

140 GENERAL REGULATIONS (B/L 2454-2015, B/L 2922- 2019, B/L 2959-2019, B/L 2902-2019, B/L 3002-2019, B/L 3142-2021, B/L 3166-2021, B/L 3159-2021, B/L 3249-2022, B/L 3246-2022, 3299-2022, 3425-2023, 3472-2024; 3560-2024, 3670-2025, 3672-2025, 3691-2025, 3704-2026, 3738-2026)

140.1 Uses Permitted in All Zones

- .1 The following uses may be located in any zone:
- a. Public Service;
 - b. Parks and associated structures and equipment;
 - c. Seasonal sale of Christmas trees;
 - d. *[Repealed.]* (B/L 3249-2022)
 - e. *[Repealed.]* (B/L 3249-2022)

140.2 Uses Permitted in Specific Zones (B/L 3142-2021)

.1 Accessory Emergency Shelter (Emergency Response Centre)

- a. An Accessory Emergency Shelter (Emergency Response Centre) is permitted in all zones except on a Lot on which Agricultural Use is permitted or a Lot in the Agricultural Land Reserve, unless specifically provided for in this Bylaw.

.2 Accessory Emergency Shelter (Extreme Weather Response) (B/L 3002-2019)

- a. An Accessory Emergency Shelter (Extreme Weather Response) is permitted in all zones except on a Lot on which Agricultural Use is permitted or a Lot in the Agricultural Land Reserve, unless specifically provided for in this Bylaw.

.3 Emergency Shelter (B/L 3249-2022)

Emergency Shelter is permitted in all zones on a Lot that does not abut a Lot with an existing principal residential Use, subject to a Housing Agreement that specifies the terms and conditions regarding eligibility, occupancy and other provisions as set out in the *Local Government Act*.

.4 Soil Extraction (B/L 3249-2022)

Soil extraction is permitted in all zones subject to the Lot being located within the Soil Removal Eligibility Area as identified in the Official Community Plan and subject to the Soil Removal and Deposit Bylaw.

.5 Cannabis (B/L 3246-2022)

- a. Subject to the *Agricultural Land Commission Act*, growing, producing, storing, packing, processing, selling, or distributing Cannabis are not permitted in any zone unless specifically provided for in this Bylaw. (B/L 2959-2019)

.6 Cannabis Stores

- a. Cannabis Stores are not permitted in any zone unless specifically provided for in this Bylaw. (B/L 2959-2019)
- b. A maximum of five Cannabis Stores are permitted within the City. (B/L 2902-2019, 3672-2025)
- c. Subject to section 140.2.6.b, Cannabis Stores are a permitted Use on the following Lots as shown on Figure 1: (B/L 2902-2019, 3002-2019, 3159-2021, 3249-2022)

- i. PID: 028-576-659

Legal Description:

LOT A SECTION 23 TOWNSHIP 13 PLAN BCP47908 NWD & SEC 24

Editorial Note

Known civically as: 3122 Mt. Lehman Road
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- ii. PID: 024-620-840

Legal Description:

LOT B SECTION 25 TOWNSHIP 13 PLAN LMP43849 NWD PART SW
1/4

Editorial Note

Known civically as: 3270 Mt. Lehman Road
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- iii. PID: 003-953-912

Legal Description:

LOT 511 SECTION 19 TOWNSHIP 16 PLAN NWP50016 NWD PART SE
1/4, EXCEPT PLAN 52036, LEASEHOLD P51545

Editorial Note

Known civically as: 31940 South Fraser Way
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- iv. PID: 024-922-749

Legal Description:

SECTION 20 TOWNSHIP 16 PLAN LMP48219 NWD PARCEL 1, PART
SE 1/4

Editorial Note

Known civically as: 32533 South Fraser Way
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- v. PID: 008-954-623

Legal Description:

SECTION 20 TOWNSHIP 16 PLAN NWP76251 NWD PARCEL 1, PART
SE 1/4

Editorial Note

Known civically as: 32500 South Fraser Way
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- vi. PID: 017-956-731

Legal Description:

LOT A SECTION 20 TOWNSHIP 16 PLAN LMP06501 NWD PART SE 1/4, LEGAL SUBDIVISION 8

Editorial Note

Known civically as: 32700 South Fraser Way
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- vii. PID: 016-324-447

Legal Description:

SECTION 21 TOWNSHIP 16 PLAN NWP86193 NWD PARCEL A, PART SW 1/4, EXCEPT PLAN LMP32850 RD TAKING, LEASEHOLD P50187

Editorial Note

Known civically as: 32900 South Fraser Way
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- viii. PID: 024-354-210

Legal Description:

LOT 1 SECTION 14 TOWNSHIP 16 PLAN LMP40494 NWD

Editorial Note

Known civically as: 2070 Sumas Way

- ix. PID: 027-961-419

Legal Description:

LOT 1 PLAN BCP41424 NWD DISTRICT LOT 351 GROUP 2, & DL 352

Editorial Note

Known civically as: 1920 North Parallel Road
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- x. PID: 028-895-177

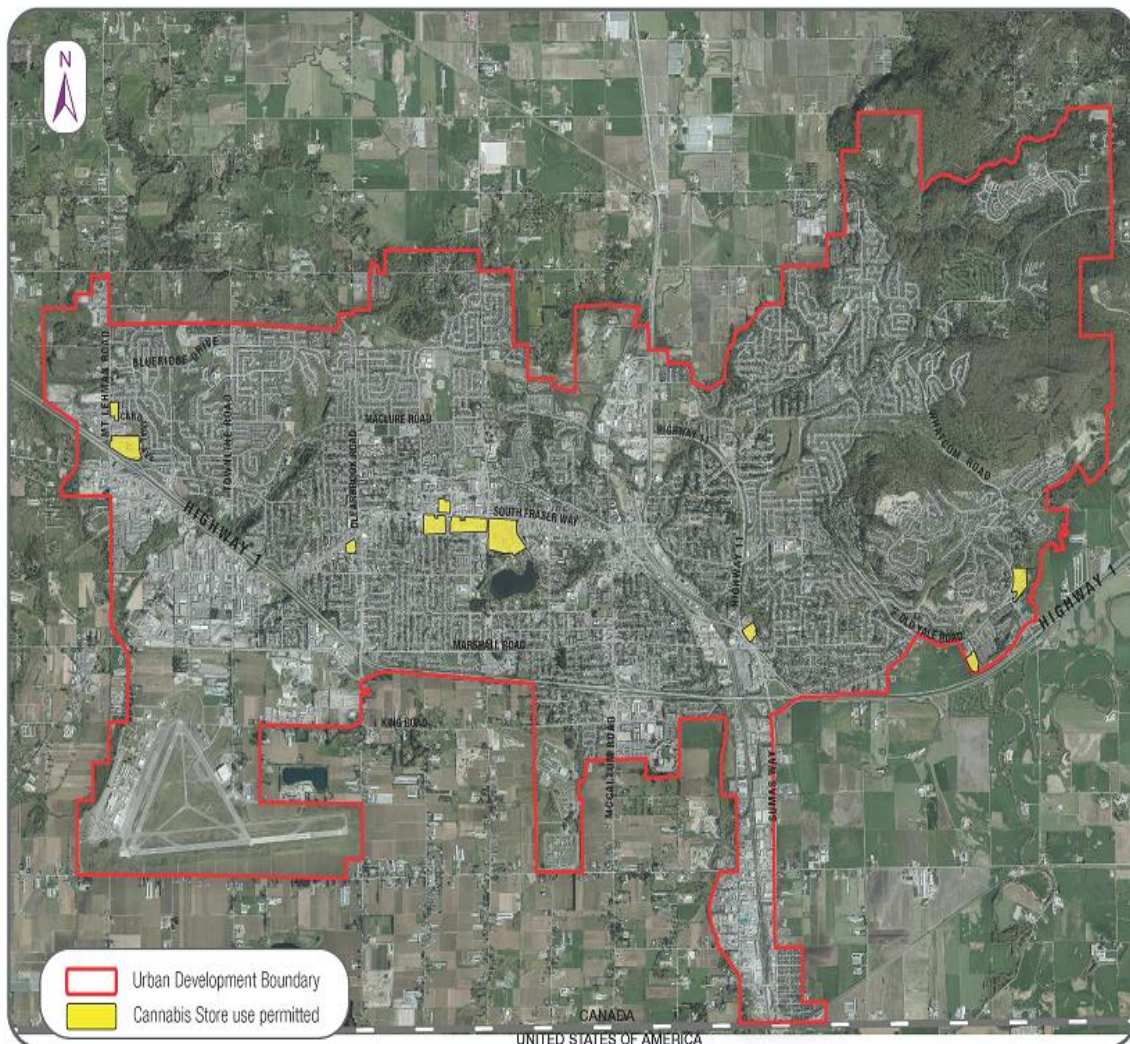
Legal Description:

LOT 1 PLAN EPP19613 NWD DISTRICT LOT 95 GROUP 2, EXCEPT PLAN EPP36260, & DL'S 230 & 246A

Editorial Note

Known civically as: 2310 Whatcom Road

Figure 1 - Cannabis Store - Permitted Use



.7 Supported Housing (B/L 3249-2022)

- a. Supported Housing is permitted in an Apartment or Dormitory in all zones, except on a Lot where Agricultural Use is permitted or on a Lot in the Agricultural Land Reserve, unless specifically provided for in this Bylaw, and shall:
 - i. be subject to the regulations outlined in the RMM zone; and
 - ii. be subject to a Housing Agreement that specifies the terms and conditions regarding eligibility, occupancy and other provisions as set out in the *Local Government Act*.
- b. Supported Housing is permitted in a Single Detached Dwelling in all residential zones, except on a Lot within an Agricultural zone or in the Agricultural Land Reserve, unless specifically provided for in this Bylaw, and shall:
 - i. be subject to a Housing Agreement that specifies the terms and conditions regarding eligibility, occupancy and other provisions as set out in the *Local Government Act*,
 - ii. not be operated where there is a Coach House, Garden Suite, Secondary Suite, Residential Care, Boarding House, Home Child Care (Major or Minor), or Home Occupation on the Lot,
 - iii. be restricted to a maximum of ten Residents,
 - iv. not be operated within 200 m of an existing Supported Housing or a School, excluding Supported Housing for which a business licence has been issued prior to April 1, 2008; and
 - v. have no indication that the Building is used for a purpose other than a residential Use.

.8 Home Child Care, Major (B/L 3249-2022)

- a. Home Child Care, Major is permitted in all zones in which a Single Detached Dwelling is permitted, except on a Lot where Agriculture Use is permitted or on a Lot in the Agricultural Land Reserve, unless specifically provided for in this Bylaw, and shall:
 - i. be limited to 16 children in care;
 - ii. be operated within, and by the Resident of, the Single Detached Dwelling that it is Accessory to;
 - iii. not be operated on a Lot where there is a Boarding, Boarding House, Coach House, Garden Suite, Home Occupation (Level 2 and greater), Secondary Suite, Residential Care or Supported Housing Use; and
 - iv. not be permitted on a cul-de-sac.
- b. Home Child Care, Major is permitted in all zones in which an Apartment or Townhouse is permitted and shall:
 - i. be limited to 25 children in care;
 - ii. be limited to one such Use per Lot; and
 - iii. not be operated in a Dwelling Unit.

.9 Home Child Care, Minor (B/L 3249-2022, 3691-2025)

- a. Home Child Care, Minor is permitted in all zones in which a Single Detached Dwelling is permitted and shall:
 - i. be limited to 8 children in care;
 - ii. be operated within, and by the Resident of, the Single Detached Dwelling that it is Accessory to; and
 - iii. not be operated on a Lot where there is a Boarding, Boarding House, Home Occupation (Level 2 and greater), Secondary Suite, Residential Care or Supported Housing Use.

.10 Home Occupation in an Accessory Dwelling Unit (B/L 3246-2022)

- a. Home Occupation – Level 1 is permitted in all zones in which an Accessory Residential Use, Secondary Suite, Garden Suite, Coach House, Accessory Farm Dwelling Unit, or Lock-off Unit is permitted, and shall:
 - i. be carried out exclusively by a Resident of the Accessory Residential Use, Secondary Suite, Garden Suite, Coach House, Accessory Farm Dwelling Unit, or Lock-off Unit in which the Home Occupation is located; and
 - ii. comply with all other Home Occupation – Level 1 regulations in Section 140.

.11 Urban Beekeeping (B/L 3249-2022, 3691-2025)

- a. Urban Beekeeping is permitted in all zones in which a Single Detached Dwelling is permitted, except on a Lot where Agriculture Use is permitted, and shall:
 - i. be limited to a Lot where Single Detached Dwelling is the Principal Use;
 - ii. be limited to a Lot with only one Single Detached Dwelling;
 - iii. be undertaken by a beekeeper who is registered with the Province in accordance with their beekeeping requirements;
 - iv. be limited to a maximum number of Beehives and Nucleus Colonies as follows:
 - 1. zero for Lots under 540 m²;
 - 2. two Beehives and two Nucleus Colonies for Lots equal to or greater than 540 m²;
 - 3. four Beehives and four Nucleus Colonies for Lots equal to or greater than 1,000 m²;
 - 4. six Beehives and six Nucleus Colonies for Lots equal to or greater than 2,000 m²;
 - v. have all Beehives or Colonies located at the rear of the Principal Building on the Lot as follows:
 - 1. behind a solid fence or hedge, a minimum of 1.8 m in Height, along all adjacent property lines;
 - 2. setback the entrance a minimum of 6.0 m from any property line;
 - 3. setback the side and rear a minimum of 3.0 m from any property line;
 - vi. include a water source on the same Lot where Urban Beekeeping is occurring.

.12 Small-Scale Multi-Unit Housing (B/L 3560-2024, 3691-2025)

- a. Small-Scale Multi-Unit Housing is permitted on all Lots within the Urban Development Boundary that are zoned to permit a Single Detached Dwelling and/or Duplex, and where less than three Dwelling Units are otherwise permitted on the Lot, subject to the following Lot criteria:
 - i. less than 4,050 m² in size;
 - ii. not protected under the *Heritage Conservation Act*;
 - iii. not, as of December 7, 2023, designated as protected under a bylaw made under section 611 of the *Local Government Act*; and
 - iv. not within a Transit-Oriented Area.
- b. The maximum number of Dwelling Units permitted on a Lot that permits small-scale multi-unit housing is:
 - i. three Dwelling Units on Lots that are 280 m² in size or less; and
 - ii. four Dwelling Units on Lots that are greater than 280 m² in size.
- c. Small-Scale Multi-Unit Housing shall be subject to the development regulations in the applicable zone.
- d. Notwithstanding any other provisions contained within this Bylaw, Small-Scale Multi-Unit Housing shall not include a Garden Suite or Coach House except where listed as a Permitted Use in the applicable zone.

.13 Small-Scale Multi-Unit Housing in the Agricultural Land Reserve (B/L 3691-2025)

- a. Where permitted, Small-Scale Multi-Unit Housing on a Lot within the Agricultural Land Reserve shall be limited to a maximum of three Dwelling Units in accordance with the *Agricultural Land Commission Act* and the *Agricultural Land Reserve Use Regulation*.

140.3 Uses with Specific Regulations (B/L 3249-2022, 3246-2022, 3299-2022)**.1 Short-Term Rental Accommodations** (B/L 3670-2025, 3691-2025)

- a. Where permitted, a Short-Term Rental Accommodation shall:
 - i. be only permitted on a Lot with a Dwelling Unit that is the host's Principal Residence;
 - ii. only be permitted in a Single Detached Dwelling or Duplex, plus one of the following per principal Dwelling Unit:
 - a. Secondary Suite;
 - b. Garden Suite;
 - c. Coach House; or
 - d. Accessory Farm Dwelling Unit.
 - iii. be limited to not more than six guests at one time, per principal Dwelling Unit, except in the A1, A2, A3, A4, A5, A6, RR, CR, or SR zones, in which case it is limited to eight guests;
 - iv. be limited to not more than three Sleeping Units for guests, per principal Dwelling Unit, except for in the A1, A2, A3, A4, A5, A6, RR, CR, or SR zones, in which case it is limited to four Sleeping Units;
 - v. provide on the Lot, a minimum of one dedicated Parking Space per Short-Term Rental Accommodation in addition to Parking Spaces required in Section 150 for all other Uses on the Lot; and
 - vi. not be operated on a Lot where there is a Boarding or Boarding House Use.

.2 Boarding (B/L 3249-2022, 3246-2022)

- a. Where permitted, in a Single Detached Dwelling or Duplex, Boarding shall: (B/L 3246-2022)
 - i. be contained within the principal Dwelling Unit;
 - ii. be limited to no more than four boarders at one time within the Dwelling Unit;
 - iii. be limited to two boarders per Sleeping Unit; and
 - iv. not be operated where there is a Short-Term Rental Accommodation. (B/L 3670-2025)
- b. Where permitted in an Apartment, Townhouse or Rowhouse, Boarding shall:
 - i. be contained within the principal Dwelling Unit;
 - ii. be limited to no more than one boarder at one time within the Dwelling Unit;
 - iii. be exempt from the required parking for Boarding in Section 150; and
 - iv. not be permitted in the same Building as a Supported Housing or Congregate Care Use.

.3 Boarding House (B/L 3246-2022, 3691-2025)

- a. Where permitted, a Boarding House in SSMUH zones, or the TH1, TH2, RR, CR, SR, SRH, RS1, RS3, RS3-A, RS3-i, RS3-ig, RS5 or RS5-A zone shall:
 - i. be subject to a business licence;
 - ii. not be operated where there is a Short-Term Rental Accommodation, Coach House, Garden Suite, Secondary Suite, Residential Care, Supported Housing or a Home Occupation , or more than 1 Single Detached Dwelling on the Lot; (B/L 3670-2025)
 - iii. be restricted to a maximum of six persons within the Single Detached Dwelling;
 - iv. be limited to two persons per Sleeping Unit; and
 - v. have no indication that the Building is used for a purpose other than a residential use.
- b. Where permitted, a Boarding House in the A1, A2, A3, A4, A5 or A6 zone shall:
 - i. be subject to a business licence;
 - ii. only occur within a Single Detached Dwelling that does not contain more than one kitchen, not including the kitchen in a Secondary Suite;
 - iii. restrict occupancy to Temporary Farm Workers employed under a federal government migrant worker program;
 - iv. be restricted to a maximum of 12 persons within the Single Detached Dwelling, excluding occupants of a Secondary Suite;
 - v. only be permitted on a Lot that is 3.8 ha or larger and classified as farm under the *Assessment Act*, R.S.B.C. 1996, c.20;
 - vi. not be operated where there is a Short-Term Rental Accommodation, Residential Care, Supported Housing or Home Occupation Use on the Lot; (B/L 3670-2025)
 - vii. be exempt from providing parking in accordance with Section 150; and
 - viii. have no indication that the Single Detached Dwelling is used for a purpose other than a residential Use.

.4 Breeding and Boarding Kennel (B/L 3246-2022)

- a. Where a Breeding and Boarding Kennel Use is permitted, the outside perimeter of all fenced animals runs, pens, and enclosures shall be screened to a minimum Height of 1.8 m by continuous dense hedging or similar landscaping.

.5 Home Occupation (B/L 3246-2022)

- a. Where permitted, all Home Occupation – Level 1 Uses shall:
 - i. not produce offensive noise, vibration, traffic, smoke, dust, odours, heat, glare, electrical or radio disturbance;
 - ii. not involve exterior alterations that are inconsistent with the residential character of the Buildings and property;
 - iii. not have outside storage of materials, commodities, or finished products;
 - iv. be wholly contained within the Dwelling Unit;
 - v. be carried out exclusively by a Resident of the Dwelling Unit in which the Home Occupation is located;
 - vi. not generate customer visits; and
 - vii. not have signs advertising the Home Occupation.
- b. Where permitted, all Home Occupation – Level 2 Uses shall:
 - i. not produce offensive noise, vibration, traffic, smoke, dust, odours, heat, glare, electrical or radio disturbance;
 - ii. not involve exterior alterations that are inconsistent with the residential character of the Buildings and property;
 - iii. not have outside storage of materials, commodities, or finished products;
 - iv. be wholly contained within the principal Dwelling Unit or Accessory Building, or combination;
 - v. limit the size to a floor area of 50 m²;
 - vi. not include the repair or maintenance of automobiles, farm vehicles, Recreational Vehicles, or Commercial Vehicles;
 - vii. be carried out exclusively by a Resident of the principal Dwelling Unit in which the Home Occupation - Level 2 Use is located, and by not more than one non-Resident employee;
 - viii. not generate significant vehicular traffic impacts within the neighbourhood; and
 - ix. have a maximum of one sign, with a maximum area of 0.4 m².
- c. Where permitted, all Home Occupation – Level 3 Uses shall:
 - i. not produce offensive noise, vibration, traffic, smoke, dust, odours, heat, glare, electrical or radio disturbance;
 - ii. not involve exterior alterations that are inconsistent with the residential character of the Buildings and property;
 - iii. not have outside storage of materials, commodities, or finished products;
 - iv. be wholly contained within the principal Dwelling Unit or Accessory Building, or combination, except for horticultural occupations in an A zone;
 - v. limit the size to a floor area of 112 m²;
 - vi. not include the repair or maintenance of automobiles, Recreational Vehicles, or Commercial Vehicles;

- vii. limit commercial repair and maintenance of farm motor vehicles, farm equipment and trucks licensed as farm vehicles under the *Commercial Transport Act*, R.S.B.C. 1996, c. 58 to the A1, A2 and A3 zones only;
 - viii. be carried out exclusively by a Resident of the principal Dwelling Unit in which the Home Occupation - Level 3 Use is located, and by not more than two non-Resident employees;
 - ix. not generate significant vehicular traffic impacts within the neighbourhood; and
 - x. have a maximum of one sign, with a maximum area of 1.2 m².
- d. Where permitted, all Home Occupation – Level 4 Uses shall:
- i. not produce offensive noise, vibration, traffic, smoke, dust, odours, heat, glare, electrical or radio disturbance;
 - ii. not involve exterior alterations that are inconsistent with the residential character of the Buildings and property;
 - iii. not have outside storage of materials, commodities, or finished products;
 - iv. not have outside storage of customer equipment or vehicles related to any service provided;
 - v. be wholly contained within the principal Dwelling Unit or Accessory Building, or combination, except for horticultural occupations in an A zone;
 - vi. limit the size to a floor area of 112 m²;
 - vii. only be permitted within an Accessory Building if the floor area for the Use is designed to be entirely separate from any portion of the Building exceeding the 112 m² floor area limit;
 - viii. not include the dispatch of automobiles or Commercial Vehicles;
 - ix. not include the repair or maintenance of automobiles, Recreational Vehicles, or Commercial Vehicles;
 - x. limit the repair and maintenance of farm motor vehicles, farm equipment, and trucks licensed as farm vehicles under the *Commercial Transport Act*, R.S.B.C. 1996, c. 58 to the A1, A2, A3, A4, A5 or A6 zones only;
 - xi. not generate significant vehicular traffic impacts within the neighbourhood;
 - xii. be carried out exclusively by a Resident of the principal Dwelling Unit in which the Home Occupation - Level 4 is located, and by not more than two non-Resident employees; and
 - xiii. have a maximum of one sign, with a maximum area of 1.2 m².

.6 Mobile Food Vendors (B/L 3249-2022)

- a. Where permitted, Mobile Food Vendors shall be:
 - i. located on a Lot;
 - ii. completely removed from the Lot every night; and
 - iii. prohibited within 50 m of a Restaurant.

.7 Non-Permanent Commercial (B/L 3249-2022)

- a. Where permitted, Non-Permanent Commercial uses shall be:
 - i. located on a Lot; and
 - ii. completely removed from the Lot every night.

.8 Secondary Suites (B/L 3246-2022, 3299-2022, 3560-2024, 3670-2025, 3691-2025)

- a. Notwithstanding any other provisions contained within this Bylaw, one Secondary Suite is permitted in all Single Detached Dwellings.
- b. Where permitted, a Secondary Suite in the A1, A2, A3, A4, A5, A6, RR, CR, SR, SRH, RMF, N30, N32, N55, N80 or N83 zone shall:
 - i. comply with the Accessory Uses, Conditions of Use, and Additional Regulations in the applicable zone.
- c. Where permitted, a Secondary Suite in all other zones, except where registered prior to the date of the adoption of Bylaw No. 3249-2022, shall:
 - i. be limited to one such Use per principal Dwelling Unit;
 - ii. be limited to a maximum floor area that is less than 50% of the floor area of the principal Dwelling Unit in which it is located, excluding the floor area of an attached garage; and
 - iii. not be operated where there is a Residential Care, Boarding House, Supported Housing, or Home Child Care (Major or Minor) on the Lot.

.9 Single Detached Dwellings in the Agricultural Land Reserve (B/L 3246-2022)

- a. Where permitted, a Single Detached Dwelling on a Lot within the Agricultural Land Reserve:
 - i. shall only be permitted in accordance with *Agricultural Land Commission Act*, S.B.C. 2002, c. 36, the *Agricultural Land Reserve Use Regulation*, B.C. Reg. 30/2019, or as approved by the Agricultural Land Commission; and

- ii. shall not have Accessory Buildings or Structures with a combined total floor area exceeding the Gross Floor Area of the Single Detached Dwelling.

Editorial Note

Agricultural Land Commission Act, S.B.C. 2002, c. 36, section 20.1(1)(b) limits the total floor area of a principal residence to 500 m² or less, unless a larger residence is approved by the *Agricultural Land Commission*. ALC Information Bulletin 05 - Residences in the ALR, defines "total floor area" for the purpose of the *ALC Act*, S.B.C. 2002, c. 36, and *ALR Use Regulation*, B.C. Reg 30/2019.

140.4 Regulations Applicable to All Zones**.1 Accessory Buildings and Structures**

- a. No Accessory Building shall be erected on any Lot unless the Principal Use or Principal Building to which it is accessory has been established or erected or will simultaneously be established or erected.
- b. Except as otherwise provided in this Bylaw, where an Accessory Building or Structure is attached to the Principal Building, it shall be considered a part of the Principal Building and shall comply in all respects with the Setback requirements for the Principal Building.

.2 Permitted Projections into Setbacks (B/L 3691-2025)

- a. The following features may project not more than 0.6 m into the minimum permitted Setback as set out in this Bylaw:
 - i. chimneys, cornices, leaders, gutters, pilasters and sills, in each case having a length of 2.4 m or less;
 - ii. bay windows having a length of 3.0 m or less; and
 - iii. other architectural features of a similar nature.
- b. Steps, eaves, sunlight control projections, canopies, cantilevered balconies and unenclosed porches that project beyond the building face may project no more than:
 - i. 1.2 m into the required minimum front, rear or exterior side Lot Line Setback;
 - ii. 0.6 m into the required minimum interior side Lot Line Setback; and
 - iii. 0.6 m into the required minimum Setback between Buildings on the same Lot.
- c. Stairs may project 1.2 m into the required minimum Setback between a Principal Building and a Coach House.
- d. Door Wells, window wells, stairs, ramps, and associated retaining structures and guard railings may project into the required setback, provided the projection is below Grade and associated retaining structures are connected to the foundation of the Building. (B/L 3691-2025)

.3 Poles and Public Service Works

Light poles, clothes line poles, flag poles, utility poles, wires, warning devices, antennas, masts and water reservoirs, pumphouses, valve chambers, kiosks, weight scales and other Public Service works may be located anywhere on a Lot.

.4 Antenna Systems (B/L 3472-2024)

In the case of Antenna Systems that are free-standing and affixed directly to the ground, the height shall not exceed 40.0 m.

.5 Garbage, Composting and Recycling Containers (B/L 3691-2025)

- a. Any Apartment, Dormitory, commercial Use, or industrial Use shall provide a facility for garbage, composting and recycling containers, which meets the following requirements: (B/L 3249-2022)
 - i. Garbage, composting and recycling containers shall be screened to a minimum Height of 2.0 m by Buildings, a landscape screen, a solid decorative fence or any combination.
 - ii. Garbage, composting and recycling containers shall not be located within any required front Lot Line Setback or adjacent to a residential Use.
- b. Any Townhouse with 5 or more Dwelling Units on one Lot shall either provide a central facility for garbage, composting and recycling containers consistent with the regulations within section 140.4.5(a), or provide individual pick-up service for each Dwelling Unit. (B/L 3691-2025)

.6 Permitted Setback exemptions (B/L 3370-2023)

An overhang, awning, Building or Structure that serves as covering for a stairwell, which leads to underground parking as part of an Apartment, Congregate Care or Townhouse use is permitted to be within any Setback if the stairwell is below ground level.

.7 Height Exemptions (B/L 3249-2022; 3246-2022)

- a. The following type of Structures or structural parts shall not be subject to the Building Height requirements of this Bylaw: aeries, belfries, chimneys, cooling towers, elevator and ventilating machinery penthouses, fire and hose towers, flag poles, industrial cranes, lightning rods, monitors, monuments, radio towers, silos outside an A zone, spires, domes and other features normally associated with places of worship, transmission towers and water tanks, provided that the maximum lot coverage for such structures shall be 20% or, if located on a Building, 10% of the roof area of the Building. (B/L 3246-2022)
- b. Solar panels shall also be exempt from the height restrictions of this Bylaw and shall be permitted to cover up to 50% of the roof area of a Building.
- c. Where outdoor amenity space is provided on a rooftop, Structures for rooftop access, landings, and exterior storage closets are exempted from Building Height, provided that the total roof area coverage of Height exempted Structures is less than 15%. (B/L 3166-2021)
- d. Where an Accessory Building or Structure is used for common amenity space for an Apartment, Congregate Care or Townhouses, the maximum height shall be 8.0 m or two stories, whichever is less. Accessory structures that are greater than permitted accessory building height must comply with setbacks of the principle building. (B/L 3370-2023)

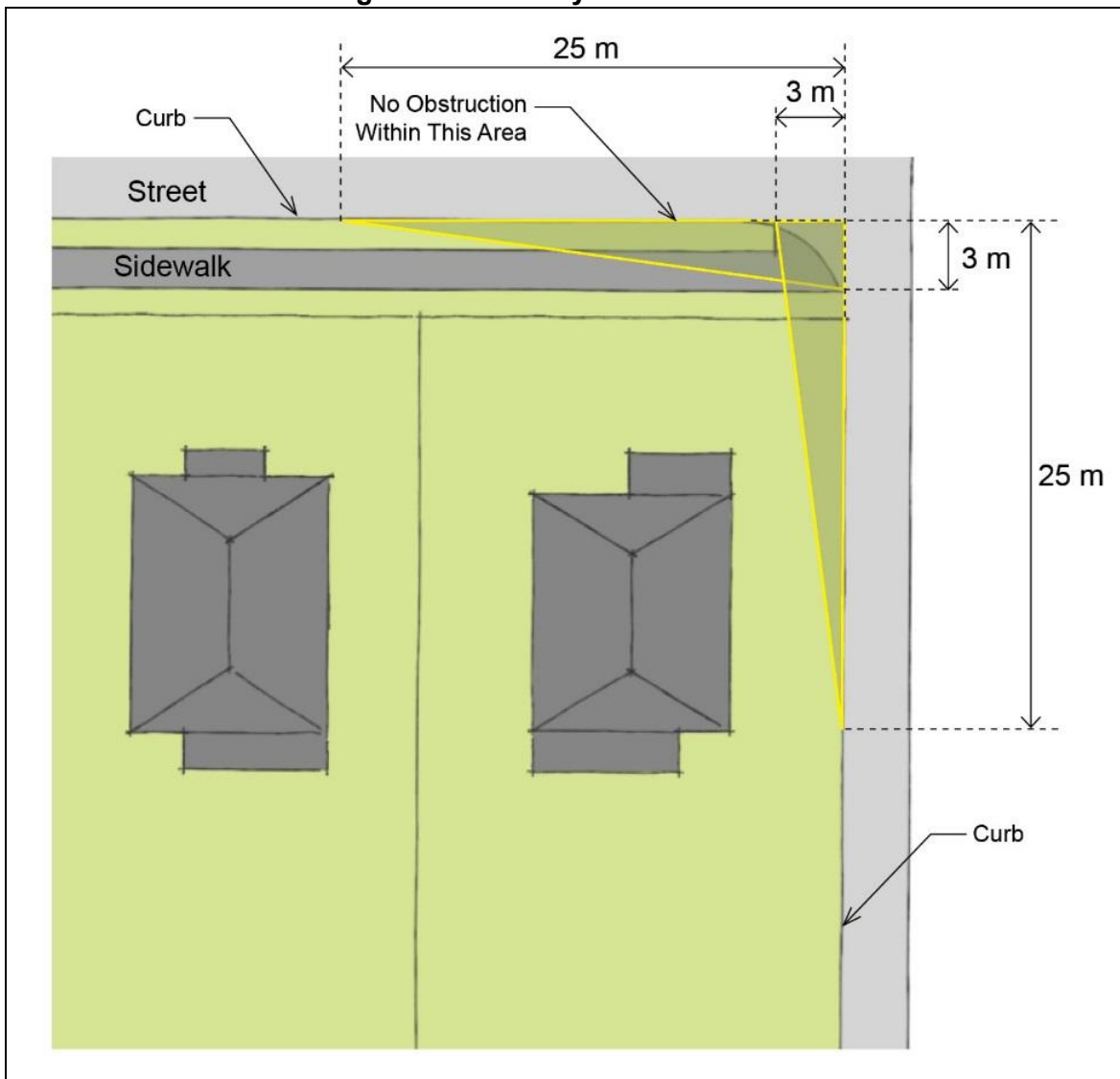
.8 Front on a Street (B/L 3249-2022)

Every Lot in any proposed subdivision shall have not less than 10% of its perimeter fronting on a highway or common property access route, as the case may be, except that in accordance with the *Local Government Act*, the Approving Officer may waive this requirement.

.9 Visibility at Intersections (B/L 3249-2022)

There shall be no obstruction to the line of vision by landscaping, Buildings or Structures between the heights of 1.0 m and 3.0 m above the established grade of Streets within an area bounded by the intersection of the two Streets (or their projections) and a point along each Street 3.0 m from their junction drawn to a point 25.0 m from their junction on the opposite Street as illustrated in Figure 2.

Figure 2 – Visibility at Intersections



.10 Highway Dedication and Density

Where land is dedicated in conjunction with a Zoning Amendment Bylaw or building permit issuance for highway widening, corner truncation or a walkway to attain a municipal standard, unit density and Floor Space Ratio shall be calculated using the original Lot area prior to dedication. (B/L 3691-2025)

.11 Vehicles and Habitable Area (B/L 3246-2022)

- a. Except where specified as a permitted use, no vehicle, including a Recreational Vehicle, shall be used as a Dwelling Unit.
- b. Despite Section 140.4.9.a, a Recreational Vehicle located on a Lot may be used as a Dwelling Unit for up to 72 consecutive hours in any 30 day period provided that the registered owner of the Recreational Vehicle is not a Resident of the Lot.

.12 Repealed (B/L 3691-2025)**.13 Lot Line Adjustment and Minimum Lot Size** (B/L 2639-2016. 3249-2022)

A Lot Line adjustment may be considered for approval notwithstanding that the Lots proposed to be created have less than the prescribed minimum Lot size.

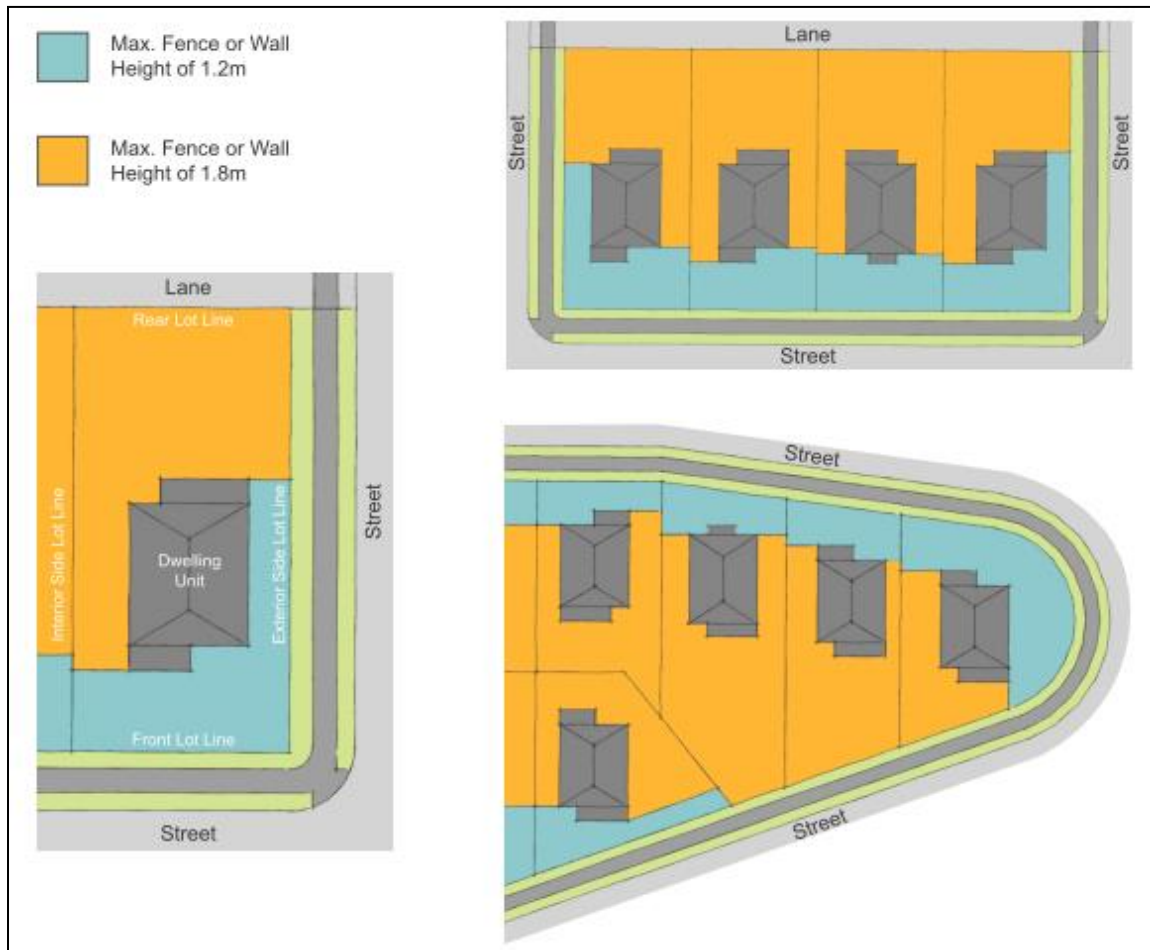
140.5 Regulations Applicable to Specific Zones**.1 Shipping containers as Storage on Residential Lots**

A shipping container may not be used as storage in the TH1 zone, TH2 zone, and SSMUH zone, or RR, CR, SR, RS or N zones where a Single Detached Dwelling or Duplex is the Principal Use. (B/L 3691-2025)

.2 Fences and Walls (B/L 3249-2022)

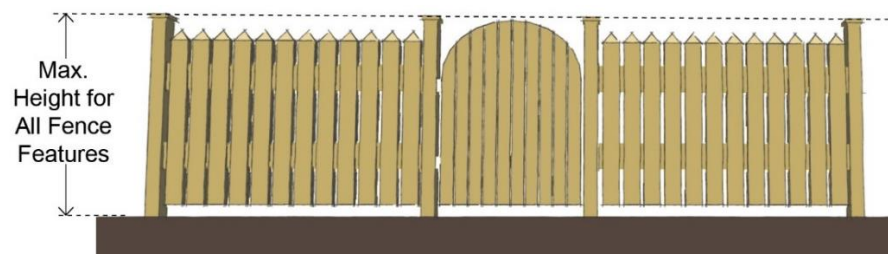
- a. In any zone in which a Single Detached Dwelling, Duplex, Rowhouse, Townhouse or Apartment is a Principal Use, except A, I, RR, CR, SR, and C zones, no fence or wall shall:
 - i. exceed the maximum Height indicated in Figure 3 for the portion of the Lot on which it is located; and
 - ii. obstruct visibility at intersections as set out in Section 140.4.7.
- b. In any C zone, no fence or wall shall:
 - i. exceed 1.8 m in Height; and
 - ii. obstruct visibility at intersections as set out in Section 140.4.7.
- c. Fences and walls shall not be electrified or constructed of barbed wire or razor wire except in the A, RR or CR zones. If the abutting Lot is not zoned A, RR or CR, a minimum 3.0 m Setback shall be required along the abutting Lot lines.

Figure 3 – Fence or Wall Height



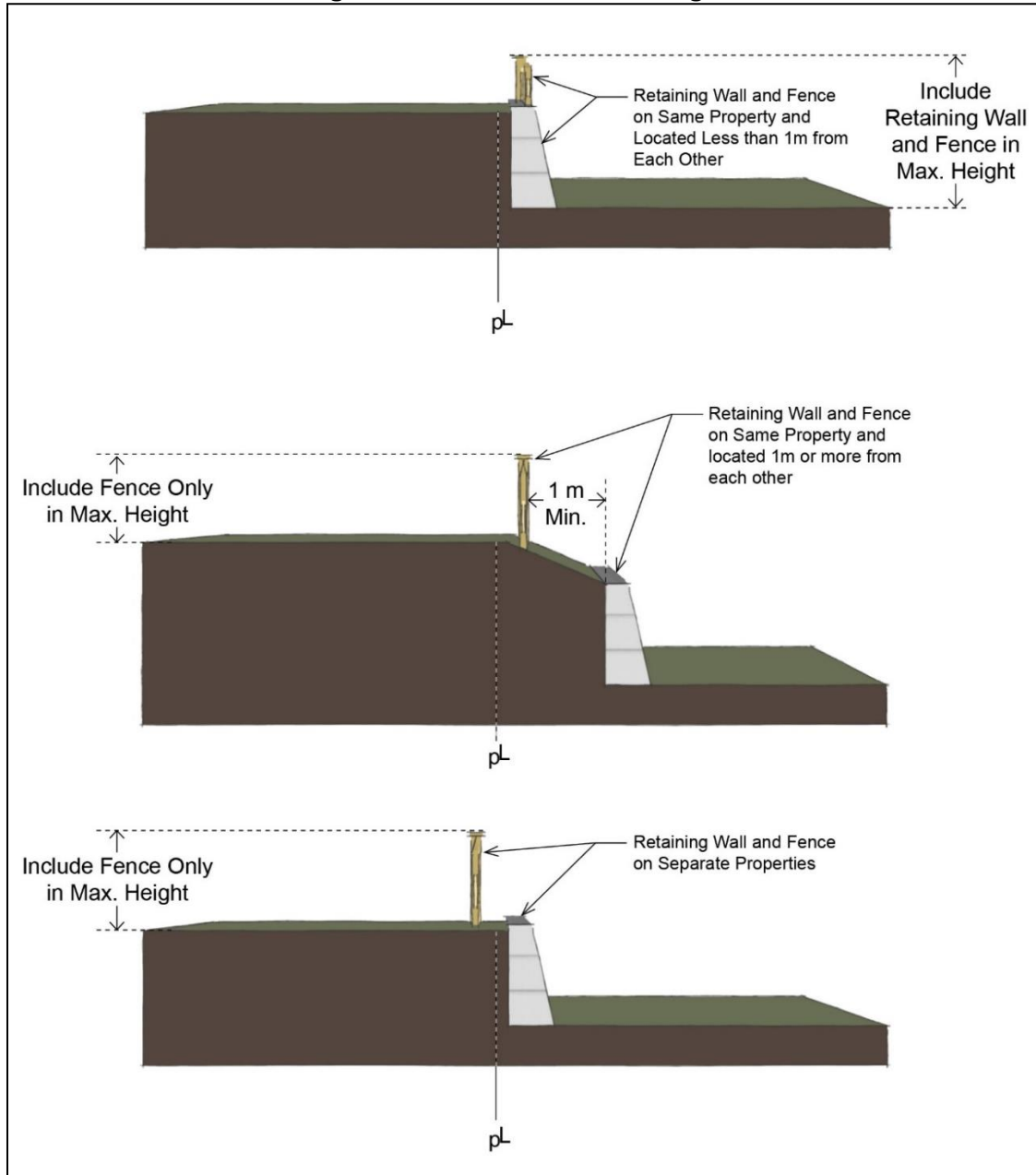
- d. The Height of fences and walls shall be measured from Existing Grade at the base of the fence or wall to the top of the fence or wall, as shown in Figure 4.

Figure 4 – Fence Height



- e. Where a fence or wall is located on top of a retaining wall, the Height of the fence shall include the Height of the retaining wall if they are located less than 1.0 m from each other, as shown in Figure 5; except where a barrier is required by the BC Building Code, or where a retaining wall borders a Sensitive Ecosystem Area.

Figure 5 – Fence and Retaining Wall



- f. A retaining wall may exceed the maximum allowable Height when it is replacing an existing retaining wall and all of the following apply:
- i. it was first constructed prior to January 1, 2022;
 - ii. it is located entirely within the legal boundaries of one property;
 - iii. there are no legal encumbrances affecting its location; and
 - iv. site conditions limit its ability to comply with the maximum allowable Heights of this section.

.3 Wrecked Vehicles (B/L 2959-2019; 3246-2022; 3249-2022)

Wrecked vehicles are not permitted to be stored in any zone unless specifically provided for in that zone, or unless the vehicles are required for the operation of a business that is permitted by this Bylaw on the lot on which they are stored, in which case the vehicles:

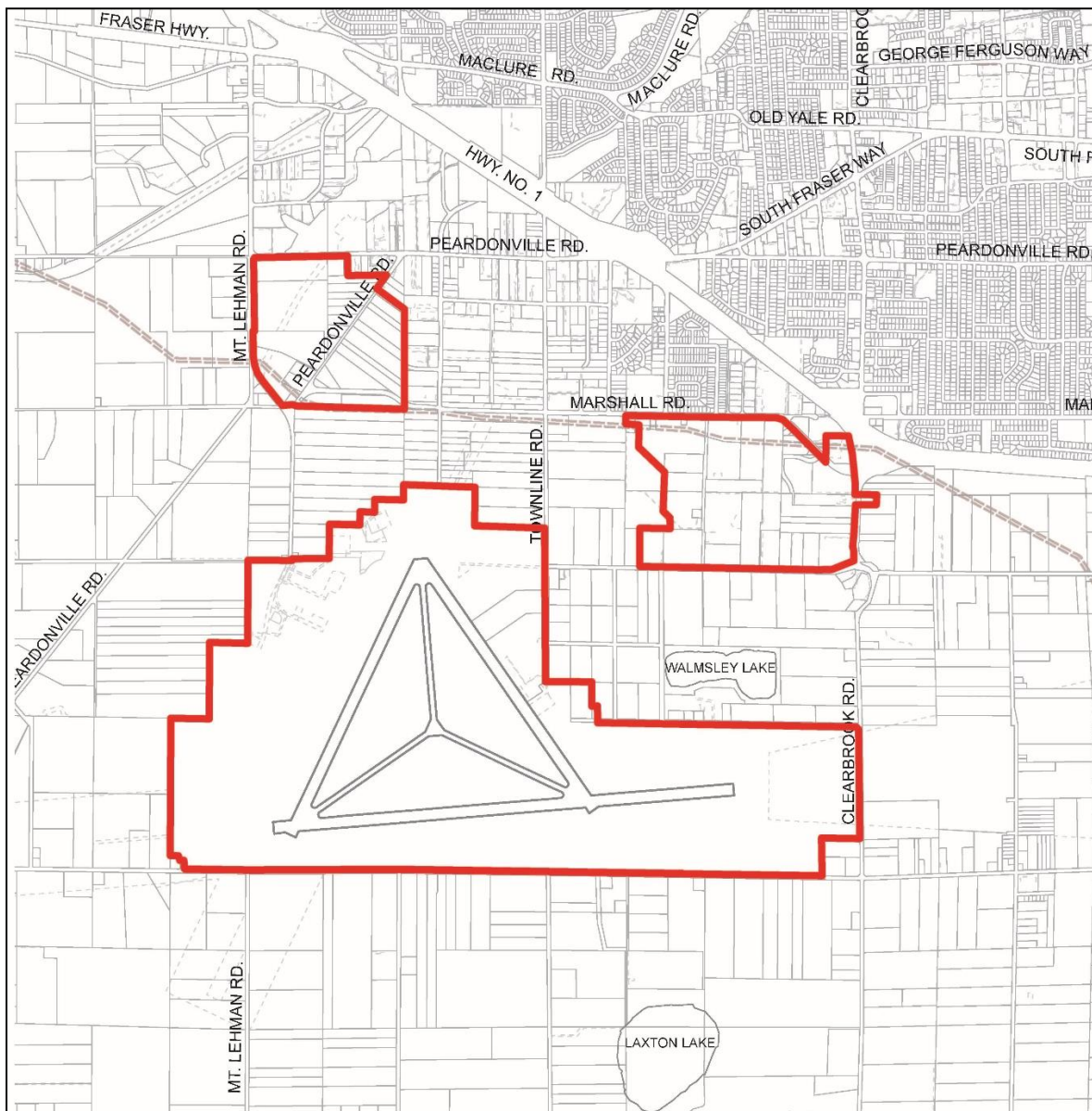
- a. shall be completely enclosed within a building approved by the City or an area surrounded by a fence or a wall; and
- b. shall not be visible from outside the building or the walled or fenced area in which they are stored.

.4 Parking and Storage of Vehicles (B/L 3246-2022, 3691-2025, 3704-2026)

- a. No person shall park or store on a TH1, TH2, SSMUH, N, RR, CR, SR, RS, RH1 or RM-zoned Lot any of the following:
 - i. a Commercial Vehicle or commercial trailer exceeding a gross vehicle weight of 5,500 kg, except when completely enclosed within a Building; and
 - ii. a boat in excess of 8.6 m in length, except when completely enclosed within a Building.
- b. In the C and P zones, unless Accessory to the Principal Use, the parking or storage of Commercial Vehicles exceeding a gross vehicle weight of 5,500 kg is prohibited except when completely enclosed within a Building.
- c. In the A zones, the parking or storage of Commercial Vehicles whose use is not customarily incidental to the permitted uses of the zone is prohibited, except that, a maximum of two Commercial Vehicles may be parked or stored on a Lot if:
 - i. the Commercial Vehicles are registered in the province of British Columbia;
 - ii. the registered owner of at least one of the Commercial Vehicles is a Resident of the Lot;
 - iii. the Commercial Vehicles are not used for hauling solid waste, sewage, hazardous materials or dangerous goods; and
 - iv. the parking or storage of the Commercial Vehicles on the Lot complies with all statutes, laws, regulations, orders, bylaws, permits and other lawful requirements of any federal, provincial, municipal or other governmental authority having jurisdiction, relating in any way to the environment, health, nuisance or occupational health and safety.
- d. No vehicle, Commercial Vehicle, Recreational Vehicle or utility trailer is to be parked or stored on a lawn or Landscaped Area, except as specifically permitted in the A1, A2, A3, A4, A5, or A6 zones.

.5 Stormwater Management (B/L 3249-2022)

- a. New development within the land P zones within the lands identified in Figure 6, shall be developed in conformance to the Stormwater Source Control Bylaw No. 2045-2011.

Figure 6 – Stormwater Management Area

.6 Accessway

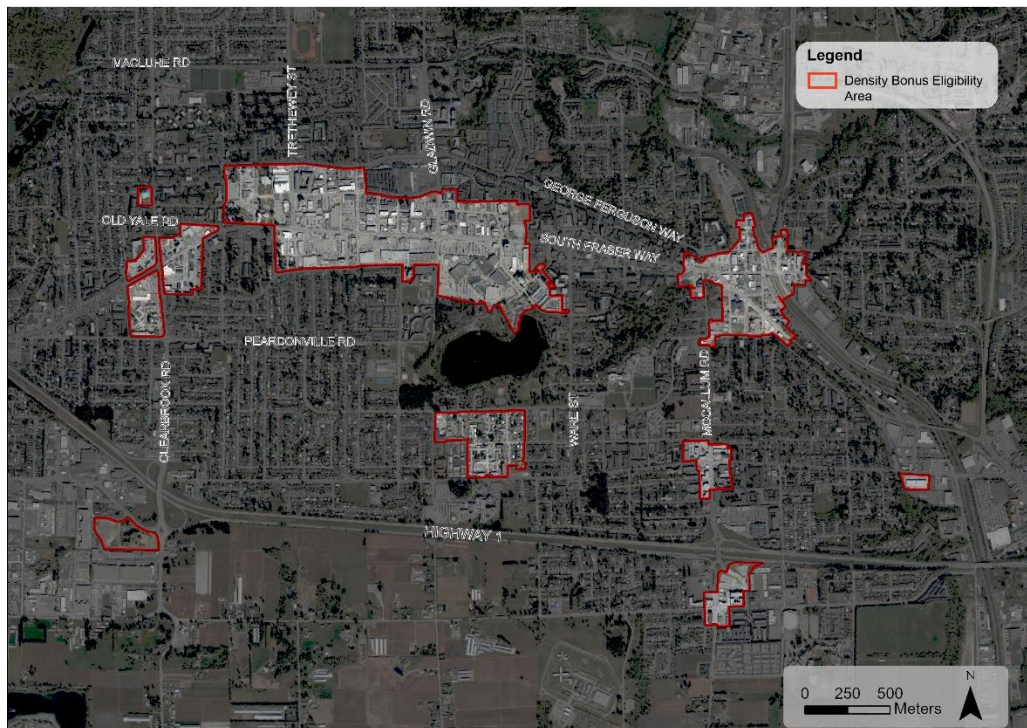
Section intentionally removed, please refer to the City's Development Bylaw, as amended or replaced from time to time, for regulations regarding Accessways.

140.6 Density Bonus (B/L 3249-2022, 3425-2023, 3634-2025, 3738-2026)

- a. Where a zone enables bonus Density and the Lot is located in the Density Bonus Eligibility Area defined in Figure 7, the bonus Density is permitted if:
 - i. at least 0.3% of the bonus floor area, or a minimum of 1 Dwelling Unit, whichever is greater, is provided as below market housing; or
 - ii. payment is made to the City's Affordable Housing Opportunities Reserve Fund in the amount of \$15.40 / m² of bonus floor area; or
 - iii. the bonus floor area is used for a non-residential Use, where permitted.
- b. All Dwelling Units provided as below market housing in accordance with this section shall:
 - i. have a minimum floor area of 86 m² and a minimum of 3 bedrooms;
 - ii. be completed, at the owner's sole cost and expense, to a turnkey standard satisfactory to the City;
 - iii. upon completion and at the owner's sole cost and expense, be transferred in fee simple for a nominal fee to a government agency or non-profit housing provider approved by the City; and
 - iv. be secured by Housing Agreement, with terms that include the following requirements:
 - 1. operated by a government agency or non-profit housing provider approved by the City;
 - 2. operated as rental tenure in accordance with the *Residential Tenancy Act*;
 - 3. rented for an amount that is less than the most recently published CMHC market median rent for a comparable Dwelling Unit in the census subdivision of Abbotsford, as of the date the operator and tenant enter into a tenancy agreement, together with any annual increase permitted in accordance with the *Residential Tenancy Act*;
 - 4. rented to a Household with a gross household income below the median gross household income in the census subdivision of Abbotsford, based on the most recently published data from Statistics Canada, as of the date the operator and tenant enter into a tenancy agreement; and

5. subject to subsections 1 to 4 for 60 years from the date of occupancy issuance or when the Building containing the below market housing is fully demolished or destroyed, whichever comes later.
- c. Payment in-lieu of providing below market housing must be made prior to issuance of a building permit authorizing the construction of a building that contains bonus Density."

Figure 7 – Density Bonus Eligibility Area

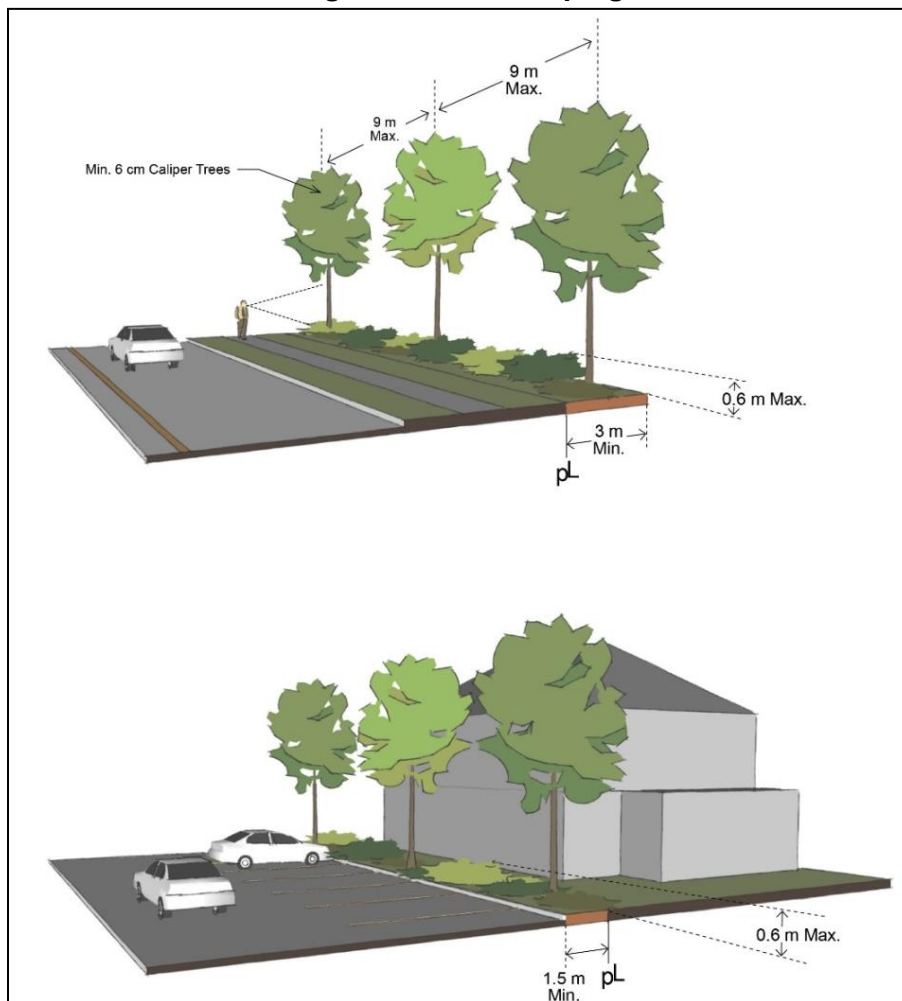


140.7 Landscaping (B/L 3249-2022, 3299-2022)

- .1 Any part of a lot not used for Building, parking, loading or driveways shall be landscaped and properly maintained.
- .2 In all zones, except for the A, RR, CR, SR, RS, or N zones where a Single Detached Dwelling or Duplex is the Principal Use and CRC zones: (B/L 3249-2022, 3691-2025, 3725-2026)
 - a. the required front Setback, excluding accessways shall have continuous Landscaped Area that has a minimum width of 3.0 m.
 - b. Any off-street parking area, maneuvering aisle, loading, or unenclosed storage area shall be separated from:

- i. an adjoining Street by a Landscaped Area not less than 3.0 m in width. (B/L 3249-2022)
- ii. a directly abutting Lot by a Landscaped Area of not less than 1.5 m in width;
- iii. notwithstanding the landscape widths above, a SSMUH or TH zoned Lot may reduce the Landscaped Area abutting a Lot from 1.5 m to 1.2 m in width, and where a Manuevering Aisle is shared between two lots, the Landscaped area may be further reduced to 0.0 m; and
- iv. notwithstanding the landscape widths above, an Industrial zoned Lot may reduce the Landscaped Area adjoining a Street from 3.0 m to 1.5 m in width, and the Landscaped Area along a Lot Line directly abutting another Industrial zoned or Industrial designated Lot from 1.5 m to 0 m in width, provided the total Landscaped Area meets the total required Landscaped Area calculated without any reductions.

Figure 8 – Landscaping



140.8 Floodproofing Provisions (B/L 3249-2022)

.1 Designation of Floodproofing Areas

The following areas are hereby designated as floodproofing areas in the City of Abbotsford:

- a. Areas “A” through “G” as shown on Schedule “E” of this Bylaw;
- b. Area “H” as described in Table 1; and
- c. any area not within the areas identified in Sections 140.8.1(a) or (b), but within the Setback areas from a natural boundary of any watercourse, lake, swamp, slough, or pond, as specified in Section 140.8.7. (B/L 3249-2022)

.2 Buildings and Structures Outside Dyked Areas

Buildings and Structures shall not be located on the water side of any Dyke or on any island in the Fraser River.

.3 Minimum Elevations

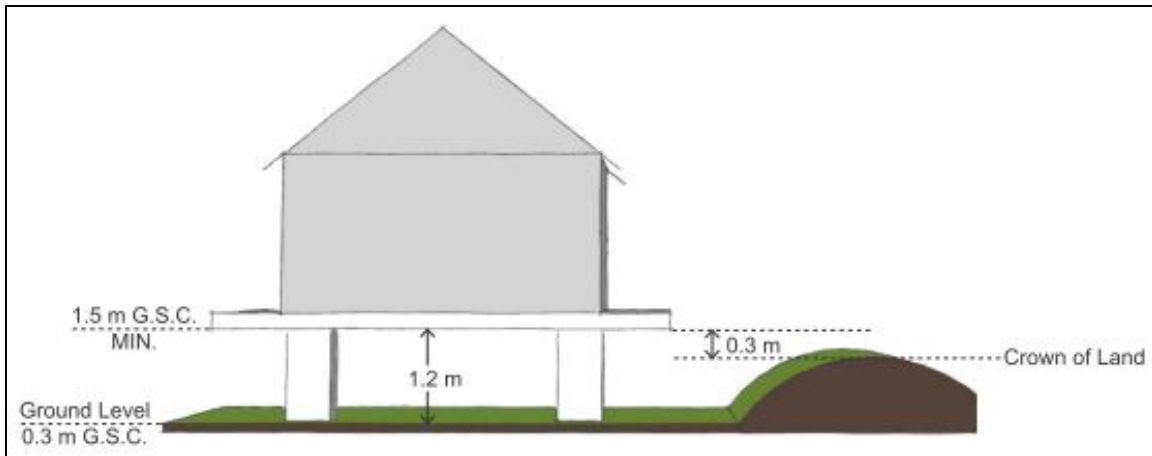
No Building or any part of a Building shall be constructed, reconstructed, moved or extended with the underside of a wooden floor system or the top of a concrete floor or pad supporting any habitable area, including any mobile home or unit, modular home or Structure, located:

- a. below the minimum elevations for full floodproofing as specified in Table 1;
- b. where the owner has entered into an indemnification covenant pursuant to Section 219 of the *Land Title Act* with the City and the Province of British Columbia, subject to the determination of the Building Inspector, below the minimum elevations for reduced floodproofing as specified in Table 1; and
- c. not less than 1.5 m above the natural boundary of any watercourse, lake, swamp, slough or pond.

Table 1 – Minimum Elevations (B/L 3249-2022)

AREA	MINIMUM ELEVATIONS	
	Full Floodproofing	Reduced Floodproofing
Area “A” on Schedule “E” (Sumas Lake Bottom)	11.1 m GSC	1.5 m GSC, 1.2 m above ground level and 0.3 m above the crown of the nearest road
Area “B” on Schedule “E” (Sumas Prairie West , Upstream of Whatcom Road Interchange)	11.1 m GSC	8.5 m GSC, 1.2 m above ground level and 0.3 m above the crown of the nearest road, except for closed-sided animal enclosures 7.5 m GSC, 1.2 m above ground level and 0.3 m above the crown of the nearest road
Area “C” on Schedule “E” (Huntingdon Area South of Second Avenue)	11.2 m GSC, 1.2 m above ground level and 0.3 m above the road elevation at Second Avenue and Potters Road	Not applicable. Full floodproofing provisions apply.
Area “D” on Schedule “E” (Huntingdon Area North of Second Avenue)	11.1 m GSC	Not applicable. Full floodproofing provisions apply.
Area “E” on Schedule “E” (Matsqui Prairie)	9.8 m GSC	6.0 m GSC, 1.2 m above ground level and 0.3 m above the crown of the nearest road, except for closed-sided animal enclosures behind standard Dykes which may be sited at ground level. (For Buildings and Structures not behind standard Dykes, see section 140.8.2)
Area “F” on Schedule “E” (Glen Valley)	8.5 m GSC	5.5 m GSC, 1.2 m above ground level and 0.3 m above the crown of the nearest road, except for closed-sided animal enclosures behind standard Dykes which may be sited at ground level. (For Buildings and Structures not behind standard Dykes, see section 140.8.2)
Area “G” on Schedule “E” (Sumas River floodplain)	11.1 m GSC, 4.0 m above the natural boundary of the watercourse and 1.2 m above ground level.	Not applicable. Full floodproofing provisions shall apply.
Area “H” Lands within the 100-year floodplain of Fishtrap Creek as delineated in the Master Drainage Plan for Fishtrap Creek (Dayton & Knight, 1987, Map D-340, Sheets 1 to 7)	0.6 m above the 100 year surface water level shown on Map D-340, Sheets 1 to 7	For closed-sided animal enclosures 1.0 m above ground level and 0.3 m above the crown of the nearest road.

Note: See Figure 9 for illustration of reduced floodproofing provisions.

Figure 9 – Floodproofing Provisions (B/L 3249-2022)

- .4 No Building or any part of a Building shall be constructed, reconstructed, moved or extended, nor shall any mobile home or unit, modular home or Structure be located with the underside of a wooden floor system or the top of a concrete slab of any area used for light industrial business or storage or, in the case of a mobile unit, the ground level or the top of the concrete or asphalt pad on which it is located, lower than the designated flood level.
- .5 Any elevation required by this Bylaw may be achieved by structural elevation or by adequately compacted landfill or any combination.
- .6 Subject to the owner entering into an indemnification covenant pursuant to Section 219 of the *Land Title Act* with the City and Province of British Columbia, sections 140.8.3 and 140.8.4 of this Bylaw shall not apply to: (B/L 3249-2022)
 - a. farm Buildings other than Dwelling Units and closed-sided animal enclosures;
 - b. close-sided animal enclosures and Dwelling Units provided that the minimum elevations for reduced floodproofing specified in section 140.8.3, are complied with; (B/L 3249-2022)
 - c. renovation of existing Buildings or Structures that do not include an addition to the Building or Structure;
 - d. an addition to a Building or Structure that will increase the size of the habitable portion of the Building or Structure below the reduced floodproofing specified in section 140.8.3 by less than 25% of the habitable Floor Area of the Building existing as of the adoption date of this Bylaw; (B/L 3249-2022)
 - e. an addition to an existing Building or Structure occupied as a residence at the date of adoption of this Bylaw that is created by raising the existing residence and creating non-habitable areas underneath;

- f. an addition to a Building where the addition exceeds the minimum elevation for reduced floodproofing specified in section 140.8.3; (B/L 3249-2022)
- g. portions of a Building behind standard Dykes that contain only hot water tanks and furnaces; and
- h. that portion of a Building or Structure to be used as a carport, garage or entrance foyer.

.7 Minimum Setbacks

No Building or part of a Building shall be constructed, reconstructed, moved or extended, nor shall any mobile home or unit, modular home or structure be located within the minimum Setbacks from the natural boundary of a watercourse, waterbody or Dyke specified in Table 2.

Table 2 – Minimum Setbacks

Watercourse or Waterbody	Minimum Setback
Clayburn Creek (outside the Fraser River flood plain to the east of the intersection of Old Clayburn Road with Clayburn-Straiton Road)	30.0 m
Fraser River (within the Fraser River flood plain)	60.0 m
Nathan Creek	30.0 m
Poignant Creek	30.0 m
Sumas River (within Sumas River flood plain)	30.0 m
Inboard Toe of a Dyke or Dyke right-of-way, whichever is greater	15.0 m
Any other lake, slough, swamp, pond or watercourse (including tributaries)	15.0 m (B/L 2551-2016, 3691-2025)
Ditches	7.5 m

Editorial Note

For the purpose of this table, the extents of Clayburn Creek, Nathan Creek, Poignant Creek are as defined by the Freshwater Atlas of the Province of British Columbia.

(B/L 3691-2025)

- .8 Where landfill is used to achieve any elevation required by this Bylaw, no portion of the landfill slope shall encroach upon the Setback areas specified in the preceding table, and the face of the landfill slope shall be adequately protected against erosion by floodwaters.