

Part 1 INTERPRETATION

(Replaced by Bylaw No. 1662)

Section 1.01 – Definitions

*Terms defined in this Section are noted in **bold** text throughout the Bylaw.*

1.01.01 In this Bylaw:

A

Abut means directly adjacent to, or physically touching and, when used with respect to a **lot**, means **lots** that share a common **lot line**.

Accessory means, in relation to a **use, building or structure**, incidental, secondary and exclusively devoted to a **principal use, building or structure** expressly permitted by this Bylaw on the same **lot**.

Active building frontage is a **building façade** that incorporates commercial and/or individually accessed residential units at grade along the **frontage**. Private amenity space and residential lobbies may also be included provided they do not dominate the building façade and are designed in accordance with the City Centre Design Guidelines. For the purpose of calculating minimum **active building frontage** requirements, that portion of the **frontage** required for minimum setbacks specified in Part 6 of this Bylaw or for a driveway up to 6 m in width may be excluded. *(Bylaw No. 1904)*

Adult Day Services means a facility that provides services that assist seniors and adults with disabilities by providing supportive group programs and activities, such as: personal assistance, health services (including nursing and rehabilitation services), therapeutic social and recreational activities in a group setting, health education and promotion, nutrition and paramedical care as well as caregiver support, including both respite, support groups, information and education programs. *(Bylaw No. 1951)*

Agricultural equipment means vehicles and equipment used for agricultural purposes, including but not limited to: tractors, combines, sprayers, seeders, balers, harvesters and cultivators.

Agricultural fairgrounds means land, **buildings** and **structures** including barns, exhibit halls and **grandstands** used for agriculturally-related events on a seasonal or temporary basis and includes the display of farm products for judging or for sale, livestock shows, rodeos, carnivals, and temporary **accessory uses** including but not limited to: farmers markets, flea markets, craft sales and concerts.

Agricultural Zone means any **Zone** with a short form starting with “AG”.

Agriculture means the growing, rearing, producing and harvesting of agricultural products, and may include the storage and sale on an individual farm of the products harvested, reared, or produced on that farm and the storage of **agricultural equipment** used on that farm. This **use** excludes **intensive agriculture** and all manufacturing, processing, storage and repairs not specifically included in this definition.

Amenity space means any indoor area within a multiple **residential building** that provides recreational space specifically, but not necessarily exclusively, intended for the use of the residents of the multiple **residential building** or another such **building** on the same **lot** or in the same strata plan. Examples of an **amenity space** include: a children’s play area, a games room, a swimming pool, or a hobby room.

Animal hospital means land, **buildings** and **structures** used for the veterinary care and treatment of domestic animals including cats, dogs, other house pets, and farm livestock such as cattle, chickens, goats, horses, pigs or sheep, but does not include premises used for the disposal of animal carcasses or the boarding of healthy animals.

Animal shelter means land, **buildings** and **structures** used for the temporary accommodation and care or impoundment of lost, abandoned or neglected animals, and may include outdoor enclosures for animals being accommodated or impounded.

Apartment means a **building** with three or more **dwelling units**, all of which shall have a gross floor area of no less than 30 m² and with a common entrance from the exterior of the **building**. (*Bylaw No. 1944*)

Apartment, senior citizens means an **apartment** providing accommodation for persons over 55 years of age.

Approving Officer means the **Approving Officer** for the City of Langford appointed pursuant to the *Land Title Act*.

Artist or craftsperson studio means land, **buildings** and **structures** used for creating, finishing, refinishing or small-scale production of custom or handmade arts, crafts or commodities and the retail sale of such commodities.

Asphalt plant means land, **buildings** and **structures** used for the production and recycling of asphalt and similar products are produced or recycled, and may include the stockpiling and storage of bulk materials and the storage, packaging, shipping and **accessory** sale of finished products manufactured on the site.

Assisted living means land, **buildings** and **structures** used to provide care including but not limited to meals, housekeeping, personal care, nursing care, supervision, assistance with daily tasks, counselling and rehabilitation, to three or more residents of the premises who are not related to the operator by blood or marriage. This **use** does not include a **community care facility**.

Auction means land, **buildings** and **structures** used for the sale of goods and equipment at auction and the related temporary storage of such goods and equipment.

Automobile means a motorized vehicle including, but not limited to: cars, light duty trucks, and motorcycles.

Automobile, large means a motorized vehicle:

(1) With one or more of the following characteristics:

- (a) Tandem axles;
- (b) A passenger capacity in excess of 15 persons;
- (c) A permanently attached truck or delivery body;
- (d) Dual wheels where the vehicle includes a flat deck or other form of utility deck; or

(2) That can generally be described as a:

- (a) Bus;
- (b) Cube van;
- (c) Dump truck;
- (d) Flatbed truck; or
- (e) Tractor, trailer or tractor trailer combination; or

(3) Which requires a Class 1, Class 2, Class 3, or Class 4 Driver's License.

Automobile and recreational vehicle storage means land, **buildings** and **structures** used for the **unenclosed storage** of **automobiles**, **recreational vehicles** and **large automobiles**. This **use** does not include a **parking facility**.

Automobile body and paint shop means land, **buildings** and **structures** used for the repair and painting of **automobile** bodies, including passenger vehicles and large **automobiles**, and **automobile** parts and accessories.

Automobile dealership means a retail outlet that carries an automobile manufacturer's product line through a contract with the automobile manufacturer. The automobile dealership may sell and service automobiles and parts associates with automobiles. (*Bylaw No. 1864*)

Automobile parts and accessories sale and repair means land, **buildings** and **structures** used for the sale, installation and repair of parts and accessories for **automobiles**, **large automobiles**, **recreational vehicles** and boats, but does not include the sale or repair of the vehicles themselves.

Automobile recycling and salvage means land, **buildings** and **structures** used for the collection, storage, disassembling, re-selling, shredding and crushing of **automobiles**, **large automobiles**, **recreational vehicles**, boats, other vehicles, equipment and associated parts.

Automobile rental and sale, major means land, **buildings** and **structures** used for the sale, lease or rental of **large automobiles**, **recreational vehicles**, **agricultural equipment**, and vehicles and equipment used for industrial and construction operations, and may include **accessory automobile repair and service**.

Automobile rental and sale, minor means land, **buildings** and **structures** used for the sale, lease or rental of **automobiles**, and may include **accessory automobile repair and service**. This **use** does not include the sale, lease or rental of **large automobiles**, **recreational vehicles**, **agricultural equipment** or vehicles and equipment used for industrial and construction operations.

Automobile repair and service, major means land, **buildings** and **structures** used for the repair and servicing of **large automobiles**, **recreational vehicles**, **agricultural equipment** and vehicles and equipment used for industrial and construction operations. This **use** does not include an **automobile body and paint shop**.

Automobile repair and service, minor means land, **buildings** and **structures** used for the repair and servicing of **automobiles**. This **use** does not include the repair or servicing of **large automobiles**, **recreational vehicles**, **agricultural equipment** or vehicles and equipment used for industrial and construction operations, or an **automobile body and paint shop**.

Automobile towing and storage means land, **buildings** and **structures** used dispatching tow trucks to transport inoperable **automobiles**, **large automobiles**, **recreational vehicles**, boats and/or other vehicles or equipment, including an outdoor compound for the safe storage of such vehicles; and **accessory office** or storage **buildings**. This **use** does not include **automobile recycling and salvage**.

B

Bakery means land, **buildings** and **structures** used for preparing and selling baked goods for consumption either on- or off-site.

Bed and breakfast means a **home occupation** where sleeping accommodation and a morning meal are provided to paying guests as an **accessory use** to the owner's residential occupancy of the premises. This **use** specifically excludes short term vacation rentals or any other occupancy by paying guests which occurs independently of the owner's residential occupancy.

Boarder means a person who rents and resides in a separate or shared sleeping room in a **dwelling unit**, without separate **kitchen** facilities.

Boarding kennel means land, **buildings** and **structures** used for the commercial breeding, raising, training, boarding, overnight accommodation, and grooming of dogs, cats or other household pets, and may include

accessory retail sales of pet products. This **use** does not include an **animal hospital, veterinary practice, or animal shelter** but may include a **breeding kennel**.

Body rub means manipulating, touching, or stimulating, by any means, a person's body or part of a person's body, and excludes medical, therapeutic, or cosmetic massage treatment given by a person duly qualified, licensed, or registered to do so under legislation of the Province of British Columbia, and therapeutic touch therapy or treatment.

Body rub parlour means a **building** where a **body rub** is performed, offered, or solicited, or from which a person is dispatched to another location to perform a **body rub**.

Breeding kennel means land, **buildings** or **structures** used for the commercial keeping of more than two and not more than six dogs or cats over the age of six months for breeding or showing purposes.

Building means any **structure** used or intended for supporting or sheltering any **use** or occupancy.

Building and lumber supply store means land, **buildings** and **structures** used for the wholesale or retail sale of building, construction and home improvement materials, including the storage and sale of lumber and building products from an **unenclosed storage** area.

Building envelope means the portion of a **lot** on which a **residential building** may be sited according to the **setback** requirements in Parts 3 and 6 of this Bylaw. For the purposes of calculating the area of a **building envelope**, any area of the **lot** used or required to be used for a septic field (including any replacement field required under the *Public Health Act*) must be excluded.

Building footprint means the horizontal area within the vertical projection of the outermost walls of a **building** or **structure**, as well as decks, porches and similar attached **structures**.

Business Park Office means office space for functions or activities associate with, but not necessarily accessory to, another business park or industrial use which may include but is not limited to the generality of the foregoing: administrative and sales offices for research, development and manufacturing, offices for the administration of education and training facilities, offices for contractors, trades and trade unions and offices for wholesale distribvution independent of a wholesale storage function. (*Bylaw No. 1951*)

Business support service means printing, duplicating, binding, shredding, or photographic processing services; mail distribution services; the provision of maintenance, janitorial, security, reception or administrative services; the sale, rental, repair or servicing of office equipment, furniture or machines; and any other similar service provided to a business enterprise.

Business Park Zone means any **Zone** with a short form starting with "BP".

C

Campground means land, **buildings** and **structures** used for the temporary accommodation (maximum 60 days) of travellers in tents, travel trailers, tent trailers and **recreational vehicles** and similar transportable accommodations other than **mobile homes**.

Car wash means land, **buildings** and **structures** used for washing or cleaning **automobiles** on an automated, semi-automated, manual or self-serve basis.

Cardlock gasoline service station see **gasoline service station, cardlock**.

Caretaker dwelling unit means a single **dwelling unit** that is **accessory** to a non-residential building or use of the same **lot**, and occupied for the purpose of providing security or maintenance services for the **lot** or for **buildings** and **structures** on the same **lot**.

Carriage Suite means an accessory **dwelling unit** located on the second floor of a detached accessory building.

Catering means the preparation of food and beverages for delivery and consumption off-site.

Cemetery means land, **buildings** and **structures** used for interment of human remains, and may include a **crematorium** and **accessory buildings** for grounds keeping, equipment storage, and administrative **offices**.

Charitable facility means land, **buildings** and **structures** used as an **office**, base of operations or meeting place of a charity registered as such by the Canada Revenue Agency, and which may include **accessory uses** including, but not limited to: **kitchen** facilities and meeting places. Typical **uses** may include, but are not limited to: youth centres, community halls and group camps.

Chief Building Inspector means the **Chief Building Inspector** of the City of Langford.

Commercial composting means the commercial use of land, **buildings** and **structures** to produce compost and soils from organic materials, which may include **unenclosed storage** and **accessory buildings** and **structures**.

Commercial nursery and greenhouse means the commercial **use** of land, **buildings** and **structures** for growing and propagating plant materials including, but not limited to: flowers, plants, shrubbery, trees, and sod. This **use** may include the **accessory** sale of plants and landscaping materials, but not the sale of garden equipment and pesticides.

Commercial Zone means any **Zone** with a short form starting with “C”, “CS”, “CR”, “CT”, or “MU” or any **lot** in a **Zone** with a short form starting with “BP”, if the **principal use** on the **lot** is retail sales.

Common outdoor amenity space is an outdoor space accessible to all residents within an **apartment** or **apartment, senior citizens** building that is constructed with surface materials that include sod, pavers, decking, sport court paving or similar materials that allow the space to be used for active or passive recreational use by the residents of the **building**. (*Bylaw No. 1904*)

Common wall means a wall jointly owned and used by two parties under a party wall or similar agreement.

Community care facility means land, **buildings** and **structures** licensed pursuant to the *Community Care and Assisted Living Act* and may include **assisted living** and supported care, **home occupation daycares**, **group daycares** and **preschools**.

Community garden means land used to grow flowers, fruits and/or vegetables as a community, neighbourhood or group initiative and not as a commercial venture and may include **accessory buildings** or **structures** for tool storage.

Concrete Plant means land, **buildings** and **structures** used to manufacture concrete and concrete products, including pre-cast concrete products, and may include the **accessory** stockpiling and storage of bulk materials and the storage, packaging, shipping and **accessory** sale of finished products manufactured on the site.

Contractor Service means land, **buildings** and **structures** used for carpentry, electrical, heating, painting, plumbing or similar services which are provided on other premises, where all goods and materials are kept within an enclosed **building** or a screened yard. This **use** shall not include any manufacturing.

Consignment sales means retail sales of secondhand goods on behalf of a third party in exchange for a percentage of the retail price or a fixed fee, but does not include a **pawn shop** or the purchasing of secondhand goods for resale.

Convenience store means a small-scale **retail store** providing goods and merchandise to serve the day-to-day needs of the surrounding neighbourhood including, but not limited to: grocery items, newspapers and magazines, and personal care and household items.

Corner lot means a **lot** at the intersection or junction of two or more **highways** which has both a **front lot line** and an **exterior side lot line**;

Crematorium means a facility where human or animal remains are burned or processed, and may include associated facilities for the preparation of remains for cremation.

Cultural facility means land, **buildings** and **structures** used for displaying, storing, restoring or the holding of events related to art, literature, music, history, performing arts or science including, but not limited to: an art gallery, archive, auditorium, museum, performing arts centre, interpretive centre or theatre other than a **drive-in theatre**.

D

Domestic poultry means the following species of domestic bird: chicken, duck, emu, goose, Indian peafowl, mute swan, ostrich, pigeon, pheasant, turkey, guinea fowl, and rhea.

Dormitory means residential accommodation that does not include individual **kitchen** facilities, but which may include individual bathroom facilities and is operated as an **accessory use** to a **school** or other institutional or educational **use** and is not subject to either the *Residential Tenancy Act* or the *Hotel Guest Registration Act*.

Drive-in theatre – see **theatre, drive-in**

Drive-through facility means an **accessory use** where service is provided to a person within an **automobile** and includes any associated speaker system or electronic message board required for such service.

Drive-through financial institution – see **financial institution, drive-through**.

Dwelling unit means two or more rooms used or designed to be used as a self-contained permanent home or residence by one or more persons and that contains a **kitchen** or cooking facilities, living, sleeping and sanitary facilities. This **use** does not include a **hotel** or **dormitory**. (*Bylaw No. 1944*)

Dwelling, one-family means a detached **building** containing one **dwelling unit** or one **dwelling unit** with a **secondary suite**, but does not include a **mobile home, modular home** or **recreational vehicle**.

Dwelling, two-family means a **building** containing two attached **dwelling units** which are located one above the other, or side-by-side as described in Section 3.07; or two detached **dwelling units** on one **lot** or building strata plan.

E

Electric or Hybrid Vehicle Charging Facility means land, buildings and structures used for the charging of batteries in electric or hybrid vehicles. (*Bylaw No. 1951*)

Equestrian facility means land, **buildings** and **structures** used for boarding horses, training horses and their riders, and staging equestrian events. This **use** does not include a horse racing track.

Equipment sales, service, repair and rental, major means land, **buildings** and **structures** used for the sale, service, rental or repair of large equipment items including, but not limited to: construction equipment, industrial equipment, and heavy machinery such as skid steer loaders, backhoes, bulldozers, excavators, and farm or forestry equipment, including **accessory unenclosed storage** of such equipment.

Equipment sales, service, repair and rental, minor means land, **buildings** and **structures** used for the sale, servicing, rental or repair of small equipment items including, but not limited to: lawnmowers, power tools, trade tools and construction tools, where all storage is contained within an enclosed **building**.

Electronics sales, service and manufacturing means land, **buildings** and **structures** used for the sale, servicing, repair and indoor manufacturing of household electronic goods including, but not limited to computers, televisions, telephones and audio equipment.

Engineer means a member of the Association of Professional Engineers and Geoscientists of British Columbia.

Escort service or dating service means the provision of an introduction, for a fee, of a person to another person for the purpose of short-term companionship.

Exotic dancing means any dance performance in which the pubic area, genitals, nipples or areola of the dancer is exposed to the view of another person.

Exterior side lot line - see **lot line, exterior side**.

F

Family means one or more persons related by blood, marriage, common law, adoption, or foster parenthood; or not more than four unrelated persons sharing one **dwelling unit**.

Farm use means those **uses** and activities designated as a “farm use” in Section 2 of the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*.

Film production studio means land, **buildings** and **structures** used for the recording and production of digital media, and may include the **accessory** packing or shipping of products and related administrative functions.

Financial institution means land, **buildings** and **structures** used for financial and investment transactions including banks, trust companies, credit unions or similar establishments. This **use** does not include **drive-through financial institutions**.

Financial institution, drive-through means a **financial institution** providing service to persons within an **automobile** and includes any associated speaker system or electronic message board required for such services.

Fitness centre means land, **buildings** and **structures** used for indoor fitness training activities including, but not limited to: exercises classes, weight rooms, martial arts, dance, yoga, and gymnastics. This **use** may include the **accessory** retail sale of health and fitness merchandise.

Floor area ratio means the figure obtained when the **gross floor area** of all the **buildings** on a **lot** is divided by the area of the **lot**, and the following shall not be included as **building** area for the purpose of calculating **floor area ratio**:

- (1) Any portion of a storey used for motor vehicle or bicycle parking purposes, unless such parking is a **principal use**;

- (2) Any portion of a basement or cellar containing heating equipment or laundry, recreational or storage facilities;
- (3) Outdoor swimming pools and open sundecks; and
- (4) Any portion of a penthouse containing elevator or mechanical equipment.

Front building line means a line parallel to the **front lot line**, passing through the point of the **building** nearest the **front lot line**, and in the case of a **panhandle lot** means the **lot line** or **lot lines** nearest the **abutting highway**, but not forming a boundary of the access strip;

Front Lot Line - see **lot line, front**.

Frontage means the length of that **lot** boundary which **abuts** a **highway**, or access route in a bare land strata plan, and for this purpose **highway** does not include a walkway or emergency access route.

Funeral parlour means **buildings** and **structures** used for preparing human remains for burial or cremation, holding funerals services and the **accessory** sale of caskets, urns and other related funeral items. This **use** does not include a **crematorium**.

G

Garage or carport means a detached **accessory building** or a portion of the **principal building** whose **principal use** is the parking or temporary storage of **automobiles**.

Garage sale means the occasional display and sale of used items to the general public in a **garage or carport** or open area of the residential premises.

Garden centre and feed supply store means land, **buildings** and **structures** used for the display and retail sale of garden and animal feed items including, but not limited to: flowers, vegetables, plants, trees, shrubs, seeds, soil, gardening tools, outdoor furniture and animal feed products. This **use** may include an **accessory**, seasonal outdoor display area but does not include a **commercial nursery and greenhouse**.

Garden Suite means an accessory **dwelling unit** located on the ground floor of a detached accessory building.

Gasoline service station means land, **buildings** and **structures** used for the sale of automotive fuels and other automotive fluids for use in motor vehicles, or the charging of batteries in electric or hybrid vehicles, and may include an **accessory convenience store**, but does not include a **cardlock gasoline service station**.

Gasoline service station, card lock means land, **buildings** and **structures** used for the retail sale of gasoline or diesel fuel to the final user with pumps which are operated by the user by way of a card lock and credit arrangement, but excludes bulk fuel dispensing.

General industrial use - see **industrial use, general**.

Golf course means land, **buildings** and **structures** used for playing the game of golf, and may include a **golf driving range** and **accessory buildings** or **structures** for a club house, **retail store** or pro shop, **restaurant** and equipment storage. This **use** does not include a **miniature golf course**. **Golf course, miniature** means land, **buildings** and **structures** used to simulate the game of golf on a small scale, and may include an **accessory restaurant**. This **use** does not include a **golf course** or **golf driving range**.

Golf driving range means land, **buildings** and **structures** used for practicing or developing golf technique, and may include **accessory buildings** or **structures** for equipment storage. This **use** does not include a **golf course** or **miniature golf course**.

Grandstand means a seating area for spectators at a race or sporting event.

Gravel processing means land, **buildings** and **structures** used for washing, screening, grading, sorting, milling, concentration and storage of aggregate materials including, but not limited to: gravel, minerals, rocks, earth, clay or sand. This **use** may include the **accessory** sale of products processed on the site, but does not include an **asphalt plant**, a **concrete plant** or aggregate extraction activities.

Green energy and heat production means land, **buildings** or **structures** used for producing energy, including heat energy, from renewable resources including, but not limited to: sunlight, wind, rain, tides, biomass or geothermal heat.

Gross floor area means the total space within a **building** between exterior walls and required firewalls, including the space occupied by interior walls and partitions, but not including exit doors, vertical service spaces (shafts for the installation of mechanical, electrical and plumbing installations and facilities such as elevators, refuse chutes and linen chutes) and their enclosing assemblies, or voids within **Buildings** such as atriums and the space above staircases. Heat pumps, other mechanical equipment, gas meters and/or propane tanks that are permanently affixed to a **building** or **structure** by way of plumbing or other duct work shall not be included in the calculation of **gross floor area**.

Group daycare means land, **buildings** and **structures** used to provide care for more than eight children who are not related by blood or marriage to the operator, in accordance with the *Community Care and Assisted Living Act*. This **use** does not include **preschools** or **schools**.

H

Height means the vertical distance from the average finished grade at the perimeter of a **building** or **structure** to the highest point of the roof surface of a flat roof, to the deck line of a mansard roof, and to the mean level between the eaves and the ridge of a gable, hip, gambrel or other sloping roof, and in the case of a **structure** without a roof to the highest point of the **structure**. in the case of a fence or shrub, **height** means the vertical distance from the average finished ground level at any point along the fence or shrub to the highest point of the fence or shrub directly above.

Highway means a street, road, lane, bridge, viaduct and any other way open to the use of the public, but does not include a private right of way on private property.

Home business means a **home occupation** permitted as an **accessory use** to a **one-family dwelling** or **two-family dwelling** on a **lot** with less than 4,000 m² (1 ac) of **lot area**.

Home industry means a **home occupation** permitted as an **accessory use** to a **one-family dwelling** or **two-family dwelling** on a **lot** with at least 4,000 m² (1 ac) of **lot area**.

Home occupation means an occupation, business or professional practice which is carried on in a **dwelling unit** for remuneration or financial gain, and which is clearly ancillary to the **residential use** of a **dwelling unit**, or to the **residential use** of a **lot** occupied by a **dwelling unit**, and where the proprietor is a resident of the **dwelling unit**. A **home occupation** may be one of three types: 1) **home office**; 2) **home business**; or 3) **home industry**.

Home occupation daycare means the provision of care, as a **home occupation**, to more than two but not more than eight children who are not related by blood or marriage to the operator, in accordance with the *Community Care and Assisted Living Act*.

Home office means a **home occupation** that operates without the attendance of customers or clients on the premises.

Hospital means an institution as defined for the purposes of Part 1 of the *Hospital Act*.

Hotel means land, **buildings** and **structures** providing accommodation for the travelling public in units which contain individual sanitary facilities including water closet and wash basin and which may contain cooking facilities, in respect of which:

- (1) The stay is limited to a maximum of 60 days;
- (2) A guest register is required to be kept pursuant to the *Hotel Guest Registration Act*; and
- (3) A **restaurant** is provided on the same **lot** unless cooking facilities are provided in each unit;

This **use** includes motels and inns, and may include **accessory** conference and meeting facilities, but does not include **bed and breakfasts, dormitories** or **residential hotels**.

Household equipment and appliance service and repair means land, **buildings** and **structures** used for repairing or servicing where household items including, but not limited to: furniture, electronics or appliances entirely within an enclosed **building**. This **use** may include the **accessory** sale of products associated with the services provided, but does not include the servicing or repair of items with gas-powered engines.

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Indoor recreation facility see **recreation facility, indoor**.

Industrial use, general means the use of land, **buildings** and **structures** for processing, fabricating, assembling, manufacturing, storing, distributing, testing, cleaning, servicing, repairing, wrecking or salvaging goods, materials or equipment in an enclosed **building** or an outdoor area. This **use** does not include:

- (1) Any **use** that generates fumes, dust, smoke, light, vibration, noise or odours that extend beyond the boundary of the **lot** on which the **use** occurs;
- (2) The use, storage or production of volatile materials that constitute a risk to health, safety, or property due to the potential of fire, explosion or accidental release of toxic fumes, gases or other substances;
- (3) The primary processing of meat, poultry or fish or the involvement of live animals in any aspect of the operation;
- (4) The primary processing of wood, metals or chemicals; or
- (5) Sawmills, planer mills, fertilizer plants, **asphalt plants**, oil refineries, or bulk oil storage plants.

This **use** may include **accessory** administrative **office**, retail sales and distribution **uses**. Typical **general industrial uses** include, but are not limited to: truck terminal facilities; metal, fiberglass or wood manufacturing and fabrication; carpentry shops; welding shops; machine shops; **warehouse** storage; and food and beverage processing.

Industrial use, light means the use of land, **buildings** and **structures** for processing, fabricating, assembling, manufacturing, storing, distributing, testing, cleaning, servicing, repairing, wrecking or salvaging of goods other than **automobiles**, materials or equipment and the use of land for **accessory unenclosed storage** associated with such **uses**. This **use** does not include:

- (1) Any outdoor assembling, manufacturing, wrecking, testing, servicing or **uses** other than **accessory unenclosed storage**;
- (2) The use, storage or production of volatile materials that constitute a risk to health, safety or property due to the potential of fire, explosion or accidental release of toxic fumes, gases or other substances;
- (3) Any **use** that generates heavy truck traffic or fumes, dust, smoke, light, vibration, noise, odours, heavy truck traffic or other impacts that extend beyond the boundary of the **lot** on which the **use** is located;
- (4) The primary processing of meat, poultry or fish or the involvement of live animals in any aspect of the operation;
- (5) The primary processing of wood, metals or chemicals; or
- (6) **Gravel processing**, garbage dumps sawmills, planer mills, fertilizer plants, oil refineries or bulk oil storage plants.

This **use** may include **accessory** administrative **office**, retail sales and distribution **uses**. Typical **light industrial uses** include, but are not limited to: **contractor services**, food and beverage processing and packaging, recycling facilities, wholesaling and **warehouse** storage.

Industrial Zone means any **Zone** with a short form starting with “M”, any **Special Wholesale Zone** with a short form starting with “W”; and any **lot** in a **Zone** with a short form starting with “BP”, unless the **principal use** on the **lot** is retail sales.

Institutional Zone means any **Zone** with a short form starting with “P”.

Intensive agriculture means **piggeries**, feed lots, mushroom farms, the raising of fur-bearing animals, manure storage or the slaughter of animals.

Interior side lot line - see **lot line, interior side**.

K

Keeping of animals for domestic purposes means the raising, breeding or rearing of horses, cattle, sheep, goats, rabbits or **domestic poultry** for work or the production of food or other animal products. This **use** may include the **accessory** sale of meat, eggs, milk and milk products and wool produced on the premises.

Kitchen means a room or an area in a **building** used for, or designed to be used for, the preparation or storage of food and which may contain, but is not limited to, any combination of a sink, refrigerator, cooking appliances, hood exhaust fan or 220 volt electrical and plumbing service lines. (*Bylaw No. 1992*)

L

Landscape and screening area means an irrigated decorative planting area containing any combination of trees, bushes, shrubs, plants, and flowers, including natural vegetation other than noxious weeds and invasive species, bark mulch, decorative boulders, decorative paving other than motor vehicle parking areas and sidewalks, planters, ornamental fences and the like, planted and maintained to mask or separate **uses** or to enhance the natural environment.

Landscaping means the planting and maintenance of lawns, shrubs and trees, and the addition of fences, benches, walks, drives, or other **structures** and materials used in landscape architecture, and includes the retention of

existing trees and plants other than noxious weeds and invasive species, for the purpose of enhancing the natural environment.

Large automobile – see **automobile, large**.

Library means a collection of books, manuscripts, publications, and other materials for reading, viewing or listening, maintained and made available to the public for borrowing, study or reference.

Licensed pharmacy means premises licensed under the *Pharmacy Operations and Drug Scheduling Act*.

Licensed premises means land, **buildings** or **structures** licensed under the *Liquor Control and Licensing Act*, but does not include a **liquor store** or a **retail store** where packaged alcoholic beverages are sold in conjunction with another retail use.

Light industrial use - see **industrial use, light**.

Liquor store means premises licensed under the *Liquor Control and Licensing Act* for the retail sale of packaged alcoholic beverages for consumption off-site.

Lot means any parcel, block or other area in which land is held or into which it is subdivided whether under the [Land Title Act](#) or the Bare Land Strata Regulations under the [Condominium Act](#).

Lot area means the total area of land contained within the boundaries of a **lot**, excluding any portion comprising an access strip as described in the definition of **panhandle lot**.

Lot coverage means the sum of the horizontal areas of the **building footprints** of every **building** or **structure** on a **lot**, expressed as a percentage of the **lot area**, and in the case of a **building** or **structure** with no walls and a roof the **building footprint** shall be the horizontal area within the drip line of the roof.

Lot depth means the depth of a **lot** measured in accordance with Section 3.19 of this Bylaw.

Lot line means the boundary of a **lot**, and:

- (1) **Front lot line** means the **lot line** that is common to the **lot** and an **abutting highway** or access route in a bare land strata plan, and where there are two or more such **lot lines** the shortest is deemed the **front lot line**, and in the case of a **panhandle lot** means the **lot line** or **lot lines** nearest the **abutting highway**, but not forming a boundary of the access strip as indicated in the definition of **panhandle lot**;
- (2) **Rear lot line** means the **lot line** that is opposite the **front lot line** in the case of a **lot** having four sides, and where the rear portion of a **lot** is bounded by intersecting **side lot lines** means the point of intersection;
- (3) **Exterior side lot line** means a **lot line** that is not a **front lot line** or **rear lot line** and that is common to the **lot** and an **abutting highway** or access route in a bare land strata plan; and
- (4) **Interior side lot line** means a **lot line** that is not a **front lot line**, **rear lot line** or **exterior side lot line**

Lot Width means the width of a **lot** measured in accordance with Section 3.19 of this Bylaw.

M

Manufactured home means a **mobile home** or a **modular home**.

Marina means land, **buildings, structures** and water areas used for docking, berthing or mooring boats and other watercraft, including, but not limited to: boat launches, boat lifts, boathouses, docks, piers and wharves, and **accessory uses** including, but not limited to: administrative **offices, restaurants**, bait sales, marine fueling stations, marine service, repair and rental facilities, laundry and shower facilities and dry land storage areas.

Marine sales, service, repair and rental facility means land, **buildings** and **structures** used for the sale, rental, repair and servicing of boats and other watercraft, and boat engines, or the sale of marine supplies and fishing equipment.

Medical Clinic is a health care facility that is primarily focused on the care of outpatients and does not include treatment of persons requiring admissions for overnight or extended stays. (*Bylaw No. 1944*)

Miniature golf course – see **golf course, miniature**.

Mini-storage facility means **buildings** and **structures** in which individual storage units are rented or leased for the storage of goods, materials and equipment other than hazardous chemicals, flammable substances or toxic materials.

Mobile home means a transportable **dwelling unit** meeting CSA-Z240 MH standards or equivalent, which upon arriving at the **lot** or site for location is, apart from incidental operations such as placement on foundation supports and connection to utilities, ready for occupancy. This **use** does not include “park model” **recreational vehicles**.

Modular Housing means a **one-family dwelling, garden suite, or carriage suite** which is modular or prefabricated meeting CSA Standard A277-M1990, “Procedures for Certification of Factory-Built Houses”, or equivalent, but does not include manufactured homes meeting CAN/CSA-Z240-MH Series “Mobile Homes” standards, or equivalent.

Motorcycle sale, rental, repair and service means land, **buildings** and **structures** used for the sale, rental, repair and servicing of motorcycles and motorcycle parts.

Multiple Residential Zone means any **Zone** with a short form starting with “RM” or “CH”.

N

Natural boundary means the visible high-water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the body of water a character distinct from that of its banks, in vegetation, as well as the nature of the soil itself.

Non-conforming use means any lawful **use** existing at the time of the adoption of this Bylaw which does not conform to all the provisions of this Bylaw for the **Zone** in which such **building or use** is located.

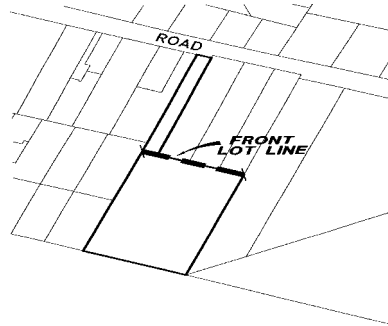
O

Office means **buildings** used for conducting the administrative functions of a business, profession, service, industry, government or similar activity but does not include the sale, rental, servicing, repair or manufacturing of any products or goods. Typical **uses** include government administration, the administration of not-for-profit organizations, the operation of law firms, accounting firms, engineering firms, medical or dental clinics (including **accessory licensed pharmacies**), physiotherapy, chiropractic or massage therapy clinics, medical imaging and laboratory services, and real estate agencies.

Outdoor recreation facility – see **recreation facility, outdoor**.

P

Panhandle lot means any **lot**, with any of the **building envelope** situated directly behind another **lot** such that an access strip, which is an integral part of the **lot**, provides the **lot frontage** as shown in the drawing below:



Parking facility means land, **buildings** and **structures**, the **principal use** of which is the temporary parking of **automobiles** on an hourly or daily basis, but does not include the long-term storage of vehicles or the parking of boats, **recreational vehicles** or **automobiles** lacking a current license decal. This **use** does not include the **accessory** parking of **automobiles** in conjunction with another permitted **use**.

Pawn shop means **buildings** and **structures** used for keeping goods and chattels at pawn, and the sale of such goods and chattels. This **use** does not include **consignment sales**.

Personal service establishment means land, **buildings** and **structures** used for providing services related to the care and appearance of the body or the cleaning or repair of personal effects, including but not limited to: aestheticians, barber shops, beauty salons, clothes alteration or repair, laundry and dry cleaning services, shoe repair and watch repair. This **use** excludes the fabrication or manufacturing of goods for retail or wholesale distribution, **body rub parlours**, and **escort or dating services**.

Pet daycare means the daytime lodging of cats, dogs, or other domestic pets entirely within an enclosed **building**, for another person for financial gain, and may include **accessory office**, retail sales of pet food and care products, **pet grooming** and training. This **use** excludes the keeping of animals overnight, an **animal shelter** or an animal pound.

Pet grooming means the use of **buildings** and **structures** for the grooming of dogs and cats entirely within an enclosed **building**, and may include the **accessory** retail sale of pet food and care products. This **use** does not include **pet daycare**, **boarding kennels**, **breeding kennels**, or overnight accommodation of animals.

Piggery means premises in which more than two pigs are kept.

Place of worship means **buildings** and **structures** where people gather for religious or spiritual purposes and may include **accessory uses** including child care services, administrative offices and food preparation and service.

Preschool means land, **buildings** and **structures** used for providing care and education to preschool age children not related by blood or marriage to the operator, for a maximum of four hours per day per child in accordance with the *Community Care and Assisted Living Act*. This **use** does not include **group daycares** or **schools**.

Principal means, in relation to a **use**, **building** or **structure**, the main or primary **use**, **building** or **structure**, as the case may be, conducted or constructed on a **lot**.

Public Assembly and Entertainment Uses means a public gathering of persons for scientific, educational, cultural, religious, philanthropic, charitable, recreational purposes, or any other purpose not otherwise specifically defined in this Bylaw. (*Bylaw No. 1992*)

R

Rear Building Line means the line parallel to the rear lot line, passing through the point of the building nearest the rear lot line.

Rear lot line - see **lot line, rear**.

Recording and Broadcast studio means a facility for the production of radio and television programming and the production of audio recordings, which may also include the simultaneous recording and broadcast through the airwaves, by wire (e.g.: telecom or cable) or by way of the internet, as in the example of podcasts. (*Bylaw No. 1951*)

Recreation facility, indoor means land, **buildings** and **structures** used for sports and recreational activities conducted indoors. Typical **uses** include **fitness centres**, swimming pools, hockey rinks, curling rinks, gymnasiums, indoor tennis courts and indoor athletic fields. This **use** may include **accessory** food and beverage services and the **accessory** retail sale of health and fitness merchandise.

Recreation facility, outdoor means land, **buildings** and **structures** used for sports and recreational activities conducted outdoors other than motorcycle, **automobile**, go-kart and dog racing and outdoor shooting. Typical **uses** include sports fields, swimming pools, hockey rinks, tennis courts, bowling greens, fitness trails and skateboard parks. This **use** may include **accessory** seating areas for spectators and **accessory buildings** for washrooms, change rooms and equipment storage and **accessory** food and beverage services.

Recreation vehicle means a vehicle or trailer designed or used primarily for accommodation during travel or recreation, and includes motorhomes and park model **recreational vehicles**, travel trailers, fifth wheel trailers, campers, any trailer designed to provide any form of accommodation, utility and boat trailers, boats, jet skis and off-road vehicles.

Recycling depot means land, **buildings** and **structures** used for the collection and temporary storage of recyclable materials, but does not involve the processing of recyclable materials (other than compaction); the storage of paints, solvents or other hazardous materials; or outdoor compaction and storage.

Recycling facility means land, **buildings** and **structures** used for the collection, storage, sorting and shipping of recyclable materials, but not including **automobiles** or **automobile** parts, large equipment or wood waste.

Research and development facility means land, **buildings** and **structures** used for scientific or industrial research, investigation, testing, analysis, experimentation and product development, and may include **accessory office**, conference, and training facilities.

Residential building means a **one-family dwelling, two-family dwelling, townhouse** or **apartment**.

Residential hotel means **buildings** and **structures** used to provide accommodation to the traveling public and persons temporarily residing in the City, in units which contain individual sanitary facilities including water closet and wash basin, and which may contain cooking facilities, in respect of which:

- (1) The stay of any individual is limited to a maximum of 180 days in a calendar year; and
- (2) A guest register is required to be kept pursuant to the *Hotel Guest Registration Act*.

Residential use means the occupancy or **use** of a **building** or part thereof as a **dwelling unit**, and specifically excludes the **use** of a **building** or part thereof as accommodation for the traveling public, except where permitted as a **bed and breakfast**.

Residential Zone means any **Zone** with short forms starting with “R”, “RS” or “RH”.

Restaurant means **buildings** and **structures** where food and beverages are prepared and served to the public, which may be licensed under the *Liquor Control and Licensing Act*. This **use** may include **accessory** outdoor seating areas, but does not include a **drive-through restaurant**.

Restaurant, drive-through means a **restaurant** where food and beverages are provided to patrons seated within an **automobile** and includes any associated speaker system or electronic message board required for such service.

Retail store means land, **buildings** and **structures** where goods are offered or kept for sale at retail, and includes storage on or about the store premises of limited quantities of such goods sufficient only to service such premises. This **use** may include **consignment sales**, a **second hand dealer** or a **convenience store**, but does not include any other retail sales **use** specifically permitted by this Bylaw.

Rural Residential Zone means any **Zone** with a short form starting with ‘RR’.

S

School means land, **buildings** and **structures** used to provide education to a body of students in accordance with the *School Act*, including **preschools**, elementary, middle and high **schools**.

Second hand dealer includes every person carrying on the trade or business or purchasing or selling any second hand goods or who keeps a store, shop, or other place of business for the purpose of carrying on such trade or business, but does not include a retail merchant or trader who in good faith accepts as a trade-in any chattel as part only of the consideration for the sale by him of another chattel where the balance of the sale consideration is paid or payable in money, the lawful currency of Canada, and who subsequently sells the trade-in.

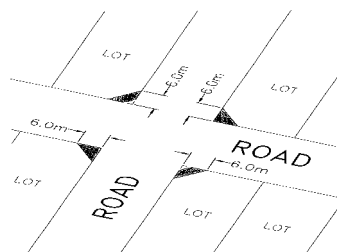
Secondary suite means an accessory dwelling unit located within a one-family dwelling.

Senior citizens apartment – see **apartment, senior citizens**.

Setback means the shortest distance from a **lot line** or other feature to a **building** or **structure**.

Shopping centre means commercial premises located in one or more **buildings** designed as an integrated unit.

Sight triangle means the area formed by a triangle in the angle formed by the intersection of two **highway** right-of-way boundaries, or boundaries produced and bounded by a line joining two points in those boundaries, 6 m (19.7 ft) from the point of intersection, as shown shaded in the drawing below:



Sign means any device or medium including its supporting **structure** visible from any **highway** or **lot** other than the one on which it is located and which is used to attract attention for advertising, information or identification purposes.

Silviculture means land used for growing, cultivating, protection and harvesting of forest products grown on the same site, but does not include the manufacturing or processing of any forest products.

Special wholesale means land, **buildings** and **structures** used for retail sale of goods to the public from a **warehouse**-style facility.

Streamside Protection and Enhancement Area (SPEA) means an area, as defined in the *Riparian Areas Regulation*:

- (1) Adjacent to a stream that links aquatic to terrestrial ecosystems and includes both existing and potential riparian vegetation and existing and potential adjacent upland vegetation that exerts an influence on the stream; and
- (2) The size of which is determined according to the regulation on the basis of an assessment report provided by a qualified environmental professional in respect of a development proposal.

Structure means anything constructed, erected or placed, the use of which requires location on the ground or attachment to something having location on the ground, including any satellite dish antenna, heat pump, gas meter, propane tank or other attached mechanical equipment, but excluding any fence, beehive, retaining wall, underground sewage disposal facility, and paved or concrete surface.

Suite means a **dwelling unit** that is accessory to a one-family dwelling and must be located within the one-family dwelling (**secondary suite**) or within an accessory building (**garden suite or carriage suite**). (*Bylaw No. 1992*)

T

Taxi office means an **office** from which taxis are dispatched, but does not include the parking, storage or marshalling of taxi.

Temporary construction and real estate marketing office means **buildings** and **structures** used during the construction period for the management of construction activities or marketing of real estate located on or near a **development** site in respect of which a Building Permit has been issued and has not expired.

Theatre, drive-in means land, **buildings** and **structures** consisting of an outdoor movie screen, a projection booth and a parking area used for the viewing of movies from within **automobiles** and may include **accessory** food and beverage sales.

Tourist information centre means land, **buildings** and **structures** used to provide information about attractions, lodging, maps and similar material to the travelling public or visitors to an area.

Townhouse means:

- (1) At least three **dwelling units** on one **lot**; or
- (2) In the case of a **building** or land subdivided pursuant to the *Strata Property Act*, at least three **dwelling units** on the lands included within the strata plan; or
- (3) In the case of a **building** and land subdivided pursuant to the *Land Title Act*, at least three **dwelling units**, separated by party walls as defined by the *BC Building Code*;

where each **dwelling unit** is intended to be used as a permanent residence of one **family** (excluding any **accessory rental dwelling unit**, where permitted) and has a separate entrance at grade.

Training and education facility means land, **buildings** and **structures** where students are taught curriculum and/or provided training or certification with regards to a specific trade, service or skill and may include: **accessory** administration, athletic activities, food service, research facilities and student accommodation. Typical **uses** may include, but are not limited to: universities, colleges, tutoring, trade schools, and driving schools.

Transportation terminal means land, **buildings** and **structures** used for the arrival and departure of passengers travelling by air, rail, water, bus, taxi or other motor vehicle, and may include **accessory** facilities for the storage and forwarding of goods transported by those means. This **use** does not include a bus stop.

U

Unenclosed storage means an area not contained within a **building** or **structure** where materials and equipment including but not limited to: construction materials, equipment, solid fuels, lumber and new building materials, monuments and stone products, **utility** equipment, or other materials, goods, products, equipment or machinery other than salvage or scrap materials, derelict **automobiles** or **large automobiles**, and materials ordinarily placed in a landfill are stored, baled, placed, piled or handled.

Unlicensed vehicle means an automobile or large automobile that does not display number plates with active Vehicle Insurance. (*Bylaw No. 2126*)

Use means the purpose or function to which land, the surface of water, **buildings** or **structures** are designed, intended to be put, or put.

Unlicensed Vehicle means a motor vehicle that does not display number plates and a decal specific to the current year validation as required by the *Motor Vehicle Act*. (*Bylaw No. 1944*)

Utility means land, **buildings** and **structures** used to provide water, sewer, electrical, telephone, and similar services.

V

Vehicle Insurance means vehicle insurance as defined in the *Insurance (Vehicle) Act*. (*Bylaw No. 2126*)

Veterinary practice means the care and treatment of domestic animals by a registered veterinarian, including overnight hospitalization, but not including the care and treatment of farm livestock such as horses, cattle, sheep, goats or pigs, or the keeping or boarding of healthy animals, or the incineration or other disposal of animal carcasses.

Viniculture means the cultivation of grapes for winemaking.

W

Warehouse means a **buildings** or **structures** in which finished goods, products and materials are received and stored for distribution, including the packaging, repackaging, distribution and shipment of goods, products and materials, but not including retail sales or the bulk storage and distribution of industrial fluids including, but not limited to: fuels, solvents or lubricants.

Watercourse means any natural or man-made depression with well-defined banks and a bed 0.6 m (2 ft) or more below the surrounding land giving direction to a current of water at least six months of the year, a marsh, pond, lake or stream having a drainage area of 2.0 km² (494.2 ac) or more.

Winery means land, **buildings** and **structures** used for the manufacturing and bottling of wine in accordance with the *Liquor Control and Licensing Act*. This **use** may also include **viniculture**, and **accessory** retail sales and service of wine and related products manufactured on-site.

Works yard means land, **buildings** and **structures** used for the storage, manufacturing, maintenance or repair of infrastructure, materials and equipment directly related to the construction and maintenance of infrastructure such as **highways** and **utilities**.

Z

Zone means a **Zone** established by Part 5 of this Bylaw.

1.02 Numbering

1.02.01 In the numbering used in this Bylaw, the first number indicates the Part of the Bylaw, the second number indicates the Section, the third number indicates the Subsection, the bracketed number indicates the Article, and the bracketed letter indicates the Clause, as follows:

8	Part
8.1	Section
8.1.2	Subsection
8.1.2(1)	Article
8.1.2(1)(a)	Clause