

**130 ADMINISTRATION** (B/L 2454-2015, 3063-2020, 3246-2022)**130.1 Zone Regulations** (B/L 3246-2022)

- .1 No land, Building, or Structure may be used for a Use, and no Building or Structure may be placed, constructed, sunk into, erected, moved, sited, located, altered, or enlarged for any Use, other than a Use specifically permitted:
  - a. in a Zone, as listed in the Permitted Uses Table of each Zone;
  - b. throughout the City in all zones and in specific zones, as listed in Section 140; and
  - c. on lands located within the Agricultural Land Reserve, as listed Section 200.1;all subject to the definitions and such further provisions contained within this Bylaw applicable to that Use, Building or Structure
- .2 For greater certainty,
  - a. the provisions identified in the Definitions or General Regulations are applicable to permitted Uses wherever located in the City;
  - b. the further provisions identified in a Zone are applicable to permitted Uses only in that zone, except that the further provisions identified in the Agricultural One (A1) Zone are applicable to the Uses so identified wherever those Uses are permitted within the City, whether on Agricultural Land Reserve land or not;
  - c. all other Uses, Buildings, and Structures are prohibited.
- .3 In each zone, the Development Regulations Table and the Siting Regulations Table set out the development and siting regulations that apply to the zone referred to in the title of the table.
- .4 In each zone, the Subdivision Regulations Table sets out the subdivision regulations that apply to the zone referred to in the title of the table.
- .5 Within the Development and Subdivision Regulations Tables, Column 1 sets out the matter to be regulated and Column 2 set out the regulations.
- .6 On a parcel in an area within the zone referred to in the title of the Subdivision Regulations Table, the Development Regulations Table, and the Siting Regulations Table, no land shall be subdivided and no Building, Structure or Use shall be placed, constructed, sunk into, erected, moved, sited, located, altered or enlarged in contravention of the regulations set out in the Subdivision Regulations Table, the Development Regulations Table, and the Siting Regulations Table, respectively.
- .7 Site specific permitted Uses specified in this Bylaw are permitted only on the land whose legal description, as of the date of coming into force of this Bylaw, is that specified for the permitted Use.

### 130.2 Measurement and Calculations

- .1 All dimensions and other measurements in this Bylaw are expressed in the Standard International Units (metric) System.
- .2 Where the calculation of allowable Density results in a fractional unit, any fraction that is:
  - a. less than one-half (0.5) shall be disregarded; and
  - b. one-half (0.5) or greater shall be considered equivalent to one. (B/L 2454-2015)
- .3 The calculation of Floor Space Ratio shall be rounded to two decimal places.
- .4 Except as otherwise provided, in the case of an existing or proposed strata development in other than the RS zones and the RH1 zone, references to "Lot" in the determination of Lot Width, Lot Coverage, Density, Floor Space Ratio, Building width or length shall mean that area within the strata plan boundaries containing all strata lots and common property.

### 130.3 Bylaw Administration

- .1 The Designated Official is authorized to administer this Bylaw and to enter, at all reasonable times, upon any Lot or premises to ascertain whether the provisions of this Bylaw are being complied with.
- .2 No person shall prevent or obstruct, or attempt to prevent or obstruct, the authorized entry of such persons pursuant to Section 130.3.1.

### 130.4 Replacement and Conversion of Dwellings (B/L 3246-2022)

- .1 An existing Single Detached Dwelling in the RR, CR, SR, A1, A2, A3, A4, A5, and A6 zones may remain on a Lot upon which a replacement Dwelling Unit is to be constructed, during the period of construction, provided that:
  - a. on a Lot within the Agricultural Land Reserve that is subject to the restrictions of the *Agricultural Land Commission Act*, S.B.C. 2002, c. 36, the Agricultural Land Commission has authorized temporary retention of the Building or conversion to an alternative Use; or
  - b. on any other Lot:
    - i. the existing Dwelling Unit shall be removed, demolished or converted to a non-residential Use within 60 days of the earlier of occupancy or final inspection of the replacement Dwelling Unit; and
    - ii. a Section 219 covenant pursuant to the *Land Title Act*, R.S.B.C. 1996, c. 250, in favour of the City, shall be registered against the title of the Lot requiring the owner to remove kitchen cabinetry, showers, bathtubs and 220V electrical wiring back to the main panel.

### 130.5 Temporary Buildings and Structures

- .1 A temporary Building or Structure may be placed:
  - a. on a lot zoned P2, P3 or P7 for purposes of providing classroom space;
  - b. on a lot zoned I1, I2, I3 or I4 for storage;
  - c. on a Lot zoned C as a Commercial Retail Unit (CRU); (B/L 3246-2022)
  - d. on a Lot zoned A1, A2, A3, A4, A5, or A6 for Temporary Farm Worker Housing; and (B/L 3246-2022)
  - e. on a lot on which a permanent Building is being constructed, for purposes related to the construction only and for a period not to exceed the duration of such construction. (B/L 2454-2015, 3246-2022)
- .2 Prior to placement, a temporary Building or Structure shall comply with the following:
  - a. application shall be made in writing to the Chief Building Inspector for a permit to erect a temporary Building or Structure in accordance with the Building Bylaw;
  - b. the applicant shall obtain a permit as applied for in Section 130.5.2(a);
  - c. the temporary Building or Structure shall not cause a public hazard or public nuisance nor obstruct any right-of-way; and
  - d. upon expiration of the permit, the Building or Structure shall be removed and the site restored as nearly as possible to its former condition.

### 130.6 Non-Conformities

- .1 A Lot created to allow for a Use permitted in Section 140.1 that is less than the minimum required Lot size for newly created Lots for the applicable zone shall not be considered non-conforming and may be used or have Buildings or Structures constructed, repaired, altered or extended thereon provided such Use, construction, repair, alteration or extension conforms in every other respect to this Bylaw.

### 130.7 Land Use Contracts

- .1 Where a Use or group of Uses is permitted in a Land Use Contract that contains no provisions governing the siting, size or dimensions of Buildings and Structures that may be constructed on a Lot, or the siting or extent of Uses that may be undertaken on the Lot, the provisions of this Bylaw shall apply.

### 130.8 Violation

- .1 No person shall use any land, Building, Structure or the surface of water, or suffer or permit any land, Building, Structure or the surface of water to be used in contravention of this Bylaw.

**130.9 [Repealed]** (B/L 3063-2020)