

3. Interpretation

3.1 Rules of Interpretation

- 3.1.1 Words used in the present tense include the other tenses and derivative forms; words used in the singular include the plural and vice versa.
- 3.1.2 The word 'person' includes a corporation, firm, partnership, trust and other similar entity as well as an individual.
- 3.1.3 Words have the same meaning whether they are capitalized or not.
- 3.1.4 The words 'shall' and 'is' require mandatory compliance except where a variance has been granted pursuant to the *Local Government Act*.
- 3.1.5 The phrase 'used for' includes 'arranged for', 'designed for', 'maintained for' or 'occupied for'.
- 3.1.6 Words, phrases and terms neither defined in this bylaw nor in the *Local Government Act* or the *Community Charter* or the *Interpretation Act* shall be given their usual and customary meaning.
- 3.1.7 Where a regulation involves two or more conditions, provisions or events connected by conjunction:
- a) 'and' means all the connected items shall apply in combination;
 - b) 'or' indicates that the connected items may apply singly or in combination, depending on the context; and
 - c) 'either-or' indicates the items shall apply singly but not in combination.
- 3.1.8 Any enactments, codes or regulations referred to in this bylaw are references to Federal or British Columbia enactments, codes or regulations as amended, revised, consolidated or replaced from time to time and any bylaw referred to in this bylaw is a bylaw of the **City** as amended, revised, consolidated or replaced from time to time.
- 3.1.9 The headings given to sections, paragraphs and subsections are for convenience of reference only and do not form part of this bylaw and will not be used for interpretation.
- 3.1.10 The purpose of a **zone** is to provide information about that **zone** and does not form part of the regulations of the **zone**.
- 3.1.11 Where calculation of **density** yields a fractional number, the maximum number of units shall be the next lowest whole number and the maximum **floor area ratio** shall be rounded to the nearest second decimal point.

3.2 Zone Boundaries

- 3.2.1 Where a **zone** boundary is shown on the Zoning Map as approximately following, parallel to or as an extension of a **lot line**, the **City** boundary, the edge, shoreline or high water mark of a river, lake or other water body, a topographic contour line or a top of bank line, or a centre line of a **road** or **lane**, the **zone** boundary is deemed to follow that line. In the event of slow and imperceptible change, the **zone** boundary will be deemed to move with the edge or shoreline.

- 3.2.2 In circumstances not provided for in Section 3.2.1, the **zone** boundary shall be determined by the **City** by scaling the boundary from some known location on the Zoning Map.
- 3.2.3 When any **road** or **lane** is closed, it will be deemed to have the same zoning as the **abutting** land. When different **zones** govern **abutting** lands, the centre of the **road** or **lane** will be deemed to be the **zone** boundary. If the **road** or **lane** is consolidated with an **adjoining lot**, the zone applicable to that **lot** will be deemed to apply to the closed **road** or **lane**.
- 3.2.4 Where a **lot** is located in more than one **zone**, regulation for the **use** of land, **buildings** and **structures**; the **density** of the **use** of land, **buildings** and **structures**; the siting, size, and dimension of **buildings**, **structures** and **uses** permitted on the land; the location of **uses** on the land and within the **building** and **structures**; and the shape, dimension and area of all parcels of land that may be created by **subdivision**; shall apply as if the **zone** boundary were a **lot line**, and in the case of **subdivision**, be in compliance with the minimum **lot area** and minimum **lot width** of the applicable **zone** for the portion of the **lot** being created. For certainty, this Section 3.2.4 does not confer any rights to develop the **lot** as two separate **lots**.

3.3 Definitions

- 3.3.1 Individual **uses** are grouped into definitions with common functional or physical effects or characteristics. These **uses** define the range of **uses** that are principal and secondary, with or without conditions, within the **zones**.
- 3.3.2 Examples listed in a **use** definition are not intended to be exclusive or restrictive.
- 3.3.3 Where a specific **use** applied for does not conform to the wording of any **use** or generally conforms to the wording of two or more **uses**, the **use** shall be deemed to conform to and be included in that **use** which is most appropriate in character and purpose, as determined by the **City**.
- 3.3.4 The **uses** and terms described in Section 3.4 shall have the meaning assigned to them in those sections.
- 3.3.5 Definitions used as a noun include the verb and in the singular include the plural and vice versa.

3.4 Use and Term Definitions

A

- Abut** means immediately contiguous to or physically touching, and when used with respect to **lots** or **sites** means two **lots** or **sites** that share a common **lot line**.
- Access** means to approach, enter, exit or pass to and from a place for **vehicles**, cyclists and pedestrians.
- Active flood plain** means an area of land that supports **floodplain plant species** and is: [Bylaw 9871, Sep 4/18]
 - a) adjacent to a **watercourse** that may be subject to temporary, frequent or seasonal inundation by water; or [Bylaw 9871, Sep 4/18]
 - b) within a boundary that is indicated by the visible **high water mark**. [Bylaw 9871, Sep 4/18]

Adjacent	means land that abuts a site and land that would abut if not for a road, lane, walkway, watercourse, pipeline right of way, power line, railway or similar feature.
Affordable housing reserve	means collectively, the statutory Capital Reserve Fund created by Reserve Fund Establishment Bylaw No. 7812 and Operating Reserve Fund created by Affordable Housing Reserve Fund Establishment Bylaw No. 8206.
Affordable housing unit	means a dwelling unit that is subject to a housing agreement .
Agrarian materials, fence	The following are suitable materials and design for the construction of agrarian fencing in agriculture zones. <i>[Bylaw 10122, Nov 16/20]</i> <ol style="list-style-type: none"> 1. Wood Post and Rail, minimum spacing between horizontal members shall be 0.3 m. <i>[Bylaw 10122, Nov 16/20]</i> <ol style="list-style-type: none"> a) Diagonal cross bracing permitted if bracing between posts. <i>[Bylaw 10122, Nov 16/20]</i> 2. Metal post and rail, minimum 0.3 m spacing between horizontal members. <i>[Bylaw 10122, Nov 16/20]</i> 3. Wood Post and welded wire mesh. <i>[Bylaw 10122, Nov 16/20]</i> 4. Steel Post and welded wire mesh. <i>[Bylaw 10122, Nov 16/20]</i> 5. Wood pickets, 8 cm minimum distance between pickets. <i>[Bylaw 10122, Nov 16/20]</i>
Agriculture	means the use of land outside of the Agricultural Land Reserve for the growing of crops or the raising of domesticated animals and allotment gardens where land is divided into plots for exclusive use as vegetable, fruit or flower gardens such as private and community gardens but does not include a medical cannabis production facility or non-medical cannabis production facility . <i>[Bylaw 10062, Sep 3/19]</i>
Agricultural Land Reserve	means land designated as such under the <i>Agricultural Land Commission Act</i> .
Agricultural buildings and structures	means buildings or structures used for farm business but not including single detached housing and principal or additional dwelling units .
Agri-tourist accommodation	means accommodation for an agri-tourist operation on a farm, limited to 10 sleeping units in total of seasonal campsites, seasonal cabins or the short-term use of bedrooms . <i>[Bylaw 9647, May 8/17]</i>

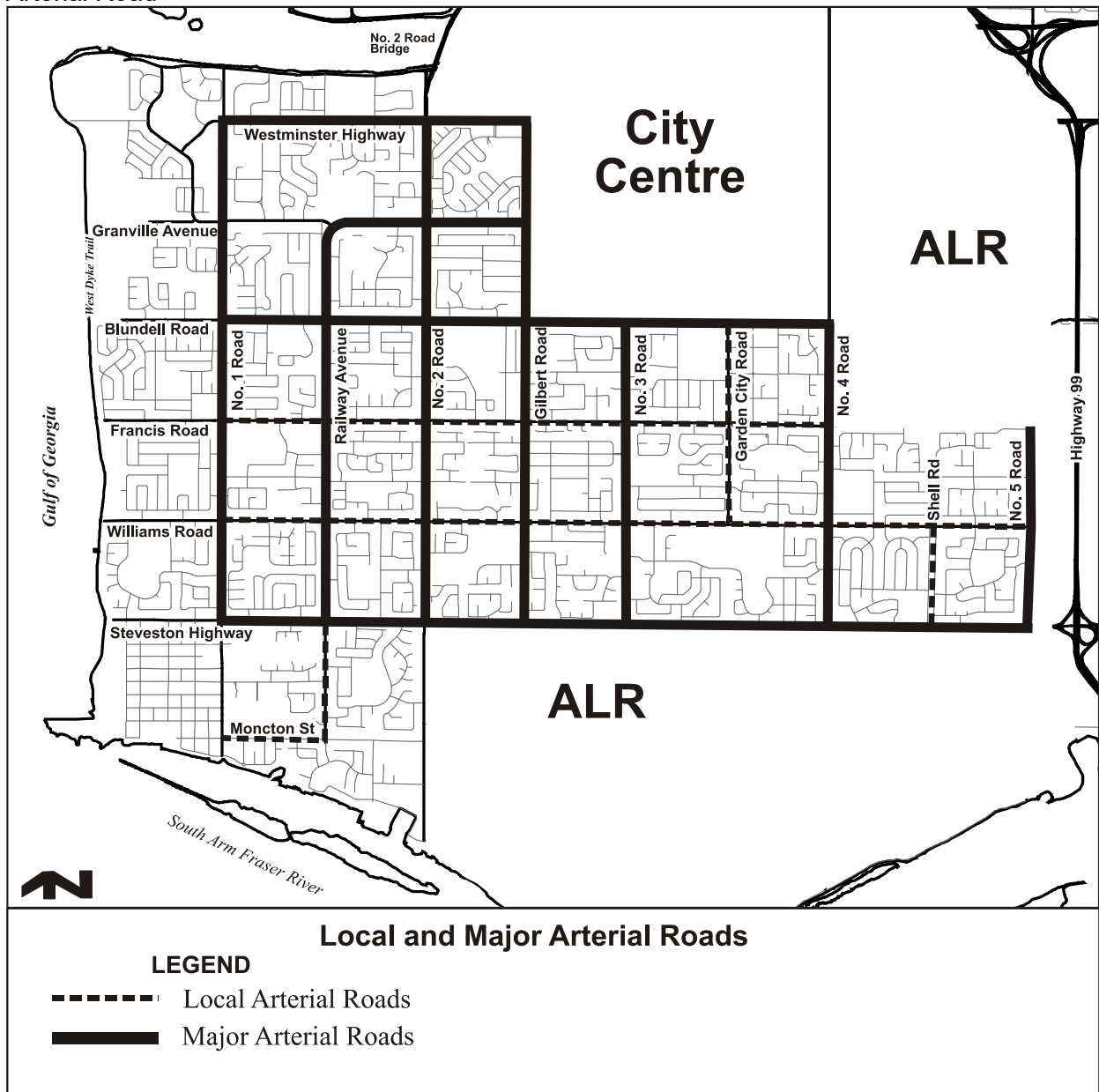
Agri-tourist operation	means an activity defined as “agri-tourism” under the <i>Agricultural Land Reserve Use, Subdivision and Procedure Regulation</i> (as amended from time to time), which is carried out on land used as a farm operation and/or farm business , and classified as a “farm” under the <i>Assessment Act</i> , to which the public are invited and where permanent facilities are not constructed or erected and includes ancillary services. <small>[Bylaw 9699, Jun 19/17]</small>
Airport	means an area designed, prepared, equipped or set aside for the arrival, departure, parking, storage, movement or servicing of aircraft, float planes and helicopters; and includes any associated buildings , installations, open space and equipment in connection therewith.
Air space parcel	means a volumetric parcel shown on an air space plan, whether or not occupied in whole or in part by a building or other structure .
Alter	means soil relocation due to building or parking lot construction or alteration; removal, alteration, disruption or destruction of vegetation; soil removal or filling; construction or alteration of retaining walls, patios , lawns, or agricultural activity; any structural change to a building or structure that results in an increase or decrease in the area or the volume of the building ; any change in the area, frontage , depth or width of a lot that affects the required yard , landscaped open space or parking requirements of this bylaw; and to discontinue or change the use of the lot , building or structure .
Amenity space	means common space for the active or passive recreation, cultural and social enjoyment of the residents of a site .
Amenity space, community	means space provided for the active or passive recreation, cultural and social enjoyment of the community at large.
Amusement centre	means any building , room or area having five or more table games, electronic games, or computers played by patrons for entertainment, but does not include internet cafés, casinos and other gaming establishments.
Amusement, outdoor	means facilities for entertainment or amusement that primarily take place outdoors where patrons are the primary participants, which may include amusement parks, go-cart tracks and miniature golf establishments, but which does not include drive-in movie theatres, car, truck and motorcycle racing tracks and golf course & driving range .
Ancillary	means customarily subordinate or assisting and, in the case of a structure ancillary to a building , includes essential structural components necessary to the building function, such as mechanical penthouses, elevator housings, mechanical rooms, communication structures or chimneys.

Animal breeding and boarding	means breeding, buying, selling or boarding of animals, including individual dogs, cats, horses or other domestic animals but does not include livestock.
Animal day care	means a facility for the supervision of dogs and cats during the day or evening, but does not include overnight animal accommodation.
Animal grooming	means the grooming of domestic animals.
Animal shelter	means temporary accommodation and care or impoundment of lost, abandoned or neglected animals in an enclosed building but does not include animal daycare , animal breeding and boarding or a veterinary service .
Appurtenance	means telecommunication antenna , satellite dish/receiver , pole or other similar attachment affixed to or on a principal building and which may extend in height above the building to a maximum height which is no greater than the maximum height permitted for buildings and structures within the zone .

Arterial road

means a major **road** which straddles a boundary line between two surveyed quarter-sections of land, historically referred to as a section line **road**. Where a **zone** refers to a local **arterial road** or major **arterial road**, the following map shall be used for reference purposes. In cases where a **zone** is located outside of this map, the Director of Transportation or his designate shall determine if the road is a local or major **arterial road**.

Arterial Road



Auction, major

means the sale of livestock, motor **vehicles**, industrial or construction equipment and parts to the highest bidder, including the repair and temporary storage of such goods and equipment, but does not include flea markets, **garage sales** or **secondhand retail**.

Auction, minor	means the sale of household goods and smaller equipment to the highest bidder, which includes the temporary storage of such goods and equipment, and the temporary sale of motor vehicles , industrial and construction equipment for no more than 3 consecutive days twice every calendar year, but does not include flea markets, garage sales or secondhand retail .
Attic	means the unfinished space between the roof and the ceiling of the top storey .
Awning	means a roof-like cover that projects from the wall of a building for the purpose of shielding a doorway or window from the elements and may be able to periodically be retracted into the face of a building .
B	
Balcony	means a platform, attached to and projecting from the face of a building located without a supporting structure to the ground, located above the first storey , normally surrounded by a balustrade or railing with access only from within the building for use as an outdoor amenity area, which is never enclosed but may have a roof or balcony floor above it and may have 2 walls on either side of the balcony .
Banquet hall	means a premise or a portion of premises whose principal purpose is for banquets and conventions, commercial entertainment, dances, meetings and seminars, parties, trade shows, weddings, and the like.
Basement	means the storey or storeys located below the first storey .
Basic universal housing features	means the set of permanent building features designed, built, installed or affixed in accordance with Section 4.16 of this bylaw to facilitate universal access to and the use of a dwelling unit , including access and use by a person with a physical disability.
Bay window	means a glazed composite of windows, usually made up of a large center unit and two flanking units to the wall, that protrudes from the wall to which it is attached and may be structurally supported other than by a foundation wall.
Bed and breakfast	means the commercial accommodation of guests for periods of 30 days or less, in a single detached housing dwelling unit in accordance with Section 5.5 of this bylaw. <i>[Bylaw 8672, Jan 24/11]</i>
Bedroom	means a room located in a dwelling which, due to its design or location in the dwelling , is or may be used primarily for sleeping regardless of its use .

Boarding and lodging	means sleeping unit accommodation, without cooking facilities in the sleeping units , that is supplied for remuneration for not more than 2 boarders , and which may or may not include meal service, but does not include senior citizen lodges, hotels, motels, congregate housing, bed and breakfasts, agri-tourist accommodation, minor or major community care facilities, secondary suite or coach house . <small>[Bylaw 8684, Jan 17/11]</small>
Boarder	means a non-family member who is a lodger, roomer or person who pays for and takes regular lodging, with or without meals.
Boat shelter	means a structure used for the parking of boats or other marine vessels.
Body painting studio	means any premise or part of such premises where, directly or indirectly, a fee is paid for any application of paint, powder or similar materials to the body of another person.
Body rub studio	means any premise or part of such premises where a body rub is performed, offered or solicited, which includes the manipulating, touching or stimulating by any means, of a person's body or part of that body, but does not include medical, therapeutic or cosmetic massage treatment given by a person duly licensed and registered under any statute of the Province of British Columbia governing such activities other than the <i>Local Government Act</i> , or a therapeutic touch therapy.
Botanical show garden	means land and buildings used for the commercial display of horticultural products.
Broadcasting studio	means a building or portion of a building used for the production or broadcasting of audio and visual programming typically associated with radio, television and motion picture studios.
Building	means a temporary or permanent structure having a roof supported by columns or walls, for the shelter or enclosure of persons, animals, materials, chattels or equipment.
Building, accessory	means a building normally detached and customarily ancillary, incidental, subordinate and on the same site as the principal building or use , and includes garages and garden sheds.
Building, principal	means a building that accommodates the principal use of a site .
Building envelope	means a 3-dimensional area of the lot within which a possible building or structure can be located after yard and height requirements have been accounted for and which may be further restricted by other regulations on lot coverage or amenity space .

Building or garden supply	means a business involving the retail sale or wholesale of building and/or landscaping materials and equipment, fixtures or hardware, garden furniture and animal feed, and includes a lumber yard, building supply outlet, home improvement centre or farm supplies.
Building separation space	means an open space measured at the least horizontal distance between principal buildings and accessory buildings on the lot , required to be clear and unobstructed by buildings .
Bulk fuel depot	means the bulk storage and distribution of petroleum products and which may include key lock retail sales but does not include service stations .
Business	means a commercial or industrial activity or undertaking of any kind or nature; or the provision of professional, personal or other services for the purposes of gain or profit either: <ul style="list-style-type: none"> a) in, or from, premises within the City; or b) within the City from premises located elsewhere.
Bylaw Enforcement Officer	means a person authorized by Council to enforce City bylaws.
C	
Cannabis Research and Development Facility	means a facility for the research and development, including testing, of cannabis in a fully enclosed building or structure in accordance with the appropriate federal and provincial legislation and regulations. <i>[Bylaw 9838, Jun 18/18]</i>
Cantilevered roof	means a roof, anchored to the building wall and unsupported by columns, that projects beyond the exterior wall of the building .
Capstan station reserve	means the statutory Capital Reserve Fund created by Reserve Fund Establishment Bylaw No. 8854. <i>[Bylaw 8839, Mar 12/12]</i>
Carport	means a roofed structure that is either free standing or attached to the principal building and has not more than 60% of the perimeter walls enclosed and is used by the building occupants to shelter vehicles .
Car wash	means a facility for the washing of motor vehicles with a rated gross vehicle weight of 5,000.0 kg or less on an automated, semi-automated or manual basis.
Car or truck wash	means a facility for the washing of motor vehicles of any size on an automated, semi-automated or manual basis.
Casino	means a gaming facility licensed under the <i>Gaming Control Act</i> , which may include slot machines, table games, off track betting, food and liquor services and spectator entertainment .

Certified Passive House	means a building that has completed initial design review (prior to Building Permit submittal), where all drawings, specifications and calculations are reviewed by a Certified Passive House Designer or Certified Passive House Consultant registered with <i>Passive House Canada</i> , to verify that the proposed design should achieve the Passive House Standard . At completion, a Passive House Certifier, registered with <i>Passive House Canada</i> , must be engaged to review post-construction documentation and verify the project meets all certification requirements, whereby a certificate is issued. <i>[Bylaw 10237, Mar 15/21]</i>
Child care	means a facility for the care of children either licensed under the <i>Community Care and Assisted Living Act</i> or a license-not-required child care operation, is distinct from community care facility, major and community care facility, minor uses which also permits residential care.
Child care program	means a home business with a maximum of 8 children either (a) licensed in compliance with the <i>Community Care and Assisted Living Act</i> and the <i>Child Care Licensing Regulation</i> (both as amended from time to time), or (b) a license-not-required child care operation. <i>[Bylaw 9699, Jun 19/17]</i>
Child care reserve fund	means together, the Child Care Development Reserve Fund created by Reserve Fund Establishment Bylaw No. 7812 and the Child Care Operating Reserve Fund created by Child Care Operating Reserve Fund Establishment Bylaw No. 8877. <i>[Bylaw 8878, May 22/12]</i>
City	means the City of Richmond.
City Centre	means the area included in the City Centre Area Plan.
Coach house	means a self-contained dwelling that: <i>[Bylaw 8922, Nov 19/12]</i> <ol style="list-style-type: none"> a) is accessory and either attached or detached to the single detached housing unit, except in Edgemere where it must be detached from the principal dwelling unit; b) has at least 75% of its floor area located above the garage, except in Edgemere where a maximum of 60% of its floor area must be located above a detached garage; c) has cooking, food preparation, sleeping and bathing facilities that are separate from those of the principal dwelling unit located on the lot; d) has an entrance separate from the entrance to the garage; and e) is a separate and distinct use from a secondary suite, and does not include its own secondary suite.

Commercial theme park	means a commercial amusement park, including an amusement centre, spectator entertainment , retail and other services, that is organized around a theme.
Commercial storage	means a building or group of buildings containing lockers available for rent for the storage of personal goods of a non-hazardous nature.
Commercial use	means an occupation, employment or enterprise that is carried on for gain or monetary profit.
Commercial vehicle parking and storage	means the outdoor parking or storage of commercial vehicles and recreational vehicles . <small>[Bylaw 8582, Apr. 19/10]</small>
Community care facility, major	means the use of a principal dwelling for: <ul style="list-style-type: none"> a) residential care of more than 10 people on a temporary or permanent basis (not including employees or resident care givers) not related by blood or marriage, in a facility which may or may not be licensed under the <i>Community Care and Assisted Living Act</i>, including supervision provided to minors through a prescribed residential program, or adults who are vulnerable because of family circumstances, age, disability, illness or frailty and are dependent on caregivers for continuing assistance or direction; or b) care under the <i>Community Care and Assisted Living Act</i>, for more than 10 children (not including employees or child care givers) such as nursery school, emergency care, out of school care, family day care, special needs day care (not including employees or residential child care givers), group day care and occasional, casual or short term supervised care for children and which may include limited overnight accommodation for minors who are supervised under a prescribed program.
Community care facility, minor	means the use of a principal dwelling for: <ul style="list-style-type: none"> a) residential care of up to 10 people on a temporary or permanent basis (not including employees or resident care givers) who are not related by blood or marriage, in a facility which may or may not be licensed under the <i>Community Care and Assisted Living Act</i>, including supervision provided to minors through a prescribed residential program, or adults who are vulnerable because of family circumstances, age, disability, illness or frailty and are dependent on caregivers for continuing assistance or direction; or

Community care facility, minor con't	b) care under the <i>Community Care and Assisted Living Act</i> , for up to 10 children (not including employees or child care givers) such as nursery school, emergency care, out of school care, family day care, special needs day care, group day care and occasional, casual or short term supervised care for children and which may include limited overnight accommodation for minors who are supervised under a prescribed program and is distinct from a child care program which is a home business .
Concrete/asphalt plant	means a facility for the processing, manufacturing, recycling and sales of concrete and asphalt and the accessory manufacture and sales of products made from concrete and asphalt.
Congregate housing	means a multiple-unit residential building which contains two or more independent or semi-independent units which shall be supplemented by professional medical care, lay supervision and care, communal dining facilities and housekeeping services.
Continuous wall	means an exterior wall on a single-family dwelling , which does not include an inward articulation of 2.4 m or more, with a minimum horizontal measurement of 2.4 m. <small>[Bylaw 9737, Jul 24/17]</small>
Contractor service	means premises used for the provision of building and road construction services including landscaping , concrete, logging, electrical, excavation, drilling, carpentry, cabinet-making, drywall, flooring, roofing, heating and plumbing or similar services of a construction nature which require on-site storage within a building and warehouse space.
Cooperative housing unit	means a dwelling unit in a multi-family residential development owned and operated by a housing cooperative association incorporated under the <i>Cooperative Association Act</i> , as may be amended or replaced from time to time. <small>[Bylaw 10014, Feb 22/22]</small>
Council	means the Council of the City .
Crawl space	means an interior building space at or below finished site grade , between the underside of the floor system next above and the top of the floor slab on the ground surface below, having a vertical clearance less than 1.2 m.
Cranberry Processing Facility	means land and buildings used for an agricultural processing operation involved in the weighing, receiving, sorting, testing, washing, packing and distribution of harvested cranberries. <small>[Bylaw 8581, Sep 13/10]</small>
CSA	means the Canadian Standards Association.

D

DBH (Diameter at Breast Height)

means the diameter of the trunk of a tree measured at a point 1.4 m above the **natural grade**, except where the diameter of a tree having multiple trunks 1.4 m above the **natural grade** shall be the sum of 100% of the diameter of the largest trunk and 60% of the diameter of each additional trunk.

DC fast charging

means **electric vehicle supply equipment** that provides direct current (DC) power to a **vehicle** with an output voltage of 50–1000V and typically supplies output power between 25 and 400kW.

[Bylaw 10463, Sep 5/23]

Density

means the measure of the intensity of **development** to the area of the **site**, including the number of units on a **site** measured in units/area or **floor area ratio**, as the case may be.

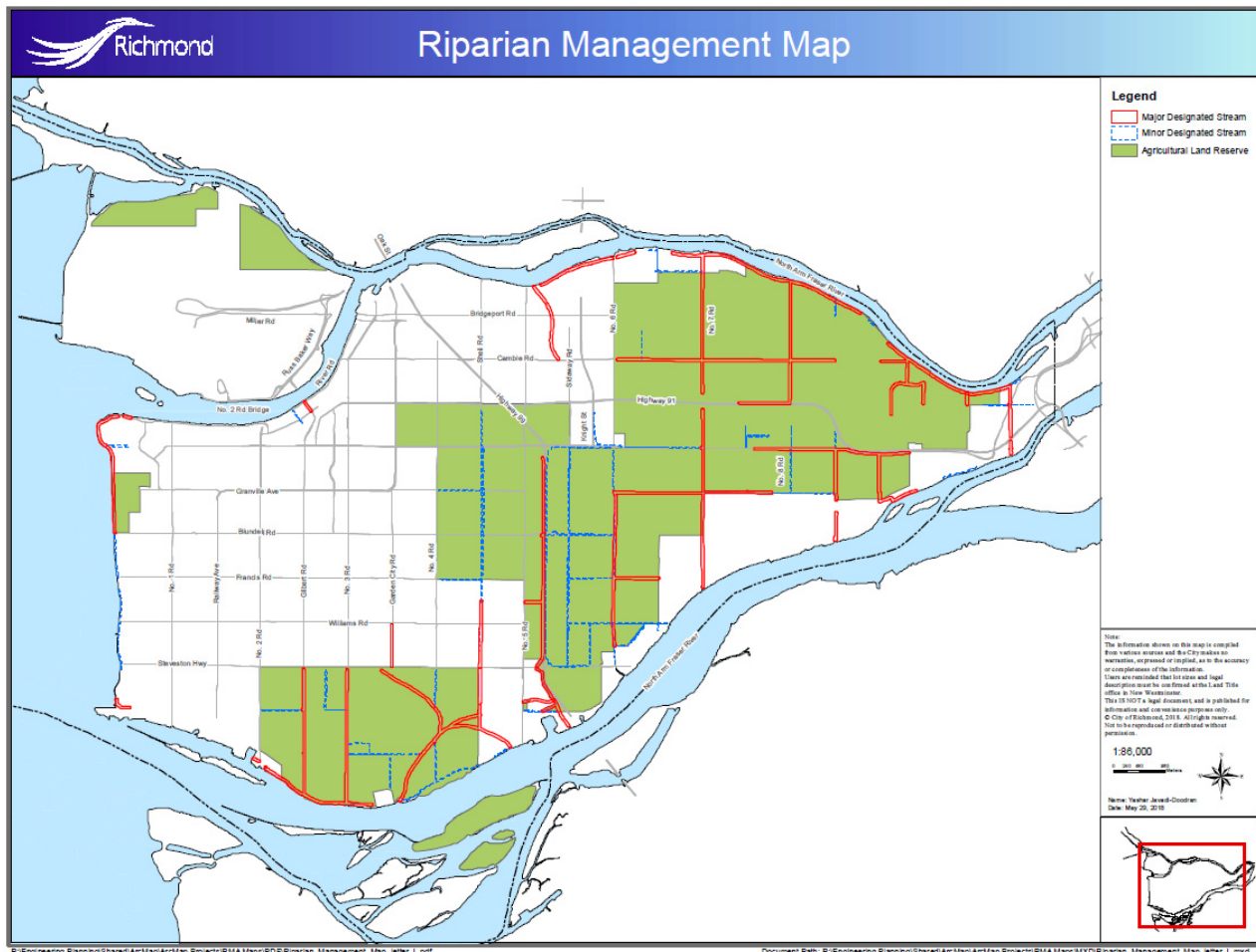
Density bonus

means a regulation applied to a **zone** that entitles an **owner** to a higher **density** if applicable conditions are met, including:

- a) conditions relating to the conservation or provision of amenities;
- b) conditions relating to the provision of affordable and special needs housing; and
- c) a condition that the **owner** enters into a **housing agreement** under Section 905 of the *Local Government Act* before a building permit is issued in relation to property to which the condition applies.

Designated stream

means a major or minor **watercourse**, that may or may not contain fish, as shown in the following map. Where this bylaw refers to a minor **designated stream** or a major **designated stream**, the following map shall be used for reference purposes, and may be revised and updated from time to time by the Director of Engineering or his designate. [Bylaw 9871, Sep 4/18]



Development

means a **building** or an addition to or replacement or repair of a **building** and the construction or placing of any of them in, on, over or under land; a change of **use** of land or a **building** or an act done in relation to land or a **building** that results in or is likely to result in a change in the **use** of the land or **building**; or a change in the intensity of **use** of land or a **building** or an act done in relation to land or a **building** that results in or is likely to result in a change in the intensity of **use** of the land or **building**.

Development site

means one or more contiguous **lots** assembled for the purpose of a comprehensive **development**.

District Energy Utility	means the City owned district energy utility system for the generation, storage, transmission, and distribution of energy for heating and cooling of space and water at any designated property within the service area. <i>[Bylaw 9531, May 16/16]</i>
Dormitory	means a building containing sleeping units for occupancy by students or staff members affiliated with a school, religious assembly , hospital, university or similar institution, and which is regulated by such institution.
Dwelling or dwelling unit	means accommodation providing sleeping, washrooms and kitchens to be used permanently or semi-permanently for a household , but which does not include a motor home or a room in a hotel or a motel . <i>[Bylaw 8684, Jan 17/11]</i>
Dwelling unit, principal	means either a dwelling unit for which a building permit was issued prior to any other dwelling unit on a site or a dwelling unit which occupies the entirety of a building or a larger gross floor area than another dwelling unit in the same building .
E	
Eave	means the projecting lower edges of a roof overhanging a wall of a building , free of enclosed walls, without supporting columns. This may include a cantilevered roof .
Education	means a school, provincial school or francophone school as defined by the <i>School Act</i> and independent school as defined by the <i>Independent School Act</i> normally offering kindergarten to Grade 12 classes, and which may include, on the same site , accessory administration, food and beverage service, and student, recreational, religious and cultural services, patron participation entertainment, and subordinate housing for students, staff and faculty of that education facility, but does not include commercial education .
Education, commercial	means a building used for training, instruction and certification in a specific trade, skill or service for the financial gain of the individual or company owning the school, which may include technical and vocational schools including the teaching of secretarial, construction, electrical, computer, business , hairdressing, beauty, culture, dancing or music skills.
Education, university	means community colleges, universities, and accessory uses commonly associated with a university or college, such as research, high technology, dormitories within the core facilities, athletics, cultural facilities, child care , student organizations and maintenance facilities.

Electric vehicle	means a vehicle that uses electricity for propulsion, and that can use an external source of electricity to charge the vehicle 's batteries. <i>[Bylaw 9756, Dec 18/17]</i>
Electric vehicle energy management system	means a system used to control electric vehicle supply equipment loads through the process of connecting, disconnecting, increasing, or reducing electric power to the loads and consisting of any of the following: a monitor(s), communications equipment, a controller(s), a timer(s), and other applicable device(s). <i>[Bylaw 10463, Sep 5/23]</i>
Electric vehicle supply equipment	means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an electric vehicle . <i>[Bylaw 9756, Dec 18/17]</i>
Emergency service	means a building or land used by fire protection, police, ambulance or other such services as a base of operations, and includes a fire hall .
Enclosed parking	means an area for off-road parking within a structure .
Energized outlet	means a connected point in an electrical wiring installation at which current is taken and a source of voltage is connected to supply utilization equipment. <i>[Bylaw 10463, Sep 5/23]</i>
Enhancement	means the establishing of natural native vegetation to help restore the natural features, functions and conditions that support fish and wildlife life processes in riparian management areas that have been recently or historically disturbed by human activity. <i>[Bylaw 9871, Sep 4/18]</i>
Entertainment, spectator	means an enclosed building designed specifically for the presentation of live artistic performances or the showing of motion pictures, which includes but is not limited to auditoria, cinemas, theatres and concert halls, but does not include adult retail establishments . <i>[Bylaw 8582, Apr. 19/10]</i>
Equestrian centre	means a facility for the training of horses and riders, which a capacity of boarding a maximum of 40 horses in permanent stalls.
Equipment, major	means the sale, rental, service or repair of commercial vehicles , machinery or mechanical equipment typically used in building , roadway, pipeline, oil field and mining construction, manufacturing, assembling and processing operations, and agricultural production, but does not include manufactured home sales/rentals .
Equipment, minor	means the sale or rental of tools, appliances, personal recreational equipment, office machines, furniture, light construction equipment or similar items but does not include rental of motor vehicles or industrial equipment.

Exhibition & convention facilities

means a **building** or **site** intended to provide permanent facilities for meetings, seminars, conventions, product and trade fairs and similar exhibitions but does not include a **hotel**.

F

Family member

means, with respect to a person: *[Bylaw 9647, May 8/17]*

- a) the person's spouse; *[Bylaw 9647, May 8/17]*
- b) the person's child; *[Bylaw 9647, May 8/17]*
- c) the person's spouse's child. *[Bylaw 9647, May 8/17]*

Farm-based winery

means a British Columbia licensed winery or cidery, and includes directly associated processing and storage, if: *[Bylaw 9699, Jun 19/17]*

- a) at least 50% of the farm product used to make the wine or cider produced each year is grown on the farm on which the winery or cidery is located, or *[Bylaw 9699, Jun 19/17]*
- b) the farm on which the winery or cidery is located is more than 2 ha in area and at least 50% of the farm product used to make the wine or cider produced each year is grown: *[Bylaw 9699, Jun 19/17]*
 - i) on the farm, or *[Bylaw 9699, Jun 19/17]*
 - ii) both on the farm and on another farm located in British Columbia that provides that farm product to the winery or cidery under a contract having a term of at least three (3) years; and *[Bylaw 9699, Jun 19/17]*
- c) other **ancillary uses** as set out in the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*. *[Bylaw 9699, Jun 19/17]*

Farm business

means a **business** in which one or more of the following farm activities are conducted, and includes a farm education or farm research institution to the extent that the institution conducts one or more of the following farm activities: *[Bylaw 10062, Sep 3/19]*

- a) growing, producing, raising or keeping animals or plants, including mushrooms, or the primary products of those plants or animals; *[Bylaw 10062, Sep 3/19]*
- b) clearing, draining, irrigating or cultivating land; *[Bylaw 10062, Sep 3/19]*
- c) using farm machinery, equipment, devices, materials and **structures**; *[Bylaw 10062, Sep 3/19]*
- d) applying fertilizers, manure, pesticides and biological control agents, including by ground and aerial spraying; *[Bylaw 10062, Sep 3/19]*
- e) conducting any other agricultural activity on, in or over agricultural land; *[Bylaw 10062, Sep 3/19]*
- f) intensively cultivating in plantations, any: *[Bylaw 10062, Sep 3/19]*
 - i) specialty wood crops, or *[Bylaw 10062, Sep 3/19]*
 - ii) specialty fibre crops prescribed by a Minister of the Province of BC; *[Bylaw 10062, Sep 3/19]*
- g) conducting turf production in an **Agricultural Land Reserve** with the approval under *Agricultural Land Commission Act* of the Provincial Agricultural Land Commission; *[Bylaw 10062, Sep 3/19]*
- h) aquaculture as defined in the *Fisheries Act* when carried on by a person licensed, under Part 3 of that Act, to carry on the **business** of aquaculture; *[Bylaw 10062, Sep 3/19]*
- i) raising or keeping game, within the meaning of the *Game Farm Act*, by a person licensed to do so under that Act; *[Bylaw 10062, Sep 3/19]*
- j) raising or keeping fur bearing animals, within the meaning of the *Fur Farm Act*, by a person licensed to do so under that Act; *[Bylaw 10062, Sep 3/19]*
- k) processing or direct marketing by a farmer of one or both of: *[Bylaw 10062, Sep 3/19]*
 - i) the products of a farm owned or operated by the farmer, and *[Bylaw 10062, Sep 3/19]*
 - ii) within limits prescribed by a Minister of the Province of BC, of products not of that farm, to the extent that the processing or marketing of those products is conducted on the farmer's farm, but *[Bylaw 10062, Sep 3/19]*

Farm business con't

farm business does not include: [Bylaw 10062, Sep 3/19]

- a) an activity, other than grazing or hay cutting, if the activity constitutes a forest practice as defined in the *Forest and Range Practices Act*; [Bylaw 10062, Sep 3/19]
- b) breeding pets or operating a kennel; [Bylaw 10062, Sep 3/19]
- c) growing, producing, raising or keeping exotic animals, except types of exotic animals prescribed by a Minister of the Province of BC; [Bylaw 10062, Sep 3/19]
- d) a **medical cannabis production facility**, subject to the provisions contained in Section 5.21 (Cannabis Production and Cultivation in the **Agricultural Land Reserve**); [Bylaw 10062, Sep 3/19]
- e) a **non-medical cannabis production facility**, subject to the provisions contained in Section 5.21 (Cannabis Production and Cultivation in the **Agricultural Land Reserve**); and [Bylaw 10062, Sep 3/19]
- f) a **cannabis research and development facility**. [Bylaw 10062, Sep 3/19]

Farm home plate

means the portion of a **lot** including or located between a **principal dwelling unit**, additional **dwelling unit(s)**, and any **accessory buildings** or **accessory structures**, including driveways to **dwelling unit(s)**, decorative **landscaping**, artificial ponds not serving farm drainage, irrigation needs or aquaculture use, and sewerage septic tanks and fields, in one contiguous area. [Bylaw 9967, Dec 17/18]

Farm home plate setback

means the distance that the rear of a **farm home plate** may be set back from a **lot** line or any other features specified by this Bylaw. [Bylaw 9707, May 17/17]

Farm operation

means land classified as a 'farm' under the *Assessment Act*. A **farm operation** may consist of one or more **lots** that form and are managed as a single farm for the principal purpose of **farm business**.

Fence

means a **structure** used as an enclosure or for **screening** purposes around all or part of a **lot**.

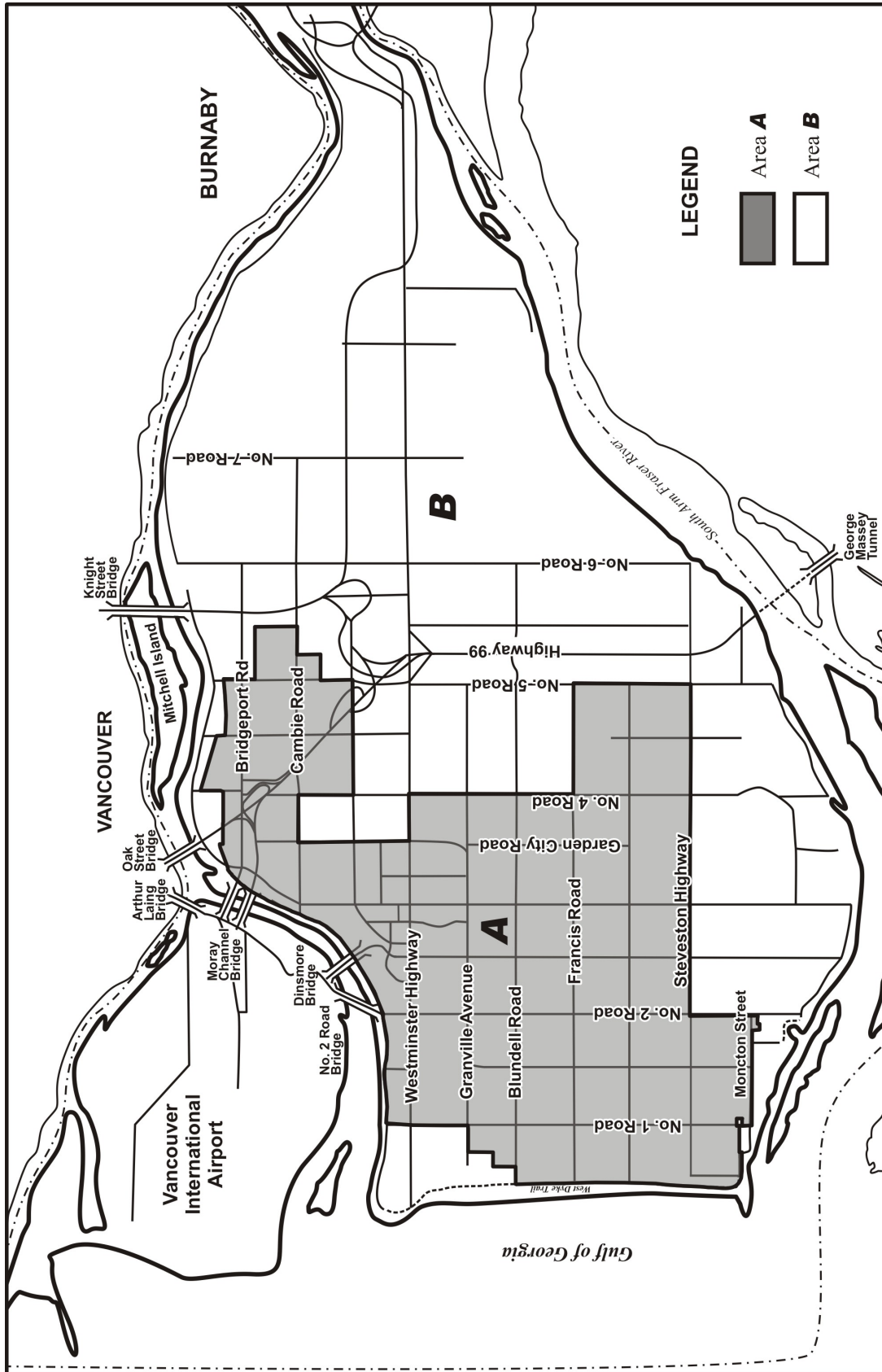
Fire hall

means a **structure** for firefighter workspace and accommodation and storage of firefighting apparatus.

Fleet service	means a facility using a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long-term lease, and which may include taxi services, bus lines, mobile catering, towing and messenger and courier services, and a place where new, unlicensed vehicles are stored or where vehicles are impounded for breach of the law, and to which vehicles may be taken, towed and stored temporarily until reclaimed, but does not include moving or cartage firms involving vehicles with a gross vehicle weight of more than 10,885.0 kg or a wrecking yard . <i>[Bylaw 8582, Apr. 19/10]</i>
Flood plain construction level	means the minimum elevation level identified in Flood Plain Designation and Protection Bylaw.
Floodplain plant species	means plant species that are typical of an area of inundated or saturated soil conditions and that are distinct from plant species on freely drained, adjacent upland areas. <i>[Bylaw 9871, Sep 4/18]</i>
Floor area	means the total floor area of the building or structure , contained within the exterior face of the structural system of the exterior and basement walls.
Floor area ratio	means the numerical value of the floor area of the building or structure relative to the site upon which it is located divided by the area of the site .
Floor area, gross (GFA)	means the total area of all horizontal floors, measured to the outer building limits, including all uses and all areas giving access such as corridors, hallways, landings, foyers, staircases and stairwells, and includes enclosed balconies and mezzanines, enclosed porches or verandas, elevator shafts and accessory buildings , except those used for parking.
Floor area, gross leasable	means the total floor area designed for tenant occupancy and exclusive use including basements and upper floors.
Frontage	means the common boundary shared by the front lot line and a road , but which on a corner lot shall be deemed to be the shorter of the road boundaries, regardless of which way the buildings on the lot face.
G	
Garage	means an accessory structure , or part of a principal building , designed and used primarily for the parking/storage of motor vehicles and includes a carport .
Garage sale	means the occasional sale of secondhand household goods belonging to the owner or tenant from residential premises that is an accessory use only to a residential use , but does not include the sale of vehicles , new goods or goods on consignment.

Gas station	means a facility for the sale of motor fuel, lubricating oils and automotive fluids and which may be full service or other similar operation, but does not include auto repair or servicing, or service stations .
Golf course & driving range	means an area for golf and includes executive and regulation golf courses & driving ranges and ancillary outdoor mini-golf on natural grass surfaces and may include accessory uses such as clubhouses that have the retail sale of sporting goods, food and beverage services and offices .
Government service	means municipal, provincial or federal and Crown corporation services, and includes but is not limited to municipal government service works yard and recycling drop off , provincial or federal and Crown corporation uses including but not limited to taxation offices , courthouses, manpower and employment offices , social service offices and other uses that often have significant client visitation.
Grade	means a ground level around a building or yard .
Grade, finished site	<p>means in Area 'A', the average ground elevation identified on a lot grading plan approved by the City, not exceeding 0.3 m above the highest elevation of the crown of any public road abutting the lot, and <small>[Bylaw 9737, Jul 24/17]</small></p> <p>means in Area 'B', the average ground elevation identified on a lot grading plan approved by the City, not exceeding the following specifications unless approved by the City: <small>[Bylaw 9737, Jul 24/17]</small></p> <ol style="list-style-type: none"> a) 0.6 m above the highest elevation of the crown of any public road abutting the lot; or <small>[Bylaw 9737, Jul 24/17]</small> b) where the average ground elevation calculated pursuant to a) is more than 1.2 m below the required floodplain construction level, the average ground elevation may be increased to 1.2 m below the required floodplain construction level. <small>[Bylaw 9737, Jul 24/17]</small>

Grade, finished site con't



Grade, natural	means the elevation of the ground surface in its state before man-made alteration and on sloping or irregular sites the angled plane, before man-made alteration.
Granny flat	means a self-contained dwelling that: <i>[Bylaw 8922, Nov 19/12]</i> <ol style="list-style-type: none"> a) is accessory to and detached from the single detached housing unit; b) is located totally on the ground floor in the rear yard of a single detached housing lot; c) has cooking, food preparation, sleeping and bathing facilities that are separate from those of the principal dwelling unit located on the lot; d) has an entrance separate from the entrance to the garage; and e) is a separate and distinct use from a secondary suite, and does not include its own secondary suite.
Green building system	means: <i>[Bylaw 9845, Jul16/18]</i> <ol style="list-style-type: none"> a) equipment that converts, stores, or transfers energy from a renewable energy source. This includes equipment used to support solar collectors, small wind energy systems, air or ground source heat pump systems, waste heat recovery systems, and biomass systems; or <i>[Bylaw 9845, Jul16/18]</i> b) equipment that stores and treats rainwater, grey water, or both. <i>[Bylaw 9845, Jul16/18]</i>
Greenhouse & plant nursery	means a facility for the raising, storage and sale of produce bedding, household , ornamental plants and related materials such as tools, soil, fertilizers and garden furniture but does not include a medical cannabis production facility or non-medical cannabis production facility . <i>[Bylaw 9838, Jun 18/18]</i>
Grocery store	means a premises where the principal use is the sale of goods to the general public including canned, dry, fresh and frozen food, fresh fruits and vegetables, fresh and prepared meats, fish and poultry, dairy products, baked products, snack foods, cut flowers, household cleaning supplies, household supplies, and a pharmacy as a secondary use to the sale of food products. <i>[Bylaw 9591, Sep 6/16]</i>
Guest	means a person or non-permanent resident who pays for the services of an establishment (e.g. hotel ; boarding and lodging , motel , bed and breakfast).
H	
Habitable space	means an interior building space designed or intended to be used for living, sleeping, eating or food preparation, including living room, dining room, bedroom and kitchen .

Hamilton	means the area included in the Hamilton Area Plan. <i>[Bylaw 9681, Oct 15/19; Bylaw 9214, Apr 26/21]</i>
Hamilton Area Plan community amenity capital reserve	means the statutory Capital Reserve Fund created by Hamilton Area Plan Community Amenity Capital Reserve Fund Establishment Bylaw No. 9276. <i>[Bylaw 9261, Jun 12/17; Bylaw 9681, Oct 15/19; Bylaw 9214, Apr 26/21]</i>
Hardsurfacing	means a durable ground surface, constructed of cast-in-place concrete, brick or concrete unit pavers, turfstone, stone, asphalt or similar materials (but excluding gravel and clay).
Health service, major	means a facility providing room, board and surgical or other medical treatment for the sick, injured or infirm including outpatient services and accessory staff residences, including but not limited to hospitals, nursing homes with health care for dependant residents, mental care facilities, detoxification centres and adult day care.
Health service, minor	means a facility for the provision of physical and mental health services on an outpatient basis of a preventive, diagnostic, treatment, therapeutic, rehabilitative or counselling nature, which includes medical and dental offices , health clinics, acupuncture clinics and counselling services, and providing or furnishing a therapeutic massage as defined by the <i>Massage Therapist Regulation</i> and as practiced by a massage therapist designated under the <i>Health Professions Act</i> , but does not include massage services or body rub studio or body painting studio .
Height, building	means the vertical distance between finished site grade and the highest point of the building , whether such building has a flat roof, pitched roof or more than one type of roof. <i>[Bylaw 9280, Sep 14/15]</i>
Height, ceiling	the vertical distance from top of the finished floor of a storey to: <i>[Bylaw 9280, Sep 14/15]</i> a) the underside of the floor joist; <i>[Bylaw 9280, Sep 14/15]</i> b) the underside of the roof joist; <i>[Bylaw 9280, Sep 14/15]</i> c) the underside of the bottom chord of a structural truss; or <i>[Bylaw 9280, Sep 14/15]</i> d) the underside of a structural deck <i>[Bylaw 9280, Sep 14/15]</i> above that storey , whichever is the greatest distance from the finished floor. <i>[Bylaw 9280, Sep 14/15]</i>
Height, fence	means the vertical distance between the average finished site grade measured at a point 1.0 m from both sides of the property line to the top of the fence . <i>[Bylaw 10122, Nov 16/20]</i>
Height, structure	means the vertical distance between the highest point on the structure and the point at which the structure intersects the ground.

High water mark	means the visible high water mark of a watercourse , where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the watercourse a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself; and includes the active flood plain . <i>[Bylaw 9871, Sep 4/18]</i>
Hobby dog kennel	means a shelter where two, but not more than five, dogs at any time are provided with temporary accommodation and care in an enclosed building , but does not include the boarding, grooming, harbouring, training or keeping of any dogs for any other purpose.
Home business	means a secondary use of a dwelling unit by a resident of the dwelling unit , to conduct a business activity or occupation which does not indicate from the exterior that the building is being utilized for any purpose other than residential.
Home-based business	means a home business that allows for other uses , such as studios for artists, dance, radio, television or recording.
Hotel	means the provision of rooms or suites in a commercial development for sleeping accommodation where the rooms have access from a common interior corridor, including hostels, and which may include accessory food services, a banquet hall , liquor primary establishment , nightclubs, meeting rooms and personal services primarily for the convenience of guests .
Housing agreement	means an agreement in a form satisfactory to the City that limits the occupancy of the dwelling unit that is subject to the agreement to persons, families and households that qualify for affordable housing based on their household income level, that restricts the occupancy of the dwelling unit to rental tenure, and that prescribes a maximum rental rate and rate of increase of rental rate for the dwelling unit .
Housing, apartment	means a building consisting of two or more dwellings in which the dwellings are arranged in any horizontal or vertical configuration and have access from a common interior corridor.
Housing, manufactured	means a detached building containing only one dwelling exclusively for occupancy by one household , whether ordinarily equipped with wheels or not, and may be moved from one place to another by being towed or carried.
Housing, semi-detached	means a dwelling unit attached to another dwelling unit located on a separate fee simple lot . <i>[Bylaw 9324, Nov 24/15]</i>

Housing, single detached

means a detached **building** containing only one **dwelling unit**, designed exclusively for occupancy by one **household**, and may include one room that, due to its design, plumbing, equipment and furnishings, may be used as a secondary **kitchen** (e.g., a wok **kitchen**) provided that no more than two **kitchens** are located in one **single detached housing dwelling unit**, and includes modular homes that conform to the **CSA A277** standards, but does not include a **manufactured home** designed to **CSA Z240** standards or **town housing**.

Housing, three-unit

means a **building** commonly referred to as a triplex designed exclusively to accommodate three separate **dwelling units** living independently above, below or beside each other, designed and constructed as three **dwelling units** at initial construction, and where each **dwelling unit** in the **three-unit** housing may include one room that, due to its design, plumbing, equipment and furnishings, may be used as a secondary **kitchen** (e.g. a wok **kitchen**), provided that no more than two **kitchens** are located in one **dwelling unit** in the **three-unit housing**. *[Bylaw 9976, Feb 19/19]*

Housing, town

means a **building** or group of **buildings** containing three or more ground-oriented **dwelling units** with a separate exterior entrance directly accessible (i.e. without passing through a common lobby or corridor) from a **road** or an open space or a common roof deck landscaped as an **amenity space**, and which may share walls with **adjacent dwelling units**, may be arranged two deep, either horizontally so that **dwelling units** may be attached at the rear as well as the side, or vertically so that **dwelling units** may be placed over each other, and may also contain detached **town housing** with individual **dwelling units** on the **strata lot**.

Housing, two-unit

means a **building** commonly referred to as a duplex designed exclusively to accommodate two separate **dwelling units** living independently above, below or beside each other, designed and constructed as two **dwelling units** at initial construction, and where each **dwelling unit** in the **two-unit** housing may include one room that, due to its design, plumbing, equipment and furnishings, may be used as a secondary **kitchen** (e.g., a wok **kitchen**), provided that no more than two **kitchens** are located in one **dwelling unit** in the **two-unit housing**. *[Bylaw 9865, Jun 18/18]*

Housing, waterborne

means **single-detached housing** that floats on water.

Household	<p>means</p> <ul style="list-style-type: none"> a) a person; b) two or more persons related by blood, marriage or adoption; or c) a group of not more than 6 persons, including boarders, who are not related by blood, marriage or adoption; <p>all living together in one dwelling unit using the same cooking facilities shared in common, and unrelated persons may include owners, renters, tenants, boarders, paid domestic servants or foster children.</p>
Hutch	<p>means a walled structure, not including a bay window, usually made up of a large centre unit and two flanking units to the wall, that protrudes from the wall to which it is attached and may be structurally supported other than by a foundation wall.</p>
I	
Individual registered owner	<p>means with respect to land, any individual person who is: <i>[Bylaw 9647, May 8/17]</i></p> <ul style="list-style-type: none"> a) the registered owner of an estate in fee simple; or <i>[Bylaw 9647, May 8/17]</i> b) the tenant for life under a registered life estate. <i>[Bylaw 9647, May 8/17]</i>
Indoor shooting range	<p>means a facility which is wholly enclosed within a building or buildings designed for the safe use of the discharge of firearms. Firearm for the purpose of this definition includes any gun using propellant, compressed air, explosives or gas. <i>[Bylaw 8554, Dec 14/09]</i></p>
Industrial, general	<p>means the processing, storage, assembly, fabrication, distribution, cleaning, servicing, repairing or testing and manufacturing of materials or equipment for institutions, industrial or commercial businesses for their direct use or for resale to individual business customers but not the general public, where the activities are wholly enclosed within a building or buildings, and this use does not include other uses defined separately. This use includes ancillary office space provided it is only used to administer the industrial use, and is not a stand-alone office space. <i>[Bylaw 10181, Feb 16/21]</i></p>

Industrial, heavy	means the processing, storage, distribution, cleaning, servicing, repairing or testing and manufacturing of materials or equipment for institutions, industrial or commercial businesses for their direct use or for resale to individual business customers but not the general public, and includes those developments which may have a significant detrimental effect on the safety, use, amenity, enjoyment of adjacent or nearby sites due to appearance, noise, odour, emission of contaminants, fire or explosive hazards, or dangerous goods such as a sawmill, planing mill, veneer and plywood plant, wood preserving plant, brewing or distilling plant, paint manufacturing plant, carpet mill, and iron or steel foundry, but does not include other uses that are defined separately or hazardous waste and outdoor demolition waste transfer stations. This use includes ancillary office space provided it is only used to administer the industrial use , and is not a stand-alone office space. <i>[Bylaw 10181, Feb 16/21]</i>
Industrial, manufacturing	means the use of buildings or structures that are primarily used for the making of goods by hand or by machine. This use includes ancillary office space provided it is only used to administer the industrial use , and is not a stand-alone office space. <i>[Bylaw 10181, Feb 16/21]</i>
Industrial, warehouse	means the use of buildings or structures for the storage and distribution of goods in large quantities by a warehouse operator, a distributor, a manufacturer or a supplier, and also includes e-commerce logistics facilities, but does not include retail, general . This use includes ancillary office space provided it is only used to administer the industrial use , and is not a stand-alone office space. <i>[Bylaw 10181, Feb 16/21]</i>
Interment facility	means the storage of cremated remains only.
Intersection	means an area of connection of two or more roads .
K	
Kitchen	means a space with facilities for the preparation or cooking of food, and includes any room containing counters, cabinets, plumbing or wiring which taken together, may be used for the preparation or cooking of food.

L

Landscaping

means the preservation or modification of the natural features of a **site** through the placement or addition of any or a combination of the following:

- a) soft **landscaping** elements, such as trees, shrubs, plants, lawns, or ornamental plantings;
- b) decorative **hardsurfacing** with permeable elements, such as bricks, pavers, shale, or crushed rock;
- c) concrete and asphalt in the form of **patios, walkways** and paths;
- d) architectural elements, such as decorative **fencing**, walls, sculpture.

Lane

means a **road abutting** the rear or sides of parcels, having a maximum width of 9.0 m and intended primarily to give **access** to the rear of residences or **businesses**.

Level 2 charging

means a Level 2 **electric vehicle** charging level as defined by SAE International's J1772 standard. *[Bylaw 9756, Dec 18/17]*

Library and exhibit

means a **building** for the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public **use**; or a **building** for the collection, preservation and public exhibition of works or objects of historical, scientific, natural or artistic value, and includes libraries, museums and art galleries.

Licensed crafts and teaching

means traditional crafts and handicrafts as an extension of a hobby and instruction in the arts on a one-to-one basis by a resident of the **dwelling unit** where the **home business** takes place.

Licensed residential registered office

means a home **office** for **use** by a resident where any other **use** related to the **business** is carried out entirely off the premises (e.g., plumbing contractor; electrician; landscaper).

Licensed residential business office

means a home **office** for **use** by a resident where the **business** is carried out entirely within the **dwelling unit** (e.g., accountant; engineer).

Liquor primary establishment,

means **premises**, licensed under the *Liquor Control and Licensing Act*, where liquor is served for consumption on-site.

Live/work dwelling

means a **dwelling** where the occupant also works in part of the **dwelling** for an **office, child care, commercial education, minor health service, personal service** or **studio** for artists. *[Bylaw 8684, Jan 17/11] [Bylaw 9490, Mar 21/16]*

Loading space	means an on-site parking space reserved for temporary parking for the purpose of loading or unloading goods and materials.
Lot	means a parcel of land or air, including Crown Land, which is legally defined either by registered plan or description.
Lot, corner	means a lot situated at the intersection of two or more roads , or a lot that has two adjoining lot lines abutting a road that substantially changes direction at any point where it abuts the lot .
Lot, double fronting	means a lot which abuts two roads that are parallel or nearly parallel and do not intersect at the boundaries of the lot .
Lot, interior	means a lot other than a corner lot .
Lot, strata	means a lot shown on a strata plan according to the <i>Strata Property Act</i> .
Lot area	means the total horizontal area within the lot lines of a lot , to be used to determine the minimum lot size at time of subdivision or for a permitted use and not for the size of a zoning district or rezoning application.
Lot coverage	means the percentage of the total horizontal lot area which is covered by buildings and all enclosed and/or supported structures , but excluding eaves , balconies , unroofed patios and raised decks, and landscaped roofs over parking spaces , and is calculated by adding portions of a lot that are covered by buildings and structures with a supported roof, measured to the outer limit of the buildings and structures (i.e., the outside edge of supporting walls or columns) and dividing that total area by the lot area .
Lot depth	means the least horizontal distance between the front and rear lot lines , but where the lot has an irregular shape, the minimum lot depth may be the average of the lot line with the least lot depth and the lot line with the most lot depth , provided that the City is satisfied that this lot depth is consistent with the shape of abutting lots and provides a comparable buildable area to adjacent lots .
Lot line	means a legally defined boundary of any lot or property line .
Lot line, front	means, in the case of an interior lot , a lot line separating the lot from the road ; or in the case of a corner lot , a line separating the narrowest road frontage of the lot from the road not including a corner rounding or corner cut; or in the case of a double fronting lot , the front lot line shall be determined based on the location of permitted access and the orientation of other buildings in the block, and in the case of a lot abutting a watercourse, the front lot line is the lot line abutting the road .

Lot line, rear	means either the lot line opposite to, and most distant from, the front lot line , or, where there is no front lot line , the lot line that connects to side lot lines .
Lot line, side	means any lot boundary line that is not a front or rear lot line .
Lot width	means the average distance between the side lot lines measured at the front lot line and the rear lot line , but where the lot width cannot be reasonably calculated by this method, the City shall determine the lot width having regard to the access , shape and buildable area of the lot , and the lot width and location of buildings on abutting lots .
M	
Manufacturing, custom indoor	means the small scale on-site indoor manufacture of goods by hand primarily involving the use of hand tools and goods or services which are specialized, which includes but is not limited to jewellery, toy and musical instrument manufacturing, and pottery and sculpture studios, but does not include businesses which primarily sell mass-produced goods at retail.
Marina	means docking or mooring facilities where boats, other water vessels and their accessories are berthed, stored, serviced, repaired, constructed or kept for sale or for rent, and includes accessory facilities such as sani-dump and marine fuel sales, and an office used exclusively for the marina .
Marine sales & rentals	means a facility that sell or rent boats, boating supplies and equipment.
Marine sales and repair	means the servicing and mechanical repair of boats and marine equipment, including the ancillary sale, installation or servicing of related marine accessories and parts.
Maritime	means uses which are part of the maritime economy, with an emphasis on uses which support primarily the commercial fishing fleet and other services related to the maritime industry.
Maritime mixed use	means the service and repair of boats and marine equipment, fish auction and off-loading.
Market rental agreement	means an agreement in a form satisfactory to the City that limits the tenure of a dwelling unit to rental only, and at prevailing market rental rates. <i>[Bylaw 9886, Sep 4/18]</i>
Market rental unit	means a dwelling unit that is rented at prevailing market rates and is subject to a market rental agreement . <i>[Bylaw 9886, Sep 4/18]</i>

Medical Cannabis Production Facility

means a facility for the cultivation or processing of medical cannabis in a fully enclosed **building** or **structure** in accordance with the appropriate federal and provincial legislation and regulations, including supporting accessory **uses** related to cultivation, processing, testing, research and development, packaging, storage, distribution and administrative **office** functions that are directly related to and in support of cultivation and processing activities. *[Bylaw 9838, Jun 18/18]*

Medical Marihuana Research and Development Facility repealed and replaced by Cannabis Research and Development Facility [Bylaw 9838, Jun 18/18]

Microbrewery, Winery and Distillery

means a **premises**, licensed under the *Liquor Control and Licensing Act*, on which there is manufacturing of beer, ale, cider, wine or spirits for sale to business customers and shall include **ancillary** retail sale of these liquor products and related non-liquor products to the public within the manufacturer's store and lounge provided that their combined **floor area** and any outdoor lounge patio area do not exceed the manufacturing **floor area**. *[Bylaw 9295, Nov 9/15]*

Motel

means a **building** divided into self-contained accommodation units rented on a short term basis, each with a separate exterior entrance and convenient **access** to on-site parking, and which may include food services and **personal service** establishments primarily for the convenience of **guests**.

N

n/a

means not applicable, that there is no particular regulation in that **zone** for that category, but that the other regulations in this bylaw still apply.

Neighbourhood public house

means a **premises**, licensed under the *Liquor Control and Licensing Act*, where liquor is served for consumption on-site, with a maximum occupant load of 125 persons.

Non-market housing unit

means a **dwelling unit** that: *[Bylaw 10014, Feb 22/22]*

- a) has received upfront (capital) and/or ongoing (operating) direct government funding, *[Bylaw 10014, Feb 22/22]*
- b) has a rental rate at or below average rent in the City of Richmond as defined by the Canada Mortgage and Housing Corporation, or such other national governmental housing agency as may replace the Canada Mortgage and Housing Corporation, and *[Bylaw 10014, Feb 22/22]*
- c) is targeted for occupancy by households who earn less than median income. *[Bylaw 10014, Feb 22/22]*

Non-medical Cannabis Production Facility	means a facility for the cultivation or processing of non-medical cannabis in a building or structure , as well as outdoor cultivation, in accordance with the appropriate federal and provincial legislation and regulations, including supporting accessory uses related to cultivation, processing, testing, research and development, packaging and storage and administrative office functions that are directly related to and in support of cultivation and processing activities. <i>[Bylaw 9838, Jun 18/18]</i>
Non-porous surfaces	means any constructed surface on, above or below ground that does not allow precipitation or surface water to penetrate directly into the underlying soil. Surfacing materials considered as non-porous are concrete, asphalt, and grouted brick or stone. <i>[Bylaw 9737, Jul 24/17]</i>
Nuisance	means anything that is obnoxious, offensive or interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses, and which may include anything which creates or is liable to create a nuisance : through emission of noise, smoke, dust, odour, heat, light, fumes, fire or explosive hazard; results in the unsightly or unsafe storage of goods, salvage, junk, waste or other materials; poses a hazard to health and safety; or adversely affects the amenities of the neighbourhood or interferes with the rights of neighbours to the normal enjoyment of any land or building .
O	
Office	means a facility that provides professional, management, administrative, consulting or monetary services in an office setting, including research and development, which includes offices of lawyers, accountants, travel agents, real estate and insurance firms, planners, clerical and secretarial agencies, but excludes the servicing and repair of goods, the sale of goods to the customer on the site , the manufacturing or handling of product and a cannabis research and development facility . <i>[Bylaw 9838, Jun 18/18]</i>
Official Community Plan	means the City of Richmond's Official Community Plan bylaw and related Area Plans and Sub-Area Plans.
Open space	means a portion of a lot not occupied by parking or vehicle areas or buildings , and accessible to and suitable for gardens, landscaping and recreational use by building tenants or residents.
Operator	means the person who operates the bed and breakfast . <i>[Bylaw 9647, May 8/17]</i>
Opportunity charging	means Level 2 charging (or higher) for an electric vehicle supported by a minimum 40A, dedicated electrical circuit for each parking space . <i>[Bylaw 10463, Sep 5/23]</i>

Owner means any person who is an **owner** of land as defined in the *Community Charter* or any agent or other applicant on behalf of an **owner**.

Outdoor storage means the storage of equipment, goods and materials in the open air, but does not include a **wrecking yard**.

P

Parapet or parapet wall means a portion of a perimeter **building** wall that rises above the roof.

Park means outdoor land specifically for passive or active recreation including open space, par 3 golf course, tot-lots, playgrounds, **walkways**, trails, environmentally sensitive areas, band shells, forest reserve, natural areas, wildlife sanctuary, greenbelts, conservation areas, buffers, nature interpretation areas and similar land **uses**, and which includes all natural and man-made **landscaping**, facilities, sports fields, **accesses**, trails, recreational, social and cultural facilities and activities, authorized commercial activities, **buildings** and **structures** consistent with the general purpose of **park** land.

Parking, non-accessory means parking that is not primarily intended for the **use** of residents, employees or clients of a particular **building**, which includes surface parking lots and **enclosed parking** located above or below **grade**.

Parking space means an on-site **parking space** of the size and dimensions to park one **vehicle** in compliance with Section 7.

Party wall means a wall jointly owned and jointly used by two parties under easement agreement or by right in law, and erected at or upon a line separating two parcels of land, each of which is, or is capable of being, a separate real estate entity.

Passive House has the meaning given to that term in the **Passive House Standard**.
[Bylaw 10237, Mar 15/21]

Passive House Standard	has the meaning given to it by the <i>International Passive House Institute</i> and <i>Passive House Canada</i> , which set the following energy performance requirements for a new building : <small>[Bylaw 10237, Mar 15/21]</small> <ol style="list-style-type: none"> a) Maximum annual space heating demand of 15 kWh per m² of conditioned floor area per year, or 10 Watts per m² of peak heating demand; <small>[Bylaw 10237, Mar 15/21]</small> b) Building air leakage of no more than 0.6 air changes per hour at 50 Pascals of pressure difference (ACH50), as verified by an onsite blower-door test (in both pressurized and depressurized states); and <small>[Bylaw 10237, Mar 15/21]</small> c) Maximum Primary Energy (PE) demand of 120 kWh per m² annually. <small>[Bylaw 10237, Mar 15/21]</small>
Patio	means a structure or deck with the top of the floor not more than 0.6 m above landscaped grade without a roof or walls, except for railings, with access from within and/or outside of the building , for use as an outdoor amenity area.
Penthouse, utility	means a structure projecting above a building roof or parapet, housing an elevator shaft or stairwell or forming a wall or screen around equipment mounted on the roof.
Porch	means a roofed, open structure which is never enclosed projecting from the exterior wall of a building with walls which are open or screened to facilitate use as an outdoor amenity area or as covered access to a building and includes a veranda.
Premises	means an area of land, including a lot or parcel of land with or without buildings .
Principal residence	means a dwelling in which an operator ordinarily resides. A person can only have one principal residence . <small>[Bylaw 9647, May 8/17]</small>
Private club	means a facility for the meeting, social, educational or recreational activities of members of a philanthropic, social service, non-profit, athletic, business or fraternal organization, and which may include rooms for eating, drinking and general assembly, but does not include gaming facilities, casino or retail sales activities.
Private outdoor open space	means a usable open area (common or individual) that is developed for the recreational use of the residents of a multiple housing development or bare land strata subdivision , and may include balconies , terraces, decks, required yards and level landscaped recreation areas.
Property line	means a legal boundary of a lot extending up into the air.

R

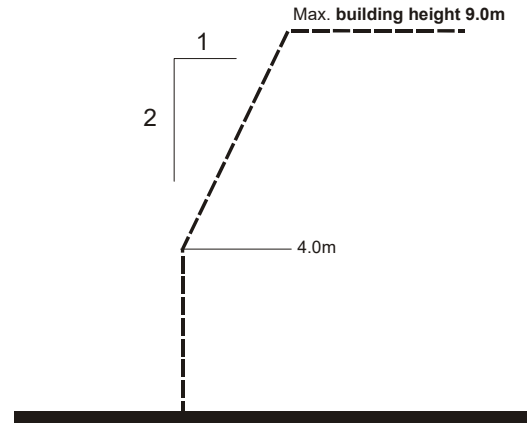
Recreation, indoor	means facilities within an enclosed building for sports, active recreation and performing and cultural arts where patrons are predominantly participants or which are principally intended for local community purposes, which may include arenas, athletic clubs, health and fitness clubs, dance studios, gymnasiums, swimming pools, bowling alleys, racquet clubs, community halls, non-profit social service and outdoor recreation clubs, paintball, pool or billiard rooms, centres operated by a local community association and ancillary outdoor facilities, such as basketball or tennis courts and swimming pools, but does not include gaming facilities, rifle and pistol ranges, indoor shooting ranges , or banquet halls . <i>[Bylaw 8582, Apr. 19/10]</i>
Recreation, outdoor	means facilities for sports and active recreation primarily conducted outdoors, which may include sports fields, equestrian trails and facilities, boating facilities, waterslides, ball fields, riding stables, recreational trails, and accessory eating and drinking facilities, but does not include rifle and pistol range, or accommodation facilities.
Recycling depot	means a facility for the buying, collection, sorting and temporary storage of bottles, cans, newspapers and similar household goods for reuse where all storage is contained within an enclosed building .
Recycling drop-off	means the collection and temporary storage of recyclable materials on a local or neighbourhood basis, such as cardboard, plastics, glass, paper, metal and similar household goods, but does not include recycling depots or hazardous recycling .
Recycling, hazardous	means the storage of used automotive petroleum products, batteries and containers.
Registered plan	means a subdivision plan registered in the Land Titles Office.
Religious assembly	means a building wherein people regularly assemble for religious worship and related activities which may include churches, chapels, mosques, temples, synagogues, convents and monasteries, and as an accessory use , a rectory or a manse and religious educational activities. This use does not include education nor any other uses defined separately. <i>[Bylaw 10259, May 17/21]</i>

- Residential rental tenure** means, in relation to a **dwelling unit** in a multi-family residential **building**: *[Bylaw 10014, Feb 22/22]*
- a) occupancy of a **dwelling unit**, including a **market rental unit** or **non-market housing unit**, governed by a tenancy agreement that is subject to the *Residential Tenancy Act* (BC), as may be amended or replaced from time to time; *[Bylaw 10014, Feb 22/22]*
 - b) occupancy of a **non-market housing unit** governed by a tenancy agreement which may or may not be subject to the *Residential Tenancy Act* (BC), as may be amended or replaced from time to time, and where the landlord is B.C. Housing Management Commission or a non-profit society incorporated under the *Societies Act* (BC), as may be amended or replaced from time to time, where the society's objectives include the provision of rental housing; and *[Bylaw 10014, Feb 22/22]*
 - c) occupancy of a **cooperative housing unit**. *[Bylaw 10014, Feb 22/22]*
- Residential sales centre** means a **building** used for the purpose of marketing residential land or **buildings**.
- Residential security/operator unit** means an **accessory structure** or portion of a **building** used to provide one **dwelling unit** for on-site accommodation by the employer for persons employed on the property, a residence for the caretaker or operator of a commercial establishment, or for the on-duty security personnel at a storage facility when permitted in a **zone**, limited to one unit on a property and not permitted in aircraft noise sensitive areas that prohibit residential **uses**.

Residential vertical lot depth envelope

means a vertical envelope located at the minimum **front yard setback** requirement for the **lot** in question used for **single detached housing, two-unit housing and three-unit housing** only, calculated from the **finished site grade**, and formed by the plane rising vertically 4.0 m to a point and then extending upward and away from the required **yard setback** at a rate of two units of vertical rise for each single unit of horizontal run to the point at which the plane intersects to the maximum **building height**.

[Bylaw 9976, Feb 19/19]



Residential Vertical Envelope (Lot Depth)

Residential vertical lot width envelope

means the vertical envelope within which a **single detached housing, two-unit housing or three-unit housing** must be contained, as calculated in accordance with Section 4.18. *[Bylaw 9976, Feb 19/19]*

Restaurant

means a facility for the sale of prepared foods and beverages to the public for consumption on or off **site** which includes restaurants, coffee, donut, bagel or sandwich shops, ice cream parlours and dessert shops, but does not include **drive-through restaurants and banquet halls**.

Restaurant, drive-through

means a facility for the sale of limited-menu prepared foods and beverages to the public for consumption on or off the **site**, and includes one or more of car attendant services, drive-through food pickup services or parking primarily intended for the on-site consumption of food within a **vehicle**.

Retail, adult

means a facility that offers for rent, viewing or sale of an object (other than a contraceptive device), or entertainment, that is designed or intended to be used in, or is a depiction of, a sexual act, and includes adult video stores, video stores where the distribution, sale or rental of adult motion pictures exceed 25% of the video store area and adult paraphernalia stores.

Retail, convenience	means a facility for the retail sale of those goods required by area residents or employees on a day-to-day basis, which includes but is not limited to small food stores, selling groceries, meats, fruits and vegetables, flowers and confectionaries, drug stores and variety stores selling tobacco, beverages, postal services, personal care items, lottery tickets, printed matter or the rental/sale of videos, but does not include adult retail , stand alone video stores or retail, cannabis operations. <i>[Bylaw 9838, Jun 18/18]</i>
Retail, general	<p>a) means a premises where goods, merchandise, other materials and services are offered for sale at retail to the general public and includes limited on-site storage or limited seasonal outdoor sales to support that store’s operations, which includes but is not limited to grocery store, hardware, pharmaceutical, appliance and sporting goods stores, bicycle/scooter sales and rentals, and a farmers’ market, and minor government services, such as postal services, but does not include warehouse sales and the sale of building supplies, gasoline, heavy agricultural and industrial equipment, alcoholic beverages, retail pawnshop, retail secondhand, adult retail, retail stores requiring outdoor storage and retail, cannabis operations. <i>[Bylaw 9838, Jun 18/18]</i></p> <p>b) The sale of wine—limited to wines produced in British Columbia, as per the regulations of the Liquor Control and Licensing Act—is permitted within a grocery store, if the floor area of the grocery store exceeds 2,322 m². <i>[Bylaw 9838, Jun 18/18]</i></p>
Retail, liquor 1	means a facility for the retail sale of beer, wine, spirits, cider and coolers to the public as an secondary use to a neighbourhood public house , and includes liquor stores and wine and beer stores.
Retail, liquor 2	means a facility for the retail sale of beer, wine, spirits, cider and coolers to the public, having a total floor area not exceeding 510.0 m ² that is not accessory to a neighbourhood public house and is licensed under the regulations of the <i>Liquor Control and Licensing Act</i> or has an appointment or agreement under the <i>Liquor Distribution Act</i> , and includes liquor stores and wine and beer stores.
Retail, pawnshop	means a premises for the loaning of money at interest on the security of personal property deposited, but does not include retail, secondhand .

Retail, secondhand	means a facility for the retail sale of second-hand or used major and minor household goods, including the refurbishing and repair of the goods being sold, which includes but is not limited to the resale of items such as antique, used furniture, major appliances, and the resale of clothing, jewellery, stereos and musical instruments, but does not include retail pawnshops , the sale of used vehicles , recreation craft or construction and industrial equipment, flea markets, garage sales or auctioneering establishments.
Retail, showroom	means the use of buildings or structures which displays products for retail sale, similar to warehouse sales , but does not stock the majority of the inventory on-site, does not sell goods and products that are manufactured on-site, and uses the majority of the floor area for product display. This use includes ancillary office space provided it is only used to administer the industrial use , and is not a stand-alone office space. <i>[Bylaw 10181, Feb 16/21]</i>
Retaining wall	means a structure constructed to hold back, stabilize or support an earthen bank as a result of differences in lot grades .
Right-of-way	means a legal document, usually a plan of survey, where land is required for an easement or statutory right-of-way .
Riparian Area Regulation	means <i>Riparian Area Regulation</i> , B.C. Reg. 376/2004, as may be amended or replaced. <i>[Bylaw 9871, Sep 4/18]</i>
Riparian management area	<p>means: <i>[Bylaw 9871, Sep 4/18]</i></p> <ul style="list-style-type: none"> a) the area on either side of a designated stream from high water mark to top of bank; and <i>[Bylaw 9871, Sep 4/18]</i> b) the area measured perpendicular 5 m from top of bank of a minor designated stream or 15 m from top of bank of a major designated stream. <i>[Bylaw 9871, Sep 4/18]</i> <p>However, where a designated stream is adjacent to a road, on the road side of the designated stream the riparian management area shall only extend to the crown of road. <i>[Bylaw 9871, Sep 4/18]</i></p>
Riparian parcel area	means an area of water and its associated riparian land which may be comprised of one or more lots .
Road	means land shown as road on a plan of survey that has been filed or registered in the Land Titles Office or used as a public road , including land in public ownership or secured for public use for access and transportation purposes, and includes a lane having a width of greater than 9.0 m.
Roadside stand	means a structure, building or part of a building for farm retail sales.

S

Satellite dish/receiver	means an accessory structure designed to send or receive telecommunication signals from a satellite.
Screen	means a continuous wall, fence , compact evergreen hedge or combination thereof, supplemented with landscape planting, which would effectively screen from view the area that it encloses.
Seasonal farm labour	means agricultural work carried out by individuals employed on a temporary, seasonal basis on a farm operation .
Seasonal farm labour accommodation	means a building used solely for the purpose of providing living, cooking, sanitary and sleeping facilities to accommodate seasonal farm labour on a farm operation as necessary for its agricultural purpose for a period of no longer than 10 consecutive months in any 12 month period.
Secondary suite	means an un-stratified, accessory, self-contained dwelling located within a principal dwelling unit , and exclusively used for occupancy by one household in accordance with Section 5.4 of this bylaw. <i>[Bylaw 10139, Apr 20/20]</i>
Service, business support	means a facility that provides services to businesses and which are characterized by one or more of the use of minor mechanical equipment for printing, duplicating, binding or photographic processing, secretarial services, the provision of office maintenance or custodial services, the provision of office security, and the sale, rental, repair or servicing of office equipment, office furniture and office machines, which includes but is not limited to printing establishments, testing laboratories, film processing establishments, janitorial firms and office equipment sales, repair establishments and sign shops but does not include a cannabis research and development facility . <i>[Bylaw 9838, Jun 18/18]</i>
Service, financial	means the provision of financial and investment services by a bank, trust company, investment dealer, credit union, mortgage broker or related business .
Service, funeral	means the preparation of dead people for burial or cremation and the holding of memorial services, which includes funeral homes and undertaking establishments, but does not include a cemetery and interment facility .
Service, household repair	means the repair of goods, equipment and small appliances normally found within the home which includes but is not limited to radio, television, computer and appliance repair, chainsaws, lawnmowers, furniture refinishing, and upholstery shops, but does not include personal services .

Service, massage	means the providing or furnishing of a massage involving application of physical external manipulation of the soft tissues of the human body by another person, but does not include a body rub studio , body painting studio , massages administered as part of a skin care treatment by an aesthetician (where the massage is for the purpose of product application and is a minor or incidental part of the treatment) or minor health service .
Service, personal	means services to an individual that are related to the care and appearance of the body or the cleaning and repair of personal effects, which includes but is not limited to services provided by barber shops, hairdressers, manicurists, acupuncture clinics, tailors, dress makers, shoe repair shops, dry cleaning establishments and laundries, and includes service, massage but does not include body rub studio or body painting studio . <i>[Bylaw 8684, Jan 17/11]</i>
Service station	means the servicing or repair of vehicles (excluding vehicle body repair or paint shop) within a building and the sale of batteries, tires and automotive products, but does not include the sale of gasoline and is distinct from vehicle repair .
Setback	means the distance that a building must be set back from a lot line or any other features specified by this bylaw, which has the same meaning as yard , and in the case of a porch the setback or yard is measured to the closest column to a lot line .
Shared vehicle	means a four-wheeled automobile, van, or light truck operated by a shared vehicle organization which provides vehicle-sharing services to its members. <i>[Bylaw 10463, Sep 5/23]</i>
Shared vehicle organization	means a legal entity whose principal business objective is to provide its members, for a fee, with a car-sharing service by which such members have access to a fleet of shared vehicles which they may reserve for use, and which the Director of Transportation has approved. <i>[Bylaw 10463, Sep 5/23]</i>
Shrine	means an area of worship together with associated office , reception and storage areas.
Site	means land consisting of a lot or two or more abutting lots .
Sleeping unit	means an habitable room, or a group of two or more habitable rooms, not equipped with self contained cooking facilities, providing accommodation for guests .
Stadium	means a facility intended for sports and athletic events that are held primarily for public entertainment, where patrons attend on a recurring basis.

- Storey** means that portion of a **building** which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it, but does not include an intermediate level between floor and ceiling occupying a partial area of the floor space, referred to as a mezzanine.
- Storey, first** means the uppermost **storey** having its floor level not more than 2.0 m above **grade**.
- Storey, half (½)** means the uppermost **storey** of a **building** meeting the following criteria: *[Bylaw 9223, Apr 20/15]*
- For a **single detached housing dwelling unit**, or a **two-unit housing dwelling**: *[Bylaw 9223, Apr 20/15]*
- a) the **habitable space** is situated wholly under the framing of the roof; *[Bylaw 9223, Apr 20/15]*
 - b) the **habitable space** does not exceed 50% of the **storey** situated immediately below; *[Bylaw 9223, Apr 20/15]*
 - c) the top of the exterior wall plates is not greater than 0.6 m above the floor of such **storey** on any two **adjacent** exterior walls; *[Bylaw 9223, Apr 20/15]*
 - d) a maximum of two opposite exterior walls may have a dimension greater than 0.6 m between the top of the exterior wall plate and the floor of such **storey**; *[Bylaw 9223, Apr 20/15]*
 - e) roof framing proposed to contain a **storey, half (½)** must be a minimum pitch of 5:12 and a maximum pitch of 12:12 (i.e. no **habitable space** is permitted under the roof framing for a flat roof, a gambrel roof, or a mansard roof); *[Bylaw 9223, Apr 20/15]* f) the exterior wall plate of a **Storey, half (½)** shall be set back a minimum of 1.2 m from an **exterior side yard** or **interior side yard** exterior wall plate of the **storey** below and a minimum of 1.5 m from a **front yard** or **rear yard** exterior wall plate of the **storey** below; *[Bylaw 9223, Apr 20/15]*
 - g) the roof ridge of a gable end dormer or a shed dormer shall be no higher than 0.5 m below the roof ridge of the main roof; *[Bylaw 9223, Apr 20/15]*
 - h) the slope of a shed dormer roof must be a minimum of 2.5:12; and *[Bylaw 9223, Apr 20/15]*
 - i) no **balcony** or deck is permitted on a **Storey, half (½)**. *[Bylaw 9223, Apr 20/15]*

For **housing, town**: *[Bylaw 9223, Apr 20/15]*

- a) the **habitable space** is situated wholly under the framing of the roof; *[Bylaw 9223, Apr 20/15]*
- b) the **habitable space** does not exceed 50% of the **storey** situated immediately below; *[Bylaw 9223, Apr 20/15]*
- c) the top of the exterior wall plates is not greater than 0.6 m above the floor of such **storey** on any two **adjacent** exterior walls; and *[Bylaw 9223, Apr 20/15]*
- d) a maximum of two opposite exterior walls may have a dimension greater than 0.6 m between the top of the exterior wall plate and the floor of such **storey**. *[Bylaw 9223, Apr 20/15]*

Structure	means a construction of any kind whether fixed to or supported by or sunk into land or water including towers, flag poles, swimming pools, docks, signs and tanks, but does not include areas of hardsurfacing .
Structure, accessory	means a structure normally detached and customarily ancillary , incidental, subordinate and on the same site as the principal building or use , and includes flagpoles, swimming pools, propane tanks, satellite dishes/receivers, telecommunication antenna , wind turbines, tennis courts and similar appurtenances . <i>[Bylaw 8684, Jan 17/11]</i>
Studio	means a space for artist, dance, radio, television, recording, display or performance, but excluding residential use .
Subdivision	means the division of a parcel by an instrument; including a strata plan, and the consolidation of or boundary change to two or more adjoining parcels.
T	
Tandem arrangement	means two parking spaces , one behind the other, with a common or shared point of access to a manoeuvring aisle, lane or road .
Telecommunication antenna	means telecommunication equipment, buildings and installation, including antenna designed for the purpose of receiving and transmitting communication signals.

Top of bank	<p>means: <i>[Bylaw 9871, Sep 4/18]</i></p> <p>a) for a designated stream with an active flood plain contained in a ravine, the point closest to the boundary of the active flood plain of the designated stream where a break in the slope of the land occurs such that the grade beyond the break is flatter than 3:1 at any point for a minimum distance of 15 m measured perpendicularly from the break; and <i>[Bylaw 9871, Sep 4/18]</i></p> <p>b) for a designated stream with an active flood plain not contained in a ravine, the edge of the active flood plain of the designated stream where the slope of the land beyond the edge is flatter than 3:1 at any point for a minimum distance of 15 m measured perpendicularly from the edge. <i>[Bylaw 9871, Sep 4/18]</i></p>
Traffic control device	means a sign intended to regulate, warn or guide vehicular or pedestrian traffic.
Transportation depot	means a facility providing for the receiving and discharge of passengers traveling by rail, water, bus, taxi or other motor vehicle , and includes the transshipment of goods.
Truck or rail terminal	means a transportation facility providing a break-of-bulk or assembly point for commodities which enter or leave a site by rail, common carrier trucking lines or freight forwarders, and includes the storage, maintenance or repair of related motor vehicles , trailers, materials-handling equipment or rolling stock, warehousing or office uses .
U	
Urban services	means the provision of utility infrastructure consisting of a community water system, a storm drainage system, a municipally provided sanitary sewer collection system and paved roadways adjacent to the site .
Use	means a purpose or purposes for which land or a building is arranged or intended, or for which either land, a building or a structure is, or may be, occupied and maintained.
Use, principal	means one or more uses in the list of permitted uses in the zones of this bylaw which are the main or primary activity for which a site or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

Use, secondary	means one or more uses in the list of secondary uses in the zones of this bylaw that must be: <ul style="list-style-type: none"> a) in conjunction with a principal use; b) located on the same lot as the principal use; and c) clearly accessory to the principal use. For example, a home business is a secondary use to the principal use of a single detached housing.
Utility, major	means the utility infrastructure that may have a major impact on adjacent uses by virtue of its potential emissions or effects, or their appearance, and includes but is not limited to works yards for government services , pipelines, sewage treatment plants, water treatment plants, major pumphouses, water towers or tanks, sewage lagoons, sludge disposal beds, garbage transfer and compacting stations, power terminal and distributing stations, power generating stations, cooling plants, utilities and services, district heating plants and incinerators, and may include accessory vehicle , equipment and material storage, but does not include waste management sites .
Utility, minor	means utility infrastructure that may have a minor impact on the environment or adjacent uses by virtue of its appearance, noise, size, traffic generation or operational characteristics, which includes but is not limited to the unattended equipment necessary for the operation of water, sewer, gas, automatic telephone exchange, navigational aid, electrical substation, wire centres, switching centres, surface storm water reservoir, minor pumphouses, pipelines and gate stations for natural gas distribution.
V	
Vapour Compressor	means equipment using liquid refrigerant as the medium which draws heat from a source and subsequently rejects that heat into the conditioned space. <i>[Bylaw 9531, May 16/16]</i>
Vehicle	means a vehicle as defined in the <i>Motor Vehicle Act</i> or a device in, on or by which a person or thing is or may be transported or drawn on a highway, but does not include a device designed to be moved by human power, a device used exclusively on stationary rails or tracks or a motor assisted cycle.
Vehicle body repair or paint shop	means premises where automobiles, trucks and other vehicles undergo body repair and painting.
Vehicle & equipment services, industrial	means the sale, rental, service or repair of heavy vehicles , machinery or mechanical equipment that are typically used in building , roadway, pipeline, oil field and mining construction, manufacturing, assembling and processing operations and agricultural production, but does not include truck and manufactured home sales/rentals .

Vehicle, commercial	means any motor vehicle that is: <ul style="list-style-type: none"> a) a truck or truck tractor with a licensed gross vehicle weight of 5,000.0 kg or greater; b) a truck or truck tractor with a maximum height in excess of 2.25 m; c) a bus with seating capacity greater than 9 people; or d) as defined in the Commercial Transport Act.
Vehicle, recreational	means a transportable conveyance intended as a temporary accommodation for travel, vacation or recreational use and includes travel trailers , motorized homes, slide-in campers, chassis-mounted campers, boats, all terrain vehicles, snowmobiles and tent trailers, but does not include manufactured housing .
Vehicle rental, convenience	means the rental of new or used automobiles and light trucks and utility vehicles with a gross vehicle rating of 1,815.0 kg or less, and includes those establishments that are not strictly office in nature, but form integral parts of the main operation, such as a facility for minor vehicle servicing, storing facility, fuelling facility or a car wash .
Vehicle repair	means a facility for the servicing and mechanical repair of automobiles, light trucks and utility vehicles , motorcycles, snowmobiles, boats and similar vehicles and the accessory sale, installation or servicing of related parts and accessories, and includes but is not limited to transmission shops, muffler shops, tire shops, automotive glass shops and upholstery shops, but does not include autobody repair shops, paint shops, service stations or wrecking yards .
Vehicle sale/rental	means a facility for the retail sale or rental of new or used automobiles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light recreational vehicles , together with incidental maintenance services and sales of parts, and includes automobile dealerships but does not include dealerships for the sale of trucks with a gross vehicle weight of more than 4,100.0 kg, the sale of motor homes with a gross vehicle weight rating of more than 5,500.0 kg or a length greater than 6.7 m, or truck and manufactured home sales/rentals .
Veterinary service	means a facility for the care, examination, diagnosis and treatment of sick, ailing, infirm or injured pets, including medical intervention and surgery, and may include accessory short-term accommodation of pets, pet grooming and the sale of medicine and pet supplies, and includes pet clinics, but does not include animal breeding and boarding , animal shelters or animal day care .

W

Walkway	means a right-of-way or area dedicated to carry pedestrian and non-motorized traffic only, except that a walkway may be designed for maintenance and emergency vehicle use .
Warehouse, cannabis	means the processing, storage and distribution of cannabis (medical and non-medical) in a fully enclosed building or structure in accordance with the appropriate federal and provincial legislation and regulations. <i>[Bylaw 9838, Jun 18/18]</i>
Warehouse sales	means the wholesale or retail sale of a limited range of bulky goods from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer, and includes but is not limited to buildings where principal goods being sold are such bulky items as furniture, carpet, major appliances and building materials , but does not include buildings used for the retail sale of food or a broad range of goods for personal or household use .
Waste management	means the storage, disposal and filling of clean clay, waste concrete and paving materials, non-noxious scrap building materials and similar non-hazardous wastes which normally do not generate any environmental pollution to the site and surrounding lands, and includes a dry waste site .
Watercourse	means any natural depression with visible banks, which contains water at some time, and includes any lake, river, stream, creek, spring, ravine, swamp, gulch, coulee, wetland or surface source of water, whether containing fish or not, including intermittent streams, and drainage works which contain fish.
Wine store	means a premises where goods offered for sale to the general public are limited to wine or wine products, including mead, sake and cider, as per the regulations of the <i>Liquor Control and Licensing Act</i> . <i>[Bylaw 9591, Sep 6/16]</i>
Wrecking yard	means any land or building used for the collection, demolition, dismantling, storage, salvage, recycling or sale of waste materials including scrap metal, inoperable or unlicensed vehicles , machinery and other discarded materials.
<h2>Y</h2>	
Yard	means an area created by setback .
Yard, exterior side	means a side yard that abuts a road .
Yard, front	means the area between side lot lines extending from the front lot line to the nearest wall of a building , but on a corner lot , it is the yard associated with the front lot line .

Yard, interior side	means a side yard abutting another lot .
Yard, rear	means the area between the side lot lines extending from the rear lot line to the nearest wall of a building .
Yard, side	means the area between side lot lines and the nearest wall of a building extending from the front yard to the rear yard .

Z

Zone	means an area of the City as defined in Sections 8 to 26.
Zone, agricultural & golf	means any AG or GC zones included in Section 14.
Zone, commercial	means any C zone included in Section 9 and 10.
Zone, industrial	means any I zone included in Section 12.
Zone, marina	means any MA zone included in Section 11.
Zone, institutional	means any AIR, SI, ASY or HC zone in Section 13.
Zone, residential	means any R zone included in Section 8.
Zone, site specific	means any zone included in Sections 15 to 26 of this bylaw.

3.5 Non-Permitted Uses and Definitions

3.5.1 The following **uses** are not permitted in any **zone**:

- a) **Abattoir**
- b) **Cemetery**
- c) **Manufactured home park**
- d) **Manufactured home sales/rentals**
- e) **Retail, cannabis** [Bylaw 9838, Jun 18/18]

3.5.2 The non-permitted **uses** are defined as follows:

Abattoir means a facility for the penning and slaughtering of animals where more than 50% of the livestock being slaughtered is from other **sites** than the **abattoir**, and the meat is cut, cured, smoked, aged, wrapped or frozen for distribution and consumption.

Cemetery means land, **buildings** and **structures** for the burial of human or animal remains. This does not include an **interment facility** or memorial park.

Manufactured home park means a **development** used for **manufactured housing** and not having a registered plan of **subdivision** of individual **lots**. Spaces, or spaces with individual **manufactured housing** already sited on them, may be rented. Ownership and responsibility for the maintenance of internal **roads**, underground services, communal areas and **buildings**, snow clearance and garbage collection, together with general park management, rests with the management. This does not include the situation where an additional agricultural **dwelling unit** is located on a **lot** where the **principal dwelling unit** is **manufactured housing**.

Manufactured home sales/rentals means a **development** used for the sale or rental of new or used mobile homes and **manufactured housing** together with incidental maintenance services and the sale of parts and accessories.

Retail, cannabis means a **business** or other operation involving the sale, barter, storage, distribution or dispensing of cannabis (medical and non-medical) or any products containing or derived from cannabis intended for consumption by individuals in accordance with the appropriate federal and provincial legislation and regulations. *[Bylaw 9838, Jun 18/18]*

3.5.3 The storage of **commercial vehicles** and shipping containers is not permitted in **residential zones** and **site specific zones** which permit residential **uses**.

3.5.4 The parking, storage or servicing of **commercial vehicles** and equipment on lands is not permitted within the **Agricultural Land Reserve** unless: *[Bylaw 9490, Mar 21/16]*

- a) the **commercial vehicles** and equipment are owned and/ or operated by the **owner** or occupant of the lands; *[Bylaw 9490, Mar 21/16]*
- b) the **commercial vehicles** and equipment are not parked within the required **building setbacks**; and *[Bylaw 9490, Mar 21/16]*
- c) the **commercial vehicles** and equipment are utilized as part of a **farm operation**. *[Bylaw 9490, Mar 21/16]*