 - (b) where a building is considered under Part 3 of the BC Building Code:
 - (i) 0.04 times the site coverage permitted elsewhere in this bylaw where the building meets Step 3;
 - (ii) 0.08 times the site coverage permitted elsewhere in this bylaw where the building meets Step 4;
- (4) Required yard:
 - (a) where a building is considered under Part 9 of the BC Building Code:
 - (i) 0.15 metre where the building meets Step 4;
 - (ii) 0.30 metre where the building meets Step 5;
 - (b) where a building is considered under Part 3 of the BC Building Code:
 - (i) 0.15 metre where the building meets Step 3;
 - (ii) 0.30 metre where the building meets Step 4.

120.30 Amenity Unit Calculation (Bylaw #5155)

- (1) Within the RG-1A Zone, \$45, adjusted annually, for each 0.093 square metre of floor area that is in excess of the greater of:
 - (a) a floor area ratio of 0.40 for all uses on the site; or
 - (b) the sum of the:
 - (i) maximum floor area permitted for the site area in accordance with Section 204.06; and
 - (ii) lesser floor area excluded for the site area in accordance with Section 130.08(5)(b)(ii).
- (2) Within the RG-1B, RG-2 and RG-3 Zones, \$45, adjusted annually, for each 0.093 square metre of floor area that is in excess of a floor area ratio of 0.50 for all uses on the site.