

SECTION 4 - BASIC PROVISIONS

4.01 TEMPORARY STRUCTURES

- (1) A portable building, trailer or recreation vehicle may be used for the storage of construction equipment and materials or for an office required during a construction project on any lot subject to the following:
 - (a) Application shall be made in writing to the BUILDING INSPECTOR for permission to site a temporary structure;
 - (b) If the BUILDING INSPECTOR is satisfied that the proposed temporary structure would not constitute or cause a public hazard or public nuisance, nor obstruct unnecessarily any public right-of-way, the BUILDING INSPECTOR shall grant permission;
 - (c) At the expiration of a permit such temporary structure shall be removed and the site thereof restored as nearly as possible to its former condition;
 - (d) To ensure removal of the temporary structure as required by Clause (c), the person who applies for the permit shall, at the time of application, sign an agreement that said structure shall be removed within 30 days of the occupancy of the construction project;
 - (e) For the purposes of this section a mobile home may not be used as a Temporary Structure in a RESIDENTIAL, COMMERCIAL or SERVICE COMMERCIAL ZONE;
 - (f) Any Temporary Structure requiring sanitary sewage disposal shall be approved by the CITY Engineering Department and/or the Ministry of Health.
- (2) An existing building or structure may be used as a Temporary Structure or for any use permitted in the zone during the period of construction of the new structure, subject to the following:
 - (a) The existing building shall be completely removed from the lot or converted to a use permitted in the Zone and the site shall be restored as nearly as possible to the natural grade;
 - (b) To ensure removal or conversion of the existing structure, the person who applies for the permit shall, at the time of application, sign an agreement that said structure shall be removed or converted to a permitted use within 90 days of the occupancy of the construction project.

4.02 ZONING

- (1) Pursuant to Section 903 of the *Local Government Act*, the CITY is divided into zones which are designated in Schedule "A" of this BYLAW.
- (2) The boundary lines of all ZONES are property lines, natural boundaries and jurisdictional boundaries and are indicated in Schedule "A".

4.03 ZONES

For the purposes of this BYLAW, the area incorporated as the CITY OF CHILLIWACK is hereby divided into Zones with the following Zone Designations and short form equivalents.

SHORT FORM

ZONE DESIGNATION

<i>AFP</i>	<i>Agricultural Food Processing</i> (AB #3218)
AL	Agriculture Lowland
AU	Agriculture Upland
AS	Agriculture Small Lot
AR	Agriculture Residential
AR-A	Agriculture Residential-Accessory
AC	Agriculture Commercial
R	Rural
R-A	Rural-Accessory
RH	Rural Hillside
RH-A	Rural Hillside-Accessory
RNC	Rural Neighbourhood Commercial
RR	Rural Residential
RR-A	Rural Residential-Accessory
HR	Hillside Residential
SR	Suburban Residential
SCR	Suburban Clustered Residential
<i>EV</i>	<i>Ecovillage</i> (AB #3286)
<i>SHR</i>	<i>Suburban Hillside Residential</i> (AB #3573)
R1-A	One Family Residential
R1-B	One and Two Family Residential
R1-C	One Family Residential – Accessory
<i>R1-D</i>	<i>Infill Small-Lot One Family Residential</i> (AB #2856)
R2	Urban Residential Transition
R2-A	Seniors Conversion Housing
<i>R3</i>	<i>Small Lot One Family Residential</i> (AB #3393)
<i>R3-A</i>	<i>Small Lot Two Family Residential</i> (AB #3393)
<i>R3-B</i>	<i>Clustered One Family Residential</i> (AB #3737)
R4-A	Townhouse Multi-Family Residential
R4	Low Density Multi-Family Residential
R5	Medium Density Multi-Family Residential
R6	High Density Multi-Family Residential
R7	Residential Special Service
RMH	Mobile Home Park
RC	Residential/Commercial Conversion
R8	Town Centre High-Rise Multi-Family Residential
C1	Neighbourhood Commercial
C1-A	Neighborhood Commercial Centre
C2	Local Commercial

4.03 ZONES (continued)

C3	Downtown Commercial
C4	Shopping Centre
C5	Night Club/Neighbourhood Pub
CS1	Service Commercial
CS2	Tourist Commercial
CSM	Service Commercial-Industrial
CP	Commercial Parking
C6	<i>Theatre Commercial</i> (AB #3129)
C7	<i>Liquor Store</i> (AB #3168)
C8	<i>Health Services Commercial</i> (AB#3826)
C9	<i>Cannabis Retail</i> (AB#4537)
M1	Light Industrial
M1-A	<i>Residential Light Industrial</i> (AB #3624)
M2	Service Industrial
M3	General Industrial
M4	Heavy Industrial
M5	Industrial Salvage
M6	<i>Special Industrial</i> (AB #2854)
P1	Civic Assembly
P2	Special Institutional
P3	Public Service
P4	Civic Exhibition Recreation
P5	Special Utility
P6	<i>University Village</i> (AB #3209)
RSV1	Limited Use Reserve
RSV2	Public Use Reserve
RSV3	Special Jurisdiction Reserve
OR	Outdoor Recreation
OR-1	Outdoor Recreation Residential
OR-2	Outdoor Recreation/Retreat
OR-3	<i>Outdoor Recreation/Resort</i> (AB #2961)
AP	Airport Commercial
AP-1	Airport
CD-1	Comprehensive Development-1 Zone
CD-2	Comprehensive Development-2 Zone
CD-3	Comprehensive Development-3 Zone
CD-5	Comprehensive Development-5 Zone
CD-6	Comprehensive Development-6 Zone
CD-7	Comprehensive Development-7 Zone
CD-8	Comprehensive Development-8 Zone
CD-9	<i>Comprehensive Development- 9 Zone</i> (AB #2924)
CD-10	<i>Comprehensive Development-10 Zone</i> (AB #2931)
CD-12	<i>Comprehensive Development-12 Zone</i> (AB #3094)
CD-13	<i>Comprehensive Development-13 Zone</i> (AB #3106)

4.03 ZONES (continued)

<i>CD-14</i>	<i>Comprehensive Development-14 Zone (AB #3165)</i>
<i>CD-15</i>	<i>Comprehensive Development-15 Zone (AB #3183)</i>
<i>CD-16</i>	<i>Comprehensive Development-16 Zone (AB #3329)</i>
<i>CD-19</i>	<i>Comprehensive Development-19 Zone (AB #3533)</i>
<i>CD-20</i>	<i>Comprehensive Development-20 Zone (AB #3592)</i>
<i>CD-21</i>	<i>Comprehensive Development-21 Zone (AB #3619)</i>
<i>CD-22</i>	<i>Comprehensive Development-22 Zone (AB #3691)</i>
<i>CD-24</i>	<i>Comprehensive Development-24 Zone (AB #3957)</i>
<i>CD-25</i>	<i>Comprehensive Development-25 Zone (AB #3965)</i>
<i>CD-26</i>	<i>Comprehensive Development-26 Zone (AB #4124)</i>
<i>CD-27</i>	<i>Comprehensive Development-27 Zone (AB #4436)</i>

4.04 USES PROHIBITED IN ALL ZONES

The following uses of land, buildings and structures shall be generally prohibited in all zones unless specifically permitted:

- (1) Any use located all or partly within a Tent, Recreation Vehicle or Vehicle except for temporary use as farmer's markets, public markets, *street vending*, *special event vending* or USES permitted under Section 4.01 of this BYLAW. (AB#4093)
- (2) A street access or egress driveway that is within 7.5m of the point of intersection of the road allowance lines of two streets or a street and a lane when such road allowance intersects at an angle of 135° or less.
- (3) The accommodation of more than one FAMILY as defined in this BYLAW, in one DWELLING UNIT.
- (4) The storage of fuel or other flammable liquids in quantities greater than 20 litres in or adjacent to a dwelling unit or accessory buildings except under permit obtained from the Fire Chief.
- (5) The off-street parking or storage of CONTRACTOR'S EQUIPMENT, unlicensed or inoperable motor vehicles unless specifically permitted.
- (6) All uses not listed as "USES PERMITTED IN ALL ZONES" or "PERMITTED USES", within a zone or those permitted by General or Special Regulation.
- (7) Notwithstanding any other provisions of this BYLAW a use which produces any of the following across any lot line containing the use, or as a periodically recurring result of the use:
 - (a) Unreasonable or objectionable levels of sound, noise, heat or glare;
 - (b) Unsafe, unhealthful or objectionable levels of odour, vapour, dust, fumes, ash or any other toxic or noxious matter;
 - (c) Ground vibration;
 - (d) Radiation or electromagnetic interference;

4.04 USES PROHIBITED IN ALL ZONES (continued)

- (e) Any health or safety hazard to persons or property in areas surrounding the use.
- (8) *The growing, propagation or harvesting of crops in a building containing a DWELLING UNIT.*
- (9) *Production or manufacture of a substance in a laboratory in a building containing a DWELLING UNIT. (AB #2992)*
- (10) *The conduct of exotic dance performances within, or in conjunction with the operation of, premises licensed for the sale of liquor under the Liquor Control and Licensing Act, including any night club, cabaret, neighbourhood pub or other beverage room, and for this purpose an “exotic dance performance” is one in which any person, entertainer, patron or employee performs or engages in a live act, demonstration, dance or exhibition which shows his or her genitals, pubic area, vulva, anus or nipples uncovered or with less than an opaque covering.” (AB #3597)*
- (11) *CANNABIS PRODUCTION FACILITY (DESIGNATED FARM USE) and CANNABIS PRODUCTION FACILITY (NON-FARM USE) except as specifically permitted in the BYLAW. (AB#4136 and AB#4537 and AB#4599)*
- (12) *CANNABIS OPERATION (AB#4499)*

4.05 USES PERMITTED IN ALL ZONES

The following uses are generally permitted in all ZONES:

- (1) Community Recreation limited to a playground or sports field;
- (2) Minor Utilities provided that:
 - (a) The structure or use is necessary in this location for the safe and efficient operation of the utility or service;
 - (b) The utility of service is for the benefit of the general public;
 - (c) The utility is not a “major utility” or “special utility”;
 - (d) Security fencing.
- (3) Heritage Buildings:
 - (a) A Heritage Building may be used for any permitted use within a Zone provided it meets the requirements of the BUILDING CODE for the intended occupancy.
 - (b) A Heritage Building may remain unoccupied or may be used for the display of historical artifacts and shall not limit the placing of other structures on the lot provided that safety requirements of the BUILDING CODE can be met.

- (c) Notwithstanding the above, on lots within the Agricultural Land Reserve, Land Reserve Commission permission is required to use a Heritage Building for other than vacant, storage or a permitted agricultural use.
- (d) A Heritage Building may be moved to any lot and occupied by a permitted use provided it meets the requirements of the BUILDING CODE for the intended occupancy.
- (e) A Heritage Building may be moved to any property or park owned by the CITY for purposes of preservation, restoration or a permitted use.

4.06 CONSOLIDATION OF PARCELS

- (1) Notwithstanding the minimum parcel size within any zone, two or more parcels may be consolidated into one larger parcel.

4.07 LOT WITH LESS THAN MINIMUM AREA AND/OR DIMENSION

- (1) Where a lot existed prior to the adoption of this BYLAW, or an amendment thereto, affecting minimum lot size and/or dimension; or where a lot was created as result of boundary adjustment or consolidation and where such lot is smaller in area or has a dimension which is less than the minimum required for any use in the zone, the use requiring the smallest lot size and/or dimension may be developed on the property provided all other requirements of this BYLAW are met.

4.08 RESIDENCE FOR RELATIVE

- (1) Pursuant to Section 946 of the *Local Government Act*, and notwithstanding other minimum lot size provisions of this BYLAW, the Approving Officer may approve the subdivision of a parcel of land for the purpose of providing a separate residence for the property owner or for the owner's mother, father, mother-in-law, father-in-law, daughter, son, daughter-in-law, son-in-law, or grandchild.
- (2) This provision shall apply to the RH (Rural Hillside), RH-A (Rural Hillside-Accessory), R (Rural), R-A (Rural-Accessory), RR (Rural Residential), RR-A (Rural Residential-Accessory) and RSV-1 (Limited Use Reserve) Zones, but shall not apply to lands within the Agricultural Land Reserve.
- (3) The minimum parcel size required for a parcel to be eligible for this provision shall be the minimum parcel size specified in subsection 3 (a) plus 2500m² (0.25 ha), within and with respect to the RH, RH-A, R, R-A, RR and RR-A Zones and in subsection 3 (b) plus 2500m² (0.25 ha), within and with respect to the RSV-1 (gsa) Zone.