

## PART 2 – INTERPRETATION

### 2.1 ZONE BOUNDARIES

- .1 All zones are established in Part 5, Establishment of Zones, and are depicted on Schedule B.
- .2 Where a zone boundary is shown on Schedule B on any portion of a **highway** other than the edge of the **highway** right of way, the centerline of the **highway** is the zone boundary.
- .3 Where a zone boundary does not follow a legally defined boundary and where the distances are not specifically indicated on Schedule B, the location of the zoning boundary shall be determined by scaling from Schedule B.
- .4 Any land that does not fall within a zone boundary indicated on Schedule B, except any land covered by water, shall be deemed to be zoned Forest Resource Zone (F1). Any land covered by water that does not fall within a zone boundary shall be deemed to be zoned Water Use (Recreational) Zone (W1).
- .5 Where a survey plan approved by the Surveyor General indicates the adjustment of a parcel boundary due to accretion, the zoning designation applicable to the parcel is deemed to extend to the new parcel boundary despite the zoning designation of the accreted area indicated on Schedule B.

### 2.2 PERMITTED USES, BUILDINGS AND STRUCTURES

- .1 All of the uses, buildings and structures permitted in a zone are permitted on any parcel within the zone, regardless of the area or **frontage** of the parcel, unless otherwise specified in this Bylaw.

### 2.3 SPLIT ZONED PARCELS

- .1 Where a parcel contains more than one zone:
  - (a) The parcel will be considered a single parcel:
    - i. For the purposes of maximum density and parcel coverage; and
    - ii. For the purposes of subdivision based on the more stringent zoning subdivision regulations of any applicable zone;
  - (b) Each zone will be considered independently when determining general regulations, parking regulations, development regulations related to **height** and siting, and for the purposes of determining use(s); and
  - (c) All uses, buildings, or structures that are secondary to a principal use, building or structure are permitted only within the area of the parcel zoned for the principal use, building or structure to which the uses, buildings or structures are secondary.

## 2.4 DENSITY ALLOCATION FOR PUBLIC PARK

- .1 In calculating the **floor area ratio** (FAR) for a development in a multiple residential or mixed-use zone, the area of the parcel to be dedicated or transferred to the City of West Kelowna for park purposes may be included for the purpose of calculating the permitted FAR on that parcel or the number of parcels that may be created by subdivision of the parcel.

## 2.5 DENSITY ALLOCATION FOR PUBLIC ROAD DEDICATION

- .1 In calculating FAR for a multiple residential or mixed-use zone development, the area of the parcel to be dedicated or transferred to the City for road purposes may be included for the purpose of calculating the permitted density on that parcel or the number of parcels that may be created by subdivision of the parcel.

## 2.6 MINIMUM PARCEL AREA OF PANHANDLE PARCELS

- .1 Where a parcel is a panhandle, the access strip or panhandle shall not be included in the calculation of the area of the parcel for the purpose of determining compliance with a minimum parcel area requirement of this Bylaw.

## 2.7 UNITS OF MEASURE

- .1 Metric units are used for all measurements in this Bylaw. The approximate imperial measurement equivalents are shown in brackets for convenience only and do not form part of this Bylaw.
- .2 For the purpose of this Bylaw, the following units of measure are abbreviated as follows:
  - (a) Centimetres – cm
  - (b) Square centimetres – cm<sup>2</sup>
  - (c) Hectares – ha
  - (d) Kilograms – kg
  - (e) Metres – m
  - (f) Square metres – m<sup>2</sup>
  - (g) Cubic metres – m<sup>3</sup>

## 2.8 CIVIC ADDRESSES

- .1 Where civic addresses are shown in the bylaw in brackets, these are for convenience only and do not form part of this Bylaw.

## 2.9 REFERENCE TO OTHER BYLAWS

- .1 A reference in this Bylaw to any bylaw, policy or form of the City of West Kelowna or Regional District of Central Okanagan is a reference to the bylaw, policy or form as amended, revised, consolidated or replaced from time to time.

## 2.10 DEFINITIONS

.1 In this Bylaw:

- (a) Words or phrases defined in the *Interpretation Act*, the *Community Charter*, the *Local Government Act* or this Part shall be interpreted with those definitions, and words and phrases defined in this Part and one of those statutes shall be interpreted in accordance with this Part.
- (b) All other words or phrases shall have their ordinary or common meaning.

**ACCESS** has the meaning defined in the Traffic Bylaw, as it relates to an access from a highway.

**ACCESSORY USE, BUILDING OR STRUCTURE** means a use, building or structure that is subordinate, customarily incidental and exclusively devoted to a principal use, building or structure on the same parcel as the **accessory use, building or structure**, or, in the case of common property in a strata plan, a principal use, building or structure on a strata lot within the same strata plan.

**ADULT ENTERTAINMENT STORE** means premises used for the principal sale of adult motion pictures or other objects, other than contraceptive devices, designed or intended to be used in a sexual act as defined by the *Motion Picture Act* and Motion Picture Act Regulations.

**AFFORDABLE HOUSING** means housing that is considered affordable when a household pays no more than 30% of gross household income on shelter (rent plus utilities or mortgage payment plus utilities plus strata fees), specifically as it relates to Section 3.29, and may include 30% of median renter income where defined as such.

**AGRICULTURAL MARKET** means premises used for the sale to the general public of **farm products**, processed farm products and the accessory sale of crafts.

**AGRICULTURAL UNIT** means an equivalent live farm animal weight corresponding to 455 kilograms (1003 pounds) of livestock, poultry or farmed game, or any combination equaling this weight.

**AGRICULTURE, GENERAL** means premises used for the husbandry of plants or livestock or for apiculture and may include the storage or repair of farm machinery and implements used on the farm on which the storage or repair is taking place.

**AGRICULTURE, INTENSIVE** means the use of land, buildings and structures for:

- The confinement of poultry, livestock or fur bearing animals, where more than 10 **agricultural units** are located within a confined livestock area, building or structure.
- The growing of mushrooms, where composting is a part of the operation.

**AGRI-TOURISM** means a tourist activity, service or facility secondary to the agricultural use of land that is classified as a farm under the *Assessment Act*.

**ALCOHOL PRODUCTION FACILITY** means a brewery, cidery, distillery, meadery, or winery licensed under the *Liquor Control and Licensing Act* to produce beer, cider, spirits, mead or wine and includes accessory uses such as office, warehousing, retail sales, tasting and seating areas, and food and beverage service lounges.

**AMENITY SPACE** means an outdoor or indoor area designed and provided for use by all residents of a residential development for cultural, social or recreational activities which may include common terraces, rooftop spaces and balconies, private decks and patios, and landscaped recreational areas where a portion of the required space is encouraged at **grade**. Parking areas, driveways, service areas, storage areas, no-build/no-disturb covenant areas, landscaped areas required by Section 4, and landscaping features provided solely for decorative function do not constitute **amenity space**.

**APARTMENT** means a building or group of buildings, each containing 3 or more **dwelling**s where each **dwelling** has its principal access from an **at-grade** entrance common to all **dwelling**s. Where permitted in a Commercial, Urban or Neighbourhood Centre Zone, a building containing fewer than 3 **dwelling**s is an **apartment** provided that it complies with the rest of this definition.

**BUILDING** means a structure wholly or partly covered by a roof or roofs supported by walls or columns which is permanently affixed to the land and is intended for supporting or sheltering any use or occupancy.

**BREEZEWAY** means a roofed passage on grade that may be open or enclosed as a connective corridor.

**BULK FUEL DEPOT** means premises used for the sale, including key lock retail sale, and distribution of bulk fuel to commercial vehicles where all bulk fuel products other than propane are stored below ground level.

**CABARET, BAR OR LOUNGE** means premises with a seating capacity of up to 350 seats used primarily for the sale of liquor for consumption on the premises and may include the sale of food and incidental sales of liquor for consumption off the premises.

**CANNABIS** means any part of the **cannabis** plant including its preparations and derivatives and any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, but does not include: a non-viable seed of a **cannabis** plant; a mature stalk of a **cannabis** plant, without any leaf, flower, seed, or branch; fiber derived from such stalks; or the roots of a **cannabis** plant.

**CANNABIS PRODUCTION** means the use of any land, **building** or structure for the growing, production, processing, destruction, storage or distribution of **cannabis**, but does not include the retail sale of **cannabis**.

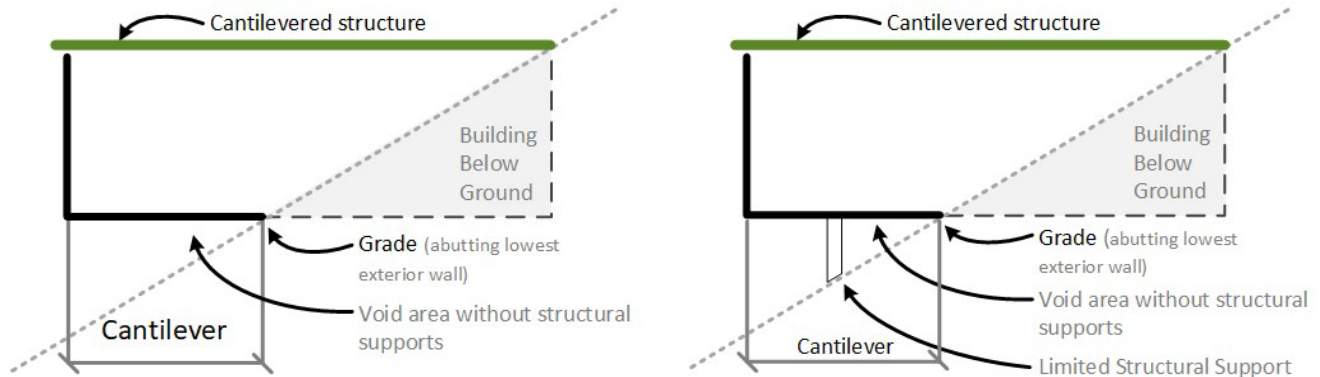
**CANNABIS PRODUCTION FACILITY** means premises used for **cannabis production**, including premises used for **cannabis production** by a licensed producer under the **Cannabis Regulations** and premises used for **cannabis production** by one or more persons under one or more registrations under the former Access to Cannabis for Medical Purposes Regulations, but not including residential premises used for the production, processing or storage of **cannabis** for the medicinal use of a resident of the premises under a registration under the former Access to Cannabis for Medical Purposes Regulations or the growing of **cannabis** by an individual for their personal use and consumption in accordance with the *Cannabis Act* (Canada).

**CANNABIS REGULATIONS** means the **Cannabis Regulations** under the *Cannabis Act* (Canada).

**CANNABIS SALES FACILITY** means premises used for the retail sale of **cannabis** or food products that contain cannabinoids but does not include sales of **cannabis** by a pharmacist at a full-service pharmacy licensed under the *Pharmacy Operations and Drug Scheduling Act* or wholesale distribution of **cannabis** by a licensed producer under the **Cannabis Regulations**.

**CANTILEVERED BUILDING OR STRUCTURE** means a **building** or structure or portion thereof that projects horizontally from **grade** over a downward slope without support, or with support that does not bear the full load of the **building** or structure.

**Figure 2.1 - Illustration of cantilevered buildings**



**CARE FACILITY, MAJOR** means a community care or assisted living facility use typically within a multiple residential building licensed as required under the *Community Care and Assisted Living Act*, intended to provide care, educational services, or supervision for individuals and may include limited overnight accommodation for shift workers. Care facility, Major does not include Child care, Major (Centre/Facility).

**CARE FACILITY, MINOR** means a community care or assisted living facility use of an occupied single detached dwelling, manufactured home or **duplex** licensed as required under the *Community Care and Assisted Living Act* intended to provide care, educational services or supervision for individuals and may include limited overnight accommodation for shift workers. Care facility, Minor does not include Child care, Minor (In-home).

**CARETAKER UNIT** means a **dwelling** unit intended to provide on-site accommodation in a portion of a **building** for an occupant that provides maintenance or security services or is employed on the parcel on which the **caretaker unit** is located.

**CARRIAGE HOUSE** means a detached **building** containing a **dwelling**, which may also contain one or more off street parking spaces required by this bylaw for the single detached dwelling on the same parcel or for the **carriage house**. For certainty, parking areas contained in a **carriage house** in excess of the required parking spaces will be considered as part of the maximum **floor area** of accessory buildings and structures. A **Carriage House** may include a Modular Home where it meets the **Carriage House** regulations outlined in Section 3.18 but does not include a Mobile Home.

**CHEQUE CASHING/PAY DAY LOAN ESTABLISHMENT** means a business, other than a bank or credit union, which cashes cheques in exchange for a fee or percentage of the cheque's face value or offers loans or advances in contemplation of the customer's receipt of a future wage or paycheque.

**CHILD CARE, MAJOR (CENTRE/FACILITY)** means an establishment that is licensed and regulated by the *Community Care and Assisted Living Act*, which provides care, educational services and supervision to children in a child care centre/facility as per the Child Care Licensing Regulation.

**CHILD CARE, MINOR (IN-HOME)** means a premise that is licensed and regulated by the *Community Care and Assisted Living Act*, which provides care, educational services, and supervision to children in a licensee's personal residence as per the Child Care Licensing Regulation. The care must be provided by a principal resident of the dwelling.

**COMMERCIAL SCHOOL** means premises used for commercial training, instruction, or certification in a specific trade, skill or service. Typical uses include secretarial, business, hairdressing, information technology, beauty, culture, and music schools.

**COMMERCIAL STORAGE** means premises providing indoor or outdoor space available for rent for the purpose of storing non-hazardous goods.

**COMMERCIAL VEHICLE** means

- A motor vehicle having permanently attached to it a truck or delivery body;
- An ambulance, fire apparatus, hearse, bus, tow car, road building machine, taxi or tractor; or
- Any **commercial vehicle** of a type specified by regulation of the Lieutenant Governor in Council under the *Commercial Transport Act*.

**COMMUNITY OR ASSEMBLY HALL** means a **building**, or part of a **building**, used for the gathering together of groups of persons for a specific function and may include a **caretaker unit** for persons in charge of a diocese, parish or similar congregation. A **community or assembly hall** may also include a communal, transient accommodation as an accessory use for people requiring immediate shelter or supportive services that are provided by a public authority or non-profit agency for a short period of time. Typical uses include meetings for civic, educational, political, religious, recreational and social purposes.

**COMMUNITY GARDEN** means land which is gardened collectively or divided into individual plots, and which is used by members of the public for demonstration gardening, instructional programming or the production of plants and produce for personal consumption.

**COMMUNITY SEWER SYSTEM** means a sanitary sewer collection and disposal system.

**COMMUNITY WATER SYSTEM** means a system of waterworks that provides potable water to more than 1 parcel.

**CONFINED LIVESTOCK AREA** means an outdoor area where livestock, poultry, or farmed game is confined by fences, other structures or topography, and includes feedlots, paddocks, corrals, exercise yards, and holding areas but does not include a seasonal grazing area.

**CONGREGATE HOUSING** means housing provided within a multiple residential **building** or group of **buildings** that is designed to accommodate those with different abilities and is often operated by or in partnership with social and medical service providers. Residents may receive supportive services including meal preparation, laundry, transportation, counseling, medical care or room cleaning. Congregate housing may be provided within any apartment or townhouse form which may include a **Care facility**, **Major** licensed under the *Community Care and Assisted Living Act*, but does not include **Emergency Shelter**, **Group home**, **Care facility**, **Minor**, **Child care**, **Major (Centre/Facility)**, **Child care**, **Minor (In-home)**, or **Social housing (Addictions, Mental Health, or Corrections)**.

**CONTRACTOR SERVICES** means premises used for the provision of **contractor services** which typically includes road construction, landscaping, concrete, electrical, heating and cooling, plumbing or similar services of a construction nature which require on-site storage of equipment and vehicles, warehouse space and accessory sales and office space.

**DENSITY BONUS** means permitting a density on a lot that is greater than the maximum base density indicated in the corresponding zone in exchange for a contribution toward identified priority housing types, or in exchange for the provision of non-surface parking, adaptable housing units or identified housing types and a housing agreement as per the *Local Government Act*, or other City priorities as may be updated from time to time.

**DETENTION POND** means a water body, either constructed or naturally occurring, used to temporarily store storm water run-off or snow-melt for later use or release into a drainage system.

**DRIVE AISLE** means a shared vehicle route providing off-street access and egress to and from, and through any parking areas for industrial, commercial, multiple-family residential, mixed-use, congregate care, and institutional uses, as well as other vehicle routes to accessory or secondary uses within the parcel.

**DRIVE THROUGH** means any commercial development providing a product or service where a queuing lane exists on-site where customers typically remain within the vehicle. **Drive throughs** must meet the development regulations and siting regulations outlined in Section 3.27.

**DRIVEWAY** means a vehicle route providing a connection from a highway access to a private parking area for a single detached, duplex, manufactured home, and fee simple townhouse use, and/or other vehicle routes to accessory or secondary uses within the parcel. Townhouses with individual parking spaces for each unit are also required to meet driveway standards, where applicable.

**DUPLEX** means a **building** designed and constructed exclusively to accommodate 2 separate **dwelling**s sharing a party wall.

**DWELLING** means 1 or more rooms which constitute a self-contained unit used or intended to be used by 1 **household** for living and sleeping purposes and includes only 1 kitchen and at least 1 bathroom, providing interconnected, free flowing space. Only one wet bar is permitted within a **dwelling**.

**EDUCATION FACILITY** means premises used for education or training purposes and may include administration offices and dormitories to house students. Typical uses include elementary, middle and secondary schools, storefront schools, community colleges, universities, technical and vocational schools.

**EMERGENCY SHELTER** means basic lodgings sponsored, supervised or operated by a non-profit society and/or government agency which provides temporary emergency or transient accommodation, meals and support services for individuals who need immediate shelter and assistance. Emergency shelters may accommodate a range of needs that allows anyone experiencing homelessness to have shelter until a more permanent accommodation can be provided.

**ENTERTAINMENT FACILITY, INDOOR** means the use of a **building** or structure for entertainment or amusement purposes. Typical uses include auditoria, cinemas, theatres, concert halls, billiard halls and arcades.

**EXTENDED MEDICAL TREATMENT FACILITY** means premises providing room, board, surgical or other medical treatment for the sick, injured or infirm including out-patient services and accessory residences. Typical uses include hospitals, nursing homes with health care services for dependent residents, mental care facilities, and detoxification centres.

**FARM PRODUCTS** means commodities or goods derived from the cultivation or husbandry plants or animals (except pets) that are grown, reared, raised or produced on a farm.

**FARM UNIT** means one or more contiguous or non-contiguous parcels, that may be owned, rented or leased, within City limits, which forms and is managed as a single agricultural operation as demonstrated through a farm plan, farm receipts or other documentation to the satisfaction of the Director of Development Approvals.

**FINISHED GROUND** means the final elevation of the ground surface after development, which may include manufactured slopes and/or undisturbed natural slope or ground.

**FLOOR AREA** means the sum of the floor areas of each storey of a building or structure, measured to the outer face of the exterior walls.

**FLOOR AREA RATIO (FAR)** means the gross floor area on all storeys of all buildings and structures on a parcel divided by the area of the parcel.

**FREIGHT OR DISTRIBUTION OUTLET** means premises from or to which vehicles are dispatched for the delivery or pick-up of goods which may include warehouse space for the temporary storage of such goods.

**FRONTAGE** means the dimension of a parcel measured along the front parcel boundary.

**FUNERAL ESTABLISHMENT** means premises used for the preparation of the dead for burial or cremation and the holding of funeral services but excludes cremation facilities.

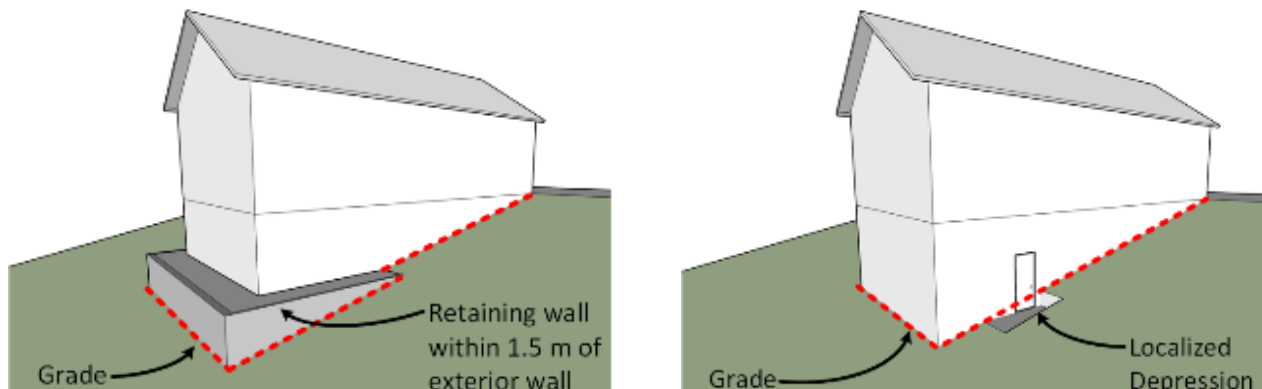
**GASOLINE SERVICE STATION** means premises used for the retail sale of gasoline and associated petroleum products and may include vehicle washing and minor vehicle servicing facilities.

**GOLF COURSE** means an area used for playing golf, and typically includes a club house, driving range, accessory retail sales and a restaurant.

**GRADE** means the finished ground at every location along the outside walls of a building or structure, with the following exceptions:

- Localized depressions;
- Where a retaining wall is within 1.5 m (4.9 ft) of the base of an exterior wall or structural support, as per Section 3.14.4.

**Figure 2.2 – Illustration of grade, grade with retaining wall and localized depression**



**GREENHOUSE OR PLANT NURSERY** means premises used for the cultivation, storage and sale of plants other than **cannabis**, trees, bushes, sod and related gardening products and materials.

**GROSS FLOOR AREA (GFA)** means the sum of the **floor areas** of each storey in each **building** on a parcel, measured to the outer face of the exterior walls. The **gross floor area** includes unfinished areas such as basements but excludes crawl spaces 1.5 m (4.9 ft) or less in **height**, garages, parking areas and roof top patios. For residential uses located within the Agricultural Land Reserve, additional **gross floor area** definitions may also apply as per the *Agricultural Land Commission Act*.

**GROUP CAMP** means accommodation in tents, recreational vehicles, cabins or dormitories and typically includes accessory facilities for cooking, dining, recreation, study or worship.

**GROUP HOME** means premises used to provide shared care and room and board for clients with physical, mental, social or behavioural problems that require professional care, guidance or supervision, regulated as required under the *Community Care and Assisted Living Act*. A **Group home** cannot have more than 10 persons and no more than 6 persons who are persons in care. A **Group home** may be provided within a single detached dwelling, duplex or townhouse form, and may not include Congregate housing, Emergency shelter, or Social housing (Addictions, Mental health, or Corrections).

**GUEST ROOM** means a sleeping room or suite of sleeping rooms that may or may not include a kitchen or cooking equipment or facilities as otherwise specifically provided in this bylaw.

**HEAVY EQUIPMENT SALES, RENTAL AND REPAIR** means premises used for the sale, rental and repair of construction equipment, industrial equipment and similar types of heavy machinery.

**HEIGHT** means the vertical distance for each building elevation measured from **grade** to:

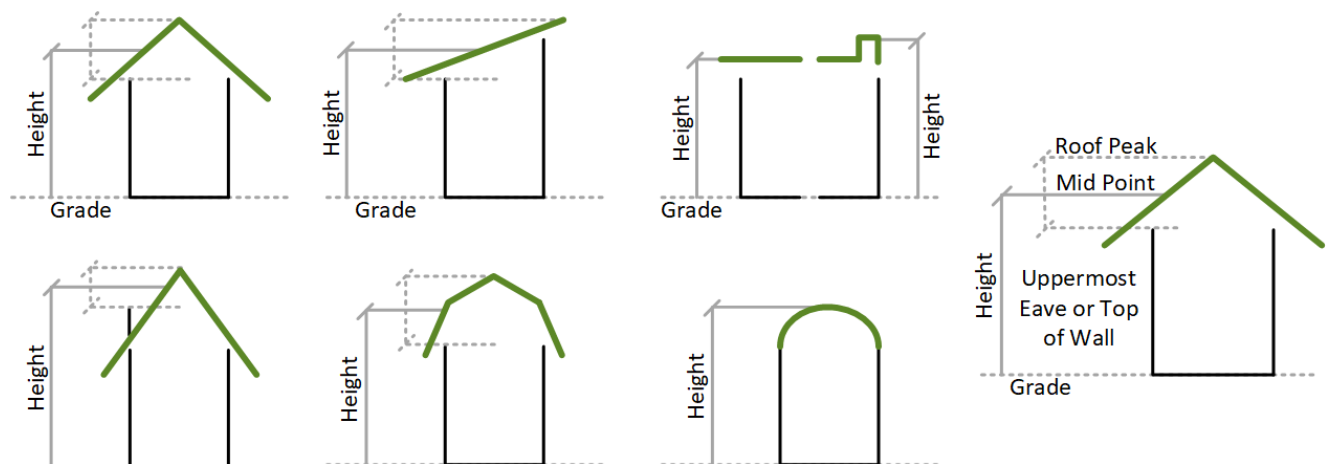
- The highest point of a **building** or structure with a non-sloping roof (less than 4% slope) or domed roof;
- The midpoint of a sloping roof, measured as the distance between the uppermost eave or top of wall and the peak of a roof; and
- In the case of a structure without a roof, the highest point of a structure;

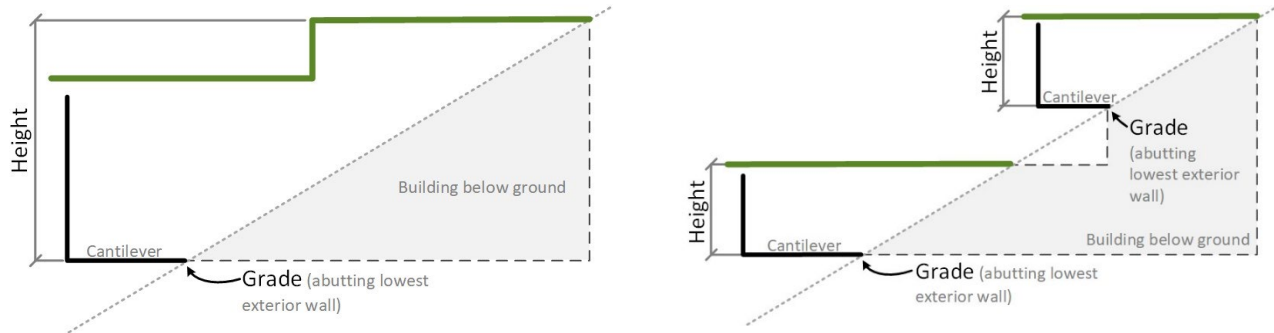
as shown in Figure 2.4;

Except for:

- **Cantilevered buildings or structures** which are separated from another portion of the **building** or structure at **grade**, where **height** for the cantilevered portion shall be calculated separately and is measured from the bottom of the cantilevered portion of the **building** or structure (Figure 2.5).

**Figure 2.4 - Illustration of building heights with various types of roof lines**



**Figure 2.5 - Illustration of cantilevered building heights**

**HELIPORT FACILITY** means premises used for helicopter landing pads and typically includes servicing facilities, storage areas, accessory office and meteorological assessment equipment.

**HIGH TECHNOLOGY BUSINESS** means premises used for the sales, research, development and testing of high technology products, programs or services such as telecommunications, pharmaceuticals, computers or electronics or similar uses that require advanced technology, but does not include the manufacture, assembly or processing of such products.

**HIGH TECHNOLOGY INDUSTRY** means **high technology business** with the inclusion of manufacturing, assembly, or processing of high technology products such as telecommunications, pharmaceuticals, computers or electronics or similar uses that require advanced technology.

**HIGHWAY** means a street, road, lane, bridge and any other way open to public use.

**HOTEL** means a **building** that provides accommodation in **guest rooms** with a common entrance lobby and shared corridors and may contain limited cooking facilities. **Hotels** typically include as accessory uses convenience retail stores, restaurants, banquet and meeting facilities, recreation facilities and personal service establishments.

**HOUSEHOLD** means

- A person; or
- 2 or more persons related by blood, marriage, or adoption; or
- Unrelated people living together with related people provided that the number of unrelated people including boarders does not exceed 3 persons all living together in 1 **dwelling** unit; or
- A group of not more than 5 persons, including boarders, who are not related by blood, marriage, or adoption, unless:
  - the group is comprised of workers with valid permits and housing approved through the Federal Seasonal Agricultural Worker Program or Federal Agricultural Stream Program or unless the group is comprised of agricultural workers living in housing subject to the BC *Public Health Act* Industrial Camps Regulation that adhere to Schedule 1 of the Industrial Camps Regulation; or
  - the group is permitted as a **Group home** under the *Community Care and Assisted Living Act*.

**INDUSTRY, GENERAL** means the storage, processing or manufacturing of previously processed or finished materials or products, including the processing, refinishing, fabrication, assembly, packaging, and wholesale distribution and incidental sales of such products. General industry uses do not include slaughterhouses, rendering plants, foundries, electroplating, and chemical plants and other similar uses.

**INDUSTRY, HEAVY** means the storage, processing or manufacturing of materials or products predominantly from extracted, bulk, or raw materials, or a use engaged in the storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions and includes incidental sales of such products but specifically excludes the storage, processing or handling of hazardous waste.

**KENNEL, HOBBY** means premises on which 4 to 20 dogs are kept or are intended to be kept pursuant to a Kennel Operation Permit as required by the Regional District of Central Okanagan Dog Ownership Bylaw or any applicable City of West Kelowna Bylaw.

**KENNEL, SERVICE** means premises on which more than 20 dogs are kept or are intended to be kept pursuant to a Kennel Operation Permit as required by the Regional District of Central Okanagan Dog Ownership Bylaw or any applicable City of West Kelowna Bylaw.

**KITCHEN** means facilities for the storage, preparation or cooking of food, and includes fixtures, appliances, counters, cabinets, and plumbing or wiring intended or used for the installation of fixtures, appliances, or equipment for the storage, preparation or cooking of food.

**LANE** means a **highway** intended to provide secondary access to parcels.

**LEVEL 2 ELECTRIC CHARGING STANDARD** means an electrical charge through a 240-volt (V), alternating current (AC) circuit with a dedicated 40-amp breaker provided as an energized electric vehicle outlet for electric vehicle charging.

**LIVE/WORK UNIT** means a commercial use combined within a single **dwelling** unit, where the occupant of the **dwelling** unit is the primary operator of the commercial use, and the commercial use includes ground floor pedestrian access from an abutting **highway**.

**LOCALIZED DEPRESSION** means a necessary portion of an exterior wall that drops below the average finished ground level of the wall to provide vehicular or pedestrian access to a **building**.

**MANUFACTURED HOME PARK** means a parcel of land with spaces designated for occupation by 2 or more manufactured homes, which may include a mobile home or a modular home.

**MANUFACTURED HOME SPACE** means a portion of land within a manufactured home park intended for the exclusive use of 1 manufactured home (modular home or mobile home) or **caretaker unit**, which is clearly defined on a plan of the manufactured home park in a manner similar to parcel boundaries on a subdivision or strata plan.

**MARINA** means premises operated commercially or by a government body without fuel storage or dispensing facilities, containing multiple docking or mooring spaces where boats and other water vessels and their accessories are berthed, stored, serviced, repaired, constructed or kept for sale or for rent.

**METAL SHIPPING CONTAINER** means a container originally constructed for shipping freight or cargo, typically by sea, rail, or truck. Metal shipping containers are considered as being in the general form as originally constructed and not as a building material.

**MOBILE HOME** means a factory-made residential structure designed and manufactured with a deformation resistant frame that is designed to be supported on a non-frost protected foundation. Mobile home does NOT include factory made residential structures designed and manufactured to be supported on BC Building Code compliant frost protected foundations, or any structure designated as "Park Model" or "Recreational Vehicle" (RV).

**MODULAR HOME** means a **dwelling** that is manufactured and assembled in a factory to British Columbia Building Code standards and is intended to be moved in whole or in part to a place other than at its place of manufacture and is typically constructed on a permanent foundation. A Modular Home is not considered a Mobile Home.

**MOTEL** means a **building** or group of **buildings** that provides accommodation in the form of self-contained **guest rooms** which may contain limited cooking facilities, each with a separate exterior entrance.

**MULTIPLE RESIDENTIAL BUILDING** means a **building** used for townhouse, **apartment** or congregate housing.

**NATURAL BOUNDARY** means the visible high watermark of any lake, river, stream, or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, stream, or other body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself and includes the edge of dormant side channels of any lake, river, stream, or other body of water.

**NEIGHBOURHOOD PUB** means premises with a seating capacity of up to 85 seats used primarily for the sale of liquor consumption on the premises and may include the sale of food and incidental sales of liquor for consumption off the premises.

**OFFICE** means a **building**, or a group of **buildings** used to carry out business, financial or professional activities, and may include accessory retail sales of goods. Typical office uses include financial institutions, travel or real estate agencies, insurance or legal offices, government offices, medical or dental offices, physical therapy, chiropractor or acupuncture clinics.

**OUTDOOR STORAGE** means the storage of vehicles, equipment, goods or materials in the open air.

**PAD** means a surface on which blocks, posts, runners or strip footings are placed for the purpose of supporting a manufactured home, or a concrete structure for supporting a habitable area.

**PARCEL AREA** means the total horizontal area within the boundaries of a parcel.

**PARCEL AREA, USABLE** means a contiguous area of a parcel excluding:

- Land where the natural slope exceeds 30% for a minimum horizontal distance of 10 m (32.8 ft) for lands zoned to permit townhouses and **apartments**;
- Land where the natural slope exceeds 40% for a minimum horizontal distance of 10 m (32.8 ft) for lands zoned to permit single detached dwellings and **duplexes**;
- Any land covered by a stream; and
- Existing private access easements.

**PARCEL BOUNDARY, EXTERIOR SIDE** means a parcel boundary other than the front parcel boundary, which abuts a **highway** or an access route in a bareland strata plan other than a lane, bridge, pathway, walkway, or park access, and is typically found on a corner parcel.

**PARCEL BOUNDARY, FRONT** means the shortest parcel boundary which abuts a **highway** or an access route in a bareland strata plan other than a lane, bridge, pathway, walkway, or park access. In the case of a parcel abutting two parallel or approximately parallel **highways** or access routes, the parcel boundary abutting the **highways** or access routes shall both be considered front parcel boundaries. Where primary vehicular access to the parcel is required through and limited to a lane, the parcel boundary abutting the lane shall also be considered a front parcel boundary.

**PARCEL BOUNDARY, INTERIOR SIDE** means a parcel boundary other than a rear parcel boundary, that is common to 2 or more parcels, or is common to a parcel and a lane.

**PARCEL BOUNDARY, REAR** means a parcel boundary which is generally opposite to and does not intersect the front parcel boundary, and in the case of a parcel having intersecting side boundaries, the point at which the side boundaries intersect is the rear parcel boundary.

**PARCEL COVERAGE** means the percent of the surface area of a parcel that is covered by buildings or structures, measured to the outer surface of the exterior walls.

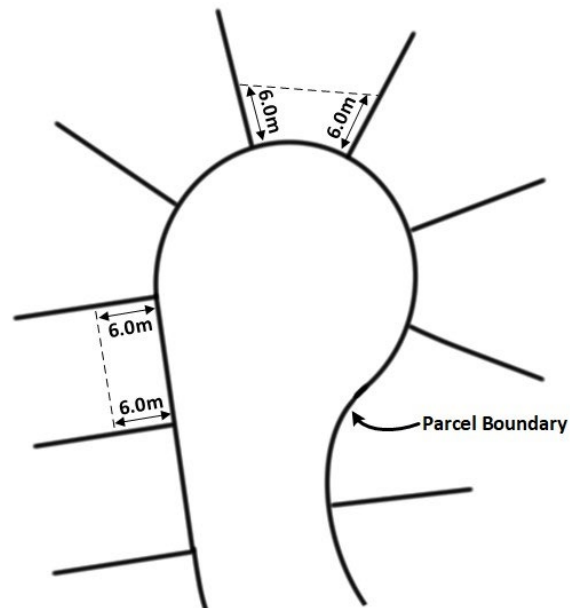
**PARCEL WIDTH** means the horizontal distance between the side parcel boundaries that intersect with the front parcel boundary, measured at a 6.0 m (19.7 ft) offset from the front parcel boundary (Figure 2.6).

**PARKING, NON-SURFACE** means parking spaces provided entirely within the principal building or below grade, or a combination thereof. When located below grade, no portion of the parking structure shall extend more than 0.6 m (2.0 ft) above grade.

**PARKING, SURFACE** means parking spaces provided at grade or within an accessory building or structure, or a combination thereof.

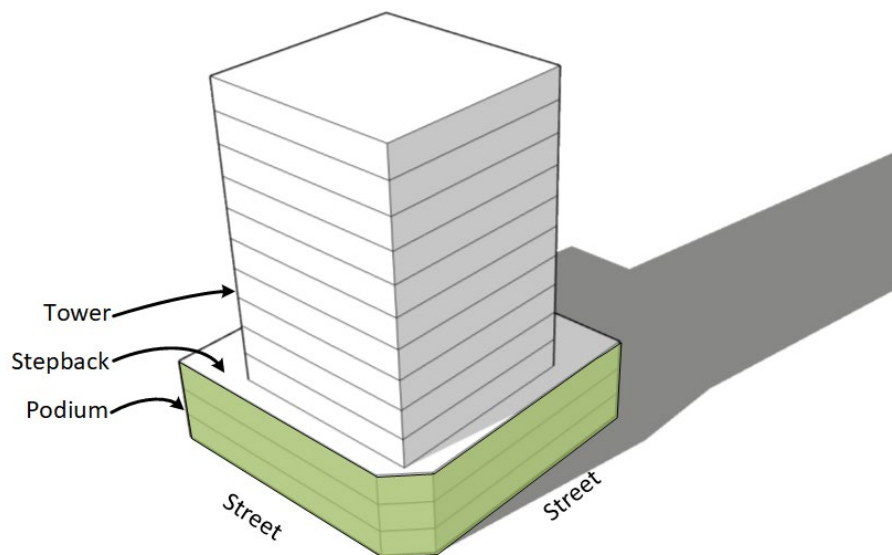
**PERSONAL SERVICE ESTABLISHMENT** means premises that provide personal services to an individual which are related to the care and appearance of the body or the cleaning and repair of personal effects. Typical uses include hair salons, tattoo parlours and laundries.

*Figure 2.6 - Illustration of parcel width for cul de sac and other frontage*



**PODIUM** means the base of a **building**, structure or part thereof located at or above established **grade** distinguished from and upon which upper storeys of the **building** rest (Figure 2.7).

*Figure 2.7 – 3D Illustration of a building podium*



**PRINCIPAL RESIDENCE** means the usual place where an individual (the principal resident) makes their home and conducts daily affairs, like paying bills and receiving mail, for the majority of the year.

**PRINCIPAL USE, BUILDING OR STRUCTURE** means a use, **building** or structure in the list of permitted uses in the zones of this bylaw which:

- Typically occupies the major or central portion of a parcel;
- Is the chief or main use, **building**, or structure on a parcel; and
- Is the primary purpose for which the parcel is used.

**PROCESSED FARM PRODUCTS** means **farm products** that have been transformed by such means as fermentation, cooking, canning, smoking or drying.

**RECREATIONAL VEHICLE** means a vehicle intended as a temporary accommodation for travel, vacation, or recreational use and includes travel trailers, motor homes, slide-in campers, chassis-mounted campers and tent trailers. Recreational vehicle also includes personal watercraft, all-terrain vehicles, snowmobiles, and boats.

**RECREATION SERVICES, INDOOR** means facilities within an enclosed **building** used for sports, active recreation and performing and cultural arts. Typical uses include health and fitness facilities, skating rinks, bowling alleys, swimming pools, dance studios, yoga studios and participant virtual reality simulation establishments.

**RECREATION SERVICES, OUTDOOR** means facilities other than campgrounds which are used for sports and active recreation conducted outdoors. Typical uses include ball fields, soccer fields, go-cart tracks, drive-in theatres, batting cages, miniature **golf courses** and amusement parks.

**RECYCLING DEPOT** means premises used for the buying, collecting, sorting, and temporary storage of bottles, cans, newspapers and similar **household** goods for reuse.

**RENT-CONTROLLED HOUSING** means a type of affordable housing where the rental rate is set at a value no greater than 30% of the median renter income as defined annually by the posted CMHC Median Renter Income for the local area.

**RENT-GEARED-TO-INCOME (RGI) HOUSING** means a type of affordable housing where a person pays rent that is proportionate to their income as a type of housing assistance. RGI housing is only available for households with lower incomes calculated at a rate of 30% of a household's monthly Adjusted Family Net Income (AFNI). The AFNI is determined annually using each household member's Notice of Assessment (annual income tax return). If the person received social assistance, the rent is based on the rent benefit set by the Province.

**RESORT APARTMENT OR RESORT TOWNHOUSE** means **apartments** or townhouses that may be occupied for periods less than 30 consecutive days. This use typically includes as accessory uses restaurants, banquet and meeting facilities, recreation facilities and personal service establishments.

**RETAIL, CONVENIENCE** means premises that do not exceed 500 m<sup>2</sup> (5,381.9 ft<sup>2</sup>) in gross floor area, where goods are sold, and services are provided primarily to residents or workers in the immediate area.

**RETAIL, GENERAL** means premises where goods are sold and services are provided and in which exterior sales and storage areas do not exceed 10% of the **gross floor area** of the business premises. This use excludes wholesale sales and the sale or repair of heavy agricultural, construction and industrial equipment.

**RETAIL, SERVICE COMMERCIAL** means general retail except that exterior sales including vehicle sales and storage areas are not limited and wholesale sales and the sale or repair of heavy agricultural, construction and industrial equipment is permitted.

**RIDING STABLE** means premises used to house, train or exercise horses and typically includes space for instruction, boarding stables and a tack shop.

**SALVAGE YARD** means premises used for the collection, demolition, dismantling, storage, salvage, recycling or sale of waste materials including, but not limited to, scrap metal, vehicles, machinery, and other discarded materials.

**SECONDARY USE, BUILDING OR STRUCTURE** means 1 or more uses, **buildings** or structures that are:

- used in conjunction with a principal use, **building** or structure;
- located on the same parcel as the principal use, **building** or structure; and
- accessory to the principal use.

**SINGLE DETACHED DWELLING** means a detached **building** containing only 1 **dwelling**. A single detached dwelling may contain a permitted secondary suite. This use includes modular homes that exceed a 5.0 m (16.4 ft) **building** width, but not a mobile home.

**SKYWAY** means an elevated pathway or bridge that may be open or enclosed and is designed for pedestrians or vehicles, typically connecting two buildings or areas above ground level.

**SHORT-TERM RENTAL** means visitor accommodation provided within a single detached dwelling, secondary suite or carriage house by a principal resident and owner in exchange for a fee for a period of time less than 30 consecutive days, where the rental must be in accordance with the *Short-term Rental Accommodations Act*.

**SHORT-TERM RENTAL (BED AND BREAKFAST)** means a short-term rental providing visitor accommodation within a single detached dwelling by a principal resident owner in exchange for a fee for a period of time less than 30 consecutive days. The owner must reside in the dwelling during the visitors stay, provide breakfast to all visitors, provide a free-flowing and interconnected space, and have no separate kitchen/cooking facilities. Short-term Rentals (Bed and Breakfast) must meet the development regulations outlined in Section 3.19 Short-term Rentals.

**SOCIAL HOUSING (ADDICTIONS, MENTAL HEALTH, OR CORRECTIONS)** means housing that is designed to accommodate shared residential uses and support services specific to programs related to addictions, mental health, or corrections rehabilitation and transition typically operated by or in partnership with Provincial or Federal programs along with social and medical service providers. This type of housing must include on-site support services, where residents are monitored and may receive supportive services including meal preparation, laundry, transportation, counseling, medical care or room cleaning.

**STEPBACK** means the horizontal recessing of the building face above a specified storey (Figure 2.8 and 2.9).

Figure 2.8 – 2D Illustration of a building setback

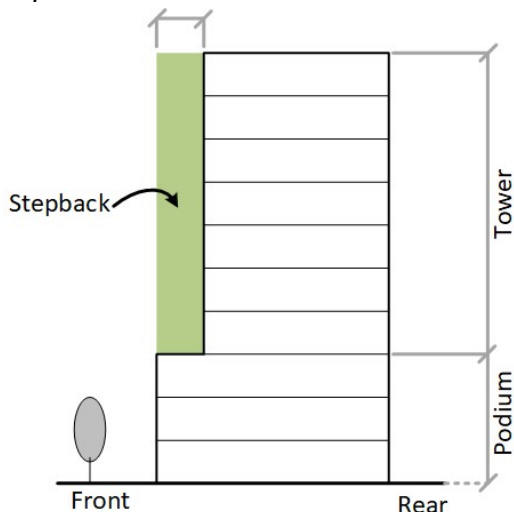
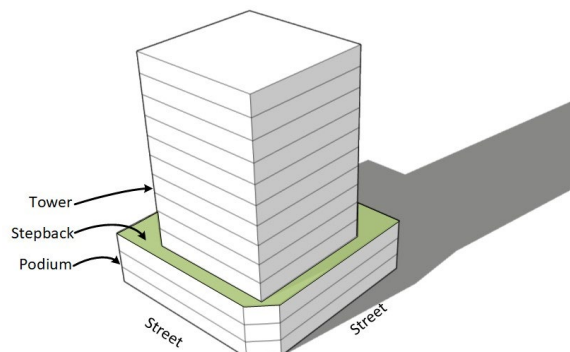


Figure 2.9 – 3D Illustration of a building setback



**STORAGE OF BULK FUEL, CHEMICALS AND OTHER PETROLEUM PRODUCTS** means premises used for the above or below ground level storage and distribution of bulk fuel products.

**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:

- Projections providing rooftop access;
- Crawlspace that have a vertical clearance no greater than 1.5 m (4.9 ft); and
- Non-surface parking areas that do not extend more than 0.6 m (2.0 ft) above finished **grade**.

**STREAM** means a natural watercourse or source of water supply, whether usually containing water or not, and a lake, river, creek, spring, ravine, swamp and gulch.

**STRUCTURE** means any construction fixed to, supported by, or sunk into land or water, but excludes concrete and asphalt paving or similar surfacing of land.

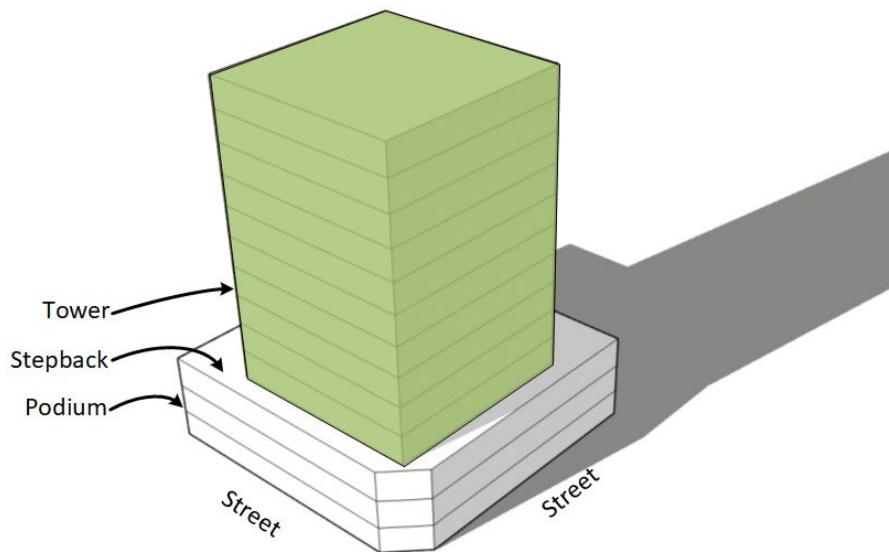
**TIMBER PROCESSING** means premises used to cut, saw or plane timber, either to finished lumber, or as an intermediary step and may include facilities for the drying and storage of lumber.

**TOURIST CABIN** means a **building** with a maximum **gross floor area** of 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>) that provides accommodation and may include kitchen and sanitary facilities.

**TOURIST CAMPSITE SPACES** means a defined area within a campsite that provides accommodation for recreational vehicles and tents that may not be occupied for more than 10 days in 1 period of 30 consecutive days.

**TOWER** means the portion of a **building** above the podium for a **building** 7 storeys or greater (Figure 2.10).

Figure 2.10 – 3D Illustration of a building tower



**TOWNHOUSE** means a **building** or group of **buildings** divided into 3 or more **dwelling**s where each **dwelling** shares at least 1 common wall with another **dwelling** and each **dwelling** has a separate exterior entrance.

**TRANSPORTATION STATION** means premises used for the pick-up and discharge of fare paying, intercity and intracity bus, train or taxi passengers and may include vehicle bays or shelters and convenience retail stores.

**URBAN PLAZA** means a publicly accessible private space designed to include landscaping and other urban design elements, such as seating or other features, that break up building frontages to enhance the public realm.

**UTILITY SERVICE** means premises used for utility infrastructure purposes. Typical uses include sewage lagoons, sanitary landfills, power generation stations and transmission substations.

**VACATION RENTAL** means the rental of all or part of a **dwelling** for periods less than 30 days.

**VEHICULAR PARKING AREAS AND STRUCTURES** means premises providing vehicular parking which is not primarily intended for the use of residents, employees, or patrons of premises on the same parcel. Typical uses include surface parking areas and parking structures located above or below **grade**.

**WAREHOUSE** means premises for the storage and distribution of large quantities of goods and typically includes wholesale sales and accessory office uses.

**WET BAR** means a small facility that is used exclusively to prepare beverages or other items that do not require cooking. Exhaust fans, 220-volt wiring, natural gas rough-in and permanent cooking facilities of any type are not permitted. The provision of wet bars in no way permits an additional **dwelling** to be established. A wet bar is not permitted in an accessory **building** or structure.

**ZONE, AGRICULTURAL** means the A1 Zone and any parcel within a Comprehensive Development Zone on which agricultural use is permitted as the principal use.

**ZONE, COMMERCIAL** means the C1, C2, C3, C4, C5, and C6 Zones and any parcel within a Comprehensive Development Zone on which commercial use is permitted as the principal use.

**ZONE, INDUSTRIAL** means the I1, I2, I3, I4, I5 and I6 Zones and any parcel within a Comprehensive Development Zone on which industrial use is permitted as the principal use.

**ZONE, FOREST RESOURCE** means the F1 Zone.

**ZONE, MULTIPLE RESIDENTIAL** means the R3, R4, and R5-H Zones and any parcel within a Comprehensive Development Zone on which multiple residential **buildings** are permitted as the principal use.

**ZONE, NEIGHBOURHOOD CENTRE** means the NC1 Zone.

**ZONE, PARK OR INSTITUTIONAL** means the P1 and P2 Zones and any parcel within a Comprehensive Development Zone on which park or institutional uses are permitted as the principal use.

**ZONE, RESIDENTIAL** means the Single or **Duplex** Residential Zone and the Multiple Residential Zone.

**ZONE, RURAL** means the RU1, RU2, RU3, RU4 and RU5 Zones.

**ZONE, SINGLE OR DUPLEX RESIDENTIAL** means the RC1, RC2, RC3, , R1, R1M, R1L, RMP, and RP1 Zones and any parcel within a Comprehensive Development Zone on which single detached dwellings or **duplexes** are permitted as the principal use.

**ZONE, URBAN CENTRE** means the WUC1, WUC2, WUC3 and BUC1 Zones.

**ZONE, WATER** means the W1, W2, W3 and W4 Zones.