

2.0 Interpretation

2.1 Rules of Interpretation

- 2.1.1 Words used in the present tense include the other tenses and derivative forms; words used in the singular include the plural and vice versa; and the word "person" includes a corporation, firm, partnerships, trusts, and other similar entities as well as an individual. Words have the same meaning whether they are capitalized or not.
- 2.1.2 The words "shall" and "is" require mandatory compliance except where a variance has been granted pursuant to the *Local Government Act*.
- 2.1.3 The phrase "used for" includes "arranged for", "designed for", "maintained for", or "occupied for".
- 2.1.4 Words, phrases, and terms neither defined in this section nor in the *Local Government Act*, *Community Charter* or the *Interpretation Act*, shall be given their usual and customary meaning for the purpose of interpreting this bylaw.
- 2.1.5 Where a regulation involves two or more conditions, provisions, or events connected by the conjunction "and" means all the connected items shall apply in combination; "or" indicates that the connected items may apply singly or in combination; and "either-or" indicates the items shall apply singly but not in combination.

2.2 Zone Boundaries

- 2.2.1 The **zone** boundaries on the Zoning Map shall be interpreted as follows:
- where a **zone** boundary follows a **street, lane**, railway, pipeline, power line, utility right-of-way, or easement, it follows the centerline, unless otherwise clearly indicated on the Zoning Map;
 - where a **zone** boundary is shown as approximately following the **City** boundary, it follows the **City** boundary;
 - where a **zone** boundary is shown as approximately following the edge, shoreline, or **natural boundary** of a river, lake, or other water body, it follows that line. In the event of change, it moves with the edge or shoreline;
 - where a **zone** boundary is shown as approximately following a **property line**, it follows the **property line**;
 - where a **zone** boundary is shown as approximately following a topographic contour line or a top-of-bank line, it follows that line;
 - where a **zone** boundary is shown as being generally parallel to or as an extension of any of the features listed above, it shall be so; and
 - in circumstances not covered above, the **zone** boundary shall be determined by the scale of the Zoning Map.

2.2.2 When any **street** or **lane** is closed, the **roadway lands** have the same zoning as the **abutting lot**. When different **zones** govern **abutting lots**, the centre of the closed **street** or **lane** is the **zone** boundary unless the **zone** boundary is shown clearly following an edge of the **street** or **lane**. Notwithstanding the above, if the closed **street** or **lane** is consolidated with an adjoining **lot**, the **lot's** zoning designation applies to affected portions of the closed **street** or **lane**.

2.3 General Definitions

2.3.1 The definitions of **uses** group individual land **uses** into a specified number of classes, with common functional or physical impact characteristics. They define the range of **uses**, which are primary and secondary, with or without conditions, within various **zones** of this Bylaw.

2.3.2 The following guidelines shall be applied in interpreting the **use** class definitions:

- Typical **uses** listed in the definitions as examples are not intended to be exclusive or restrictive; and
- Where a specific **use** does not conform to the wording of any **use** class definition or generally conforms to the wording of two or more definitions, the **use** conforms to and is included in that **use** class which is most appropriate in character and purpose.

2.3.3 The following words, terms, and phrases, wherever they occur in this Bylaw, shall have the meaning assigned to them as follows:

A

ABUT or **ABUTTING** means immediately contiguous to, or physically touching, and when used with respect to **lots** or **sites**, means two that share a common **property line**.

ACCESSIBLE PATH OF TRAVEL has the meaning prescribed in the BC Building Code. (*Bylaw 5787*)

ACCOUNTING SERVICES means the provision of general bookkeeping and **accounting services** to the public in an **office** setting.

ADJACENT means land that **abuts** and is contiguous to a **site**, and also includes land that would be contiguous if not for a **street**, **lane**, **walkway**, utility **lot**, underground pipeline, power line, drainage ditch, **watercourse**, or similar feature.

ADVISORY PLANNING BOARD means the **Advisory Planning Board** that is established under Bylaw by the City of Vernon.

AEROSPACE RESEARCH AND DEVELOPMENT means the research, design, manufacturing and distribution of products used in the fields of aeronautics, such as airplanes and related technology.

AGRICULTURAL AND GARDEN STANDS means those **secondary buildings** and **structures** for retailing agricultural products on a farm.

AGRICULTURAL DWELLINGS, ADDITIONAL means any **dwelling** on a bona fide agricultural operation that is used to house permanent or seasonal farm workers for that specific farm only. This may include but is not limited to **single detached houses**, **mobile homes**, or bunkhouses.

AGRICULTURAL LAND RESERVE (ALR) means the **premise**, including Crown Land that has been defined as being suitable for farm **use**, and has been designated for preservation under Section 15 of the *Agricultural Land Commission Act*.

AGRICULTURAL MACHINERY SERVICES means a **minor service station** that only services agricultural machinery.

AGRICULTURAL UNIT means any combination of **livestock**, **poultry**, **fur-bearing animals**, or game that totals 450kg live weight.

AGRICULTURAL WASTE means a by-product of **agriculture** and includes manure, used **mushroom medium** and any unwanted agricultural by-products.

AGRICULTURAL ZONES are any **zones** described in Sections 8 of this Bylaw or any CD **zone** in which the predominant **use**, as determined by its general purpose and list of permitted **uses**, is of an agricultural nature.

AGRICULTURE means any of the following activities involved in carrying on a farm business, as defined under the *Farm Practices Protection (Right to Farm) Act*:

- growing, producing, raising or keeping animals or plants, including mushrooms, or the primary products of those plants or animals;
- clearing, draining, irrigating or cultivating land;
- using farm machinery, equipment, devices, materials, and structures;
- applying fertilizers, manure, pesticides, and biological control agents;
- conducting any other agricultural activity on, in or over agricultural land; and includes
- intensively cultivating in plantations, any specialty wood crops, or specialty fiber crops prescribed by the minister;
- conducting turf production outside of an **agricultural land reserve**, or in an **agricultural land reserve** with the approval under the *Agricultural Land Commission Act* of the Provincial Agricultural Land Commission;

- **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**;
- raising or keeping game, within the meaning of the *Game Farm Act*, by a person licensed to do so under that Act;
- raising or keeping **fur bearing animals**, within the meaning of the *Fur Farm Act*, by a person licensed to do so under that Act;
- processing or direct marketing by a farmer of one or both of the products of a farm or operated by the farmer, and within the limits prescribed by the *Minister of Agriculture, Food and Fisheries*, 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 does not include
- an activity, other than grazing or hay cutting, if the activity constitutes a forest practice as defined in the *Forest Practices Code of British Columbia Act*;
- breeding pets or operating a **kennel**;
- growing, producing, raising or keeping exotic animals, except types of exotic animals prescribed by the *Minister of Agriculture, Food and Fisheries*.

AGRICULTURE, INTENSIVE IMPACT means the **use** of land, **buildings**, and **structures** by a commercial enterprise or an institution for:

- the confinement of **poultry, livestock or fur bearing animals**, or
- the growing of mushrooms.

AGRICULTURE LAND COMMISSION (ALC) means the provincial governing body assigned to administer regulations and policies that relate to the preservation of agricultural land.

AGRI-TOURIST ACCOMMODATION means the accommodation for tourists on a farm, orchard, or ranch that is secondary to the main **use**. Typical **uses** include but are not limited to guest ranches, farm inns, **bed and breakfast homes, tourist campsites/recreational vehicle pads, festivals, public assembly, food primary establishment and private cultural exhibition**.

AIRCRAFT SALES/RENTALS/REPAIRS/MAINTENANCE & CONSTRUCTION means the **premise** for the retail sale or rental of new or used aircraft together with secondary repairs and maintenance services, construction and sales of parts and accessories.

AIRPORT TERMINAL AND NAVIGATIONAL FACILITIES means the **buildings** and **structures** providing services to passengers embarking and disembarking from aircraft, providing for the loading and unloading of luggage and cargo and providing for the navigation of aircraft on the ground and in the air. The **airport terminal** may also include, but is not

limited to, **general retail, primary food establishments, and primary liquor establishments.**

AIRPORT means the **premise** designed, prepared, equipped or set aside as a transportation facility for the arrival, departure, movement and servicing of aircraft, and includes any **ancillary buildings, structures, installations and equipment.** This further includes aircraft and **airport** related manufacturing and services.

AMUSEMENT ARCADES, MINOR means a **building,** or part thereof, providing a maximum of three video, pinball, player participation tabletop games, or computer games for **use** by the general public.

AMUSEMENT ARCADES, MAJOR means a **building,** or part thereof, providing four or more video, pinball, player participation tabletop games, or computer games for **use** by the general public. This **use** does not include **gaming facilities.**

AMUSEMENT ESTABLISHMENTS, OUTDOOR means facilities for entertainment or amusement activities that predominantly take place outdoors where the patrons are the primary participants. Typical **uses** include but are not limited to amusement parks, go-cart tracks, and miniature golf establishments. This **use** class does not include **drive-in motion picture theatres, carnivals, circuses, par three or regulation length golf courses.**

ANIMAL CLINICS, MINOR means a **building** where animals are given medical and surgical care and may include outdoor **shelters.**

ANIMAL CLINICS, MAJOR means a **building** where animals are treated and kept for medical or surgical purposes and are directly or indirectly under the care of a veterinarian, but does not include an **animal shelter.**

ANIMAL GROOMING means a **building** used for the grooming of household domestic animals such as cats and dogs. Animals are not to be retained on the property outside of business hours, animals are not permitted to be on the property for purposes other than grooming. This use does not include **animal shelter** or **kennels.** *(Bylaw 5339)*

ANIMAL PRODUCT PROCESING means the **business** for the preparation of animal products for retail purposes and include, but are not limited to, meat, eggs, hides and feathers.

ANIMAL SHELTER means a **premise** used for the temporary care of lost, abandoned or neglected animals.

ANTENNA means a **structure** designed for the purpose of receiving and transmitting radio and communication signals.

APARTMENT HOTELS means **apartment housing** having a primary common entrance, cooking facilities and furnishings within each **dwelling**. It does not include any **commercial uses** except when specifically permitted in the **zone**.

APARTMENT HOUSING means any physical arrangement of attached **dwelling** units intended to be occupied by separate **households** for full time residential occupancy, which does not conform to the definition of any other residential **use** class.

APARTMENT HOUSING, TOURIST means any physical arrangement of attached **dwelling** units intended to be occupied by separate **households** and/or transient visitors. A maximum of 30% of the number of **dwelling** units may be used for full time residential occupancy, while a minimum of 70% of the number of units shall be for tourist accommodation only, with a maximum stay of 180 days per year per owner or household. A covenant shall be registered on the property title restricting occupancy within the units to be within limits of the ratio listed herein.

APICULTURE means the raising and care of bees for commercial or agricultural purposes.

AQUACULTURE means the controlled cultivation, rearing, and harvesting of finfish, mollusks, crustaceans, aquatic plants and any other aquatic organism. The processing of seafood is limited to products produced on the farm or on farms operated by the same farmer.

ARTIST STUDIO means a **building** for the production of dance, live music, creative writing, painting, drawing, pottery or sculpture, video, moving or still photography. Amplified sound may not be audible beyond the **property line**.

ATTIC means the unfinished space between the roof and the ceiling of the top **storey** or between a dwarf wall and a sloping roof.

AUCTIONEERING ESTABLISHMENTS means the **premises** for the auctioning of goods and equipment including the temporary storage of such goods and equipment, but does not include **flea markets** or **second-hand dealerships**.

AUTOBODY REPAIR AND PAINT SHOPS means those **premises** where automobiles, trucks, and other **vehicles** undergo body repair and painting.

AUTOMOTIVE AND EQUIPMENT REPAIR SHOPS means the servicing and mechanical repair of automobiles, motorcycles, snowmobiles, and

similar **vehicles**; or the sale, installation, or servicing of related accessories and parts. This does not include **auto body repair**, paint shops, or **wrecking yards**.

AUTOMOTIVE AND RECREATION VEHICLE SERVICES means the retail sale, rental and/or servicing and repairing of new or used automobiles, bicycles, motorcycles, snowmobiles, tent trailers, boats and marine products, travel trailers or similar light recreational **vehicles**, together with the sales of parts and **outdoor storage**. It does not include dealerships for the sale of trucks with a gross **vehicle** weight of more than 4,100kg. or the sale of motor homes with a gross **vehicle** weight rating of more than 5,500kg. or a length of more than 6.7m.

AWNING means a retractable or non-retractable covering of non-rigid materials such as canvas or similar fabric projecting from the exterior wall of the **building**.

B

BACHELOR DWELLING means a **dwelling** in which the sleeping and living areas are combined and which is not reasonably capable of being developed as a unit containing a separate **bedroom** or **bedrooms**.

BALCONY means a platform, attached to and projecting from the face of a **building** with or without a supporting **structure** above the **first storey**, normally surrounded by a balustrade or railing and used as an outdoor **porch** or sun deck with access only from within the **building**.

BASEMENT means a **storey** or **storeys** of a **building** located below the **first storey**.

BASEMENT, WALKOUT means a **storey** of a **building** located below the **first storey** and having at least one wall above grade.

BAY WINDOW means a window or a group of windows, which is cantilevered from the wall to which it is attached and is more than 50% glazed on each exterior side. A **bay window** may be structurally supported by means other than a foundation wall.

BED AND BREAKFAST HOME means the **secondary** hospitality **use** of a **dwelling** in which temporary overnight accommodation and breakfast is provided to guests for remuneration.

BEDROOM means a room containing a window, located in a **dwelling**, which due to its design or location in the **dwelling**, is or may be used primarily for sleeping. It includes dens, lofts, studies, and **libraries**.

BOARD OF VARIANCE means a mandatory board established under the *Local Government Act*.

BOARDER means a person who is not a **household** member, but is a lodger, roomer, or person who pays for and takes regular lodging, with or without meals.

BOARDING ROOMS means a **dwelling** in which the owner provides sleeping unit accommodation for remuneration. It may or may not include meal service. It does not include **hotels, motels, temporary shelter services, congregate housing, rooming housing, or bed and breakfast homes**.

BOAT LAUNCH means a ramp that extends from an upland property or right-of-way across the **foreshore** and into the lake, the purpose of which is to facilitate lake placement and removal of boats and other water vessels.

BOAT LIFT means an uncovered **structure**, attached to a **dock**, which facilitates the removal of boats from the water, and which can allow for a boat to be stored above the **natural boundary** of the lake.

BOAT STORAGE means the storage of boats and other marine equipment for the purpose of dry land **moorage** where boats and marine equipment are intended to be launched by the operators of the **boat storage** facility for short term or seasonal use by the boat and marine equipment owners. All boats and marine equipment are to be in working order. This use does not include the servicing, sales or repair of boats or marine equipment nor does it include on-site fuel dispensing.

BOATING means the **use** of boats and other water vessels for recreational and transportation purposes.

BOTANICAL GARDEN means the **premise** where a wide variety of native and exotic plants are cultivated for scientific, educational, and ornamental purposes. **Botanical gardens** are open to the public for the purpose of viewing and education and shall include, but are not limited to, herbariums, **greenhouses** and arboretums. **Secondary uses** with a maximum **gross leasable floor area** of no more than 300m² shall include **general retail, primary food establishments, plant nurseries** and retail related to **greenhouses**.

BREWING or DISTILLING, CLASS A means the **use** of a **building** for the brewing or distilling of alcoholic beverages or alcoholic products with alcoholic content exceeding 1% by volume, where the **use** may involve the milling of grain, rice, or malt.

BREWING or DISTILLING, CLASS B means the **use** of a **building** for the brewing or distilling of alcoholic beverages or alcoholic products with alcoholic content exceeding 1% by volume, where the **use** may involve the milling of grain, rice, or malt, in a limited capacity not exceeding 20,000 hectoliters (439,960 Imperial Gallons) per year.

BROADCASTING STUDIOS means **development** used for the production and/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 and/or equipment.

BUILDING OR STRUCTURE, SECONDARY means a separate **building** or **structure**, normally ancillary, incidental, subordinate, and located on the same **lot** as the main **building** or **structure**. Typical **secondary structures** include but are not limited to propane tanks, flagpoles, garages, and garden sheds.

BUILDING ENVELOPE means that area of the **lot** that may be used for the footprint of a possible **building** or **structure** after **yard** requirements have been accounted for. This **building envelope** may be further restricted by other regulations on **site coverage** or amenity areas.

BUILDING FACE OR FACADE means that portion of any exterior elevation of a **building** exposed to public view extending from the building grade to the eaves or the top of the **parapet wall** and the entire length of the **building** elevation, including all areas divided by firewalls.

BUILDING FRONTAGE means the measurement of the length of a **building** wall that directly faces a **street**.

BUILDING OFFICIAL means the persons appointed by *City Council* to administer and enforce the provisions of the *City of Vernon Building & Plumbing Bylaw No. 4900*, as amended.

BUILDING PERMIT means a permit issued in accordance with the *City of Vernon Building & Plumbing Bylaw No. 4900*, as amended.

BULK FUEL DEPOT means a **premise** for the bulk storage and distribution of petroleum products and may include key lock retail sales. This does not include either **minor** or **major service stations**.

BUSINESS means an activity on a **premise** for commercial or industrial undertaking of any kind or nature, or the providing of professional,

personal, or other service for gain or profit. This includes a **home-based business**.

BUSINESS SUPPORT SERVICES means **development** providing support 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, furniture and machines.

Typical **uses** include but are not limited to printing establishments, testing, laboratories, film processing establishments, janitorial firms and **office** equipment sales, repair establishments, and sign shops.

BYLAW ENFORCEMENT OFFICER means the officers or employees appointed by City Council as such.

C

CALIPER means the trunk diameter of a tree measured at a point 300mm above the top of the root ball.

CALL CENTRES means a **business** used for the provision of phone services, such as for research and marketing purposes.

CANNABIS means all parts of the genus cannabis, whether growing or not, and the seed or clone of such plants, as well as any products containing cannabis. *(Bylaw 5731)*

CANNABIS CULTIVATION FACILITIES means a facility licensed by Health Canada for the indoor and/or outdoor cultivation of cannabis. These facilities may include, but shall not be limited to, cultivation, micro cultivation, hemp and nurseries. *(Bylaw 5731)*

CANNABIS PROCESSING FACILITIES means the processing, micro processing, analytical testing and research of cannabis and cannabis products. *(Bylaw 5731)*

CANOPY means a non-retractable hood cover or marquee, which may or may not project from the wall of a **building**. It does not include **awnings**, projecting roofs, roof eaves, or an enclosed **structure**.

CARE CENTRE, MINOR means the **premise** licensed as required under the *Community Care Facilities Act* intended to provide care to children, youth, or adults where not more than thirteen hours of care is provided per day. This **use** includes in home multi age child care for up to eight (8)

children, group day care limited for up to sixteen (16) children, child minding for up to sixteen (16) children, preschool for up to fifteen (15) children, out of school care for up to twenty (20) children, and all other care provided under the *Community Care Facilities Act* for up to eight (8) people including but not limited to special needs day care, emergency child care, and adult day care.

CARE CENTRE, MAJOR means the **premise** licensed as required under the *Community Care Facilities Act* intended to provide care to children, youth, or adults where not more than thirteen hours of care is provided per day. This use includes group day care limited for more than sixteen (16) children, child minding for more than sixteen (16) children, preschool for more than fifteen (15) children, out of school care for more than twenty (20) children, and all other care provided under the *Community Care Facilities Act* for more than eight (8) people including but not limited to special needs day care, emergency child care, and adult day care.

CARNIVAL means a **secondary use** providing a variety of shows, games and amusement rides in which the patrons take part, for a period of less than 14 days and may include, but is not limited to, circuses, fairs and exhibitions.

CARPOR means a roofed **structure** with less than 60% of the perimeter enclosed and free standing or attached to the primary **building**, used by the **building** occupants to shelter parked **vehicles**.

CELLAR means that portion of a **building** between two or more floor levels that is completely underground.

CEMETERY means those areas of land that are set aside for the burial of human remains. Typical **uses** are memorial parks, columbaria and burial grounds, including crematoriums.

CERTIFICATE OF TITLE means a certificate issued by the *Land Title Office*.

CITY means the *City of Vernon*.

CLEARANCE means the unobstructed vertical distance between the finished grade or finished floor and the underside of a **canopy**, **awning**, ceiling, or **structure**.

COMMERCIAL SCHOOL means a **business** 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. Typical **uses** include but are not limited to secretarial, **business**, hairdressing, beauty culture, dancing, or music schools.

COMMERCIAL UNIT means a separate or self-contained area or areas of one **building** that contains one **commercial use**.

COMMERCIAL USE means an occupation, employment or enterprise that is carried on for gain or monetary profit by any person.

COMMERCIAL ZONES are any **zones** listed in Section 10 of this Bylaw or any CD **zone** in which the predominant **use**, as determined by its general purpose and list of **primary uses**, is of a commercial nature.

COMMUNITY RECREATION CENTRE means the **premise** for recreation, social, cultural or multi-purpose **use** primarily intended for local community purposes. Typical **uses** include but are not limited to community halls, non-profit social clubs, and community services operated by a local residents association.

COMPREHENSIVE DEVELOPMENT ZONE means any **zone** from Schedule 'A' that is approved under the provisions of Section 13 of this Bylaw.

CONCRETE PLANT means an industrial development for the purpose of preparing and precasting concrete products.

CONCRETE AND ASPHALT PLANTS means the processing, manufacturing, recycling, and sales of concrete and asphalt and the secondary manufacture and sales of products made from concrete and asphalt.

CONSTRUCT OR CONSTRUCTION includes build, erect, install, repair, **alter**, add, enlarge, move, locate, re-locate, re-construct, upgrade, remove or excavate.

CONTRACTOR SERVICES, GENERAL means a **premise** used for the provision of **building** and road **construction** services including **landscaping**, concrete, electrical, excavation, drilling, heating and plumbing or similar services of a **construction** nature which require on-site storage and **warehouse** space. Any sales, display, office or technical support service areas shall be secondary to the primary **general contractor services use** only.

CONTRACTOR SERVICES, LIMITED means **development** used for the provision of electrical, plumbing, heating, painting and similar contractor services primarily to individual **households** and the secondary sale of goods normally associated with the contractor services where all materials are kept within an enclosed **building**, and there are no secondary manufacturing activities or fleet storage of more than four **vehicles**.

CONVENIENCE VEHICLE RENTALS means a **premise used** for the rental of new or used automobiles and light trucks with a gross **vehicle** rating of 2,000kg or less. This includes those establishments that are not strictly **office** related in nature, but include, as an integral part of the operation, minor **vehicle** servicing, storing, fuelling or car washing facilities. This does not include **fleet services** or establishments for the rental of trailers.

CORNICE LINE means the architectural element that defines the top of a **parapet wall** of a non-sloping roof.

CORPORATE OFFICER means the persons appointed by *City Council* to administer the provisions of the *City of Vernon Bylaws*, as amended.

COTTAGE means a single detached or attached **dwelling** intended for short term or seasonal use, designed to accommodate one **household**. A **cottage** cannot contain a **secondary suite** and cannot be a **mobile home**.

COTTAGE, TOURIST means the physical arrangement of single detached or attached **dwelling** units intended to be occupied by separate **households** and/or transient visitors, within the same strata plan. A maximum of 30% of the number of **dwelling** units may be used for full time residential occupancy, while a minimum of 70% of the number of units shall be used for short term stay accommodation, with a maximum stay of 180 days per year per **owner** or resident or **household**. A covenant shall be registered on the property title restricting occupancy within the units to be within limits of the ratio listed herein. *(Bylaw 5376)*

COUNCIL means the *Municipal Council of the City of Vernon*.

CREMATORIUM means a building or a part of a building fitted with approved appliances for the purpose of cremating human remains and includes everything incidental or ancillary to it. *(Bylaw 4992)*

CSA means *Canadian Standards Association*.

CULTURAL EXHIBIT, PUBLIC means an activity for the collection, preservation and public exhibition of publicly or privately owned works or objects of historical, scientific or artistic value.

CULTURAL EXHIBIT, PRIVATE means an activity for the collection, preservation and private exhibition of publicly or privately owned works or objects of historical, scientific or artistic value.

CUSTOM INDOOR MANUFACTURING means **development** used for on-site indoor production of goods by hand; manufacturing primarily involving the **use** of hand tools and provided such **developments** have less than 5 production employees. Typical **uses** include but are not limited to jewelry, toy and musical instrument manufacturing, gunsmiths, and pottery and sculpture studios.

D

DECK means a **structure** more than 0.6 m above grade without a roof or walls, except for visual partitions and railings, for **use** as an outdoor amenity area.

DENSITY means a 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 space ratio**, as the case may be.

DETENTION AND CORRECTION SERVICES means a **premise** for the purpose of involuntary confining, treating and/or rehabilitating persons. Typical **uses** include but are not limited to prisons, jails, remand centres, and correction centres.

DEVELOPMENT means an activity that requires a **Building Permit** or any **construction** that **alters** the existing surficial characteristics of the land.

DOCKS, COMMUNITY means **structures**, used for general public purposes, permanently affixed to aquatic land.

DOCKS, PRIVATE means **structures**, used for personal or private purposes, permanently affixed to aquatic land and used on a year-round basis. **Docks** do not include seasonal **private moorage facilities** that are withdrawn from the water and are stored on the upland during the winter season.

DRIVE-THROUGH SERVICES means the **business** where customers order and receive services, food or other goods in their motor **vehicles** via one or more designated drive-through **lanes** or through one or more car attendant services, but does not include **drive-through vehicle services**.

DRIVE-THROUGH VEHICLE SERVICES means **development** providing rapid cleaning, lubrication, and maintenance or repair services to motor **vehicles**, where the customer typically remains within the **vehicle** or waits on the **premises**. Typical **uses** include but are not limited to automatic or coin operated car washes, rapid lubrication shops, or specialty repair establishments.

DRIVE-IN MOTION PICTURE THEATRES means **development** specifically designed for the showing of motion pictures on an outdoor screen for viewing by patrons from within their motor **vehicles**.

DUPLEX HOUSING means a **building** designed exclusively to accommodate two **households** living independently in separate **dwelling** units above or below each other. This type of **development** is designed and constructed as two **dwelling** units at initial **construction**, or through conversion of an existing building. It does not include a **secondary suite**.

DUST FREE SURFACE means a surface comprised of asphalt or other **hard surface**, or chemically treated or washed gravel having a minimum particle size of 100% 2.5 ml gradation.

DWELLING means accommodation providing sleeping, washrooms, and a **kitchen** intended for residential use, and used or intended to be used permanently or semi-permanently for one **household**, except that a **dwelling** for **employee housing, dormitory** shall include up to five (5) **sleeping units**. A **dwelling** includes only one room, which due to its design, plumbing, equipment, and furnishings, may be used primarily as a **kitchen**. This **use** does not include a room in a **hotel** or a **motel**.

E

EDUCATIONAL SERVICES, PRIVATE means **development** for education, training or instruction which is not publicly administrated and which may or may not offer courses of study equivalent to those offered in a public school or private instruction as a home occupation. This **use** includes dormitory and **secondary buildings**. This **use** does not include **commercial schools**.

EDUCATIONAL SERVICES, PUBLIC means **development** that involves public assembly for education, training or instruction which is publicly supported and includes the administration **offices** required for the provision of such services on the same **site**. Typical **uses** include but are not limited to public schools, community colleges, universities, and technical and vocational schools, and their administrative **offices**. This **use** does not include **private education services** and **commercial schools**.

EMERGENCY AND PROTECTIVE SERVICES means a public facility used by fire protection, police, ambulance, or other such services as a base of operations.

EMPLOYEE HOUSING, DORMITORY means a building in which **sleeping units** are provided by and regulated by an employer for

occupancy by employees. An **employee housing, dormitory** must contain communal **kitchen** and dining facilities but shall not permit the preparation of meals within any sleeping unit.

EMPLOYEE HOUSING, SELF-CONTAINED DWELLING means a dwelling unit provided by and regulated by an employer for occupancy by employees and the employees **household**. This use may include but is not limited to **apartment housing, four-plex housing, row housing, semi-detached housing, single detached housing** or **three-plex housing**.

ENCLOSED PARKING means an area provided for on-site parking screened from view from the surrounding **streets** and **buildings**, either within a **building** or **structure** or behind a screen of **landscaping**, perforated masonry, metal or other material.

EQUIPMENT RENTALS means **development** used for the rental of tools, appliances, recreational craft, office machines, furniture, light **construction** equipment, or similar items but does not include rental of motor **vehicles**, which relate only to passenger **vehicles** for the carriage of people.

EXHIBITION AND CONVENTION FACILITIES means a **building** or **site** intended to provide permanent or convertible facilities for meetings, seminars, conventions, product and trade fairs and similar exhibitions.

EXTENDED MEDICAL TREATMENT SERVICES means a facility providing room, board, and surgical or other medical treatment for the sick, injured or infirm including out-patient services and secondary staff residences. Typical **uses** include but are not limited to hospitals, nursing homes with health care for dependent residents, mental care asylums, sanatoria, and detoxification centres.

F

FARMER'S MARKET means a temporary or seasonal market for the display and sale of farm produce and products.

FENCE means a **structure** used as an enclosure or for screening purposes about all or part of a **lot** or a swimming pool. **Fences** may be erected on the **lot lines** and are not subject to any **setbacks** apart from traffic sight lines.

FINANCIAL SERVICES means the provision of financial and investment services by a bank, trust company, investment dealer, credit union, mortgage broker, insurance company or related **business**. This use does not include Insurance companies that cater to a specific sector of the

commercial or industrial **business** community and do not offer personal, financial, investment or insurance services.

FIRE SEPARATION means a **construction** assembly that acts as a barrier against the spread of fire as defined in the *BC Building Code*.

FISH HATCHERY means the **premises** where **fish** eggs are hatched and fish raised for commercial, recreational, or species renewal reasons.

FISH means shellfish, crustaceans, and marine animals and the eggs, spawn, spat, and juvenile stages of **fish**, shellfish, crustaceans, and marine animals.

FLEA MARKET shall have the meaning as defined in *Business License and Regulation Bylaw No. 7878*, but does not include **used goods stores**.

FLEET SERVICES means **development** using one or more **vehicles** for the delivery of people, goods or services, where such **vehicles** are not available for sale or long-term lease. Typical **uses** include but are not limited to ambulance services, taxi services, bus lines, and messenger and courier services. This does not include moving or cartage firms involving trucks with a gross **vehicle** weight of more than 3,000 kg.

FOOD PRIMARY ESTABLISHMENT means a **development** where prepared food and beverages are offered for sale to the public. Typical **uses** include but are not limited to licensed restaurants, theatre restaurants, banquet facilities, cafes, delicatessens, tea rooms, coffee houses, lunch rooms, refreshment stands and take-out restaurants. A full range of appetizers and main courses must be available wherever liquor is available. This does not include **drive-through services** relating to food. These establishments may be holders of a **Food Primary License**.

FOOD PRIMARY LICENSE means a use where a liquor license has been issued by the *Province of British Columbia Liquor Control and Licensing Branch* for a **business** in the hospitality, entertainment or beverage industry including restaurants where the service of food rather than the service of liquor is the primary focus of the **business**.

FLOOR AREA, GROSS LEASABLE (GLA) means the total floor area contained within the exterior and **basement** walls and which is designed to be used exclusively for tenant occupancy.

FLOOR AREA, GROSS (GFA) means the total floor area of the **building** or **structure** contained within the exterior and **basement** walls.

FLOOR AREA, NET means the sum of the horizontal areas of each **storey** of the **building** measured from the exterior faces of the exterior

walls providing that in the case of a wall containing windows, the glazing line of the windows may be used. The **net floor area** measurement is exclusive of areas of **basement** areas used exclusively for storage or service to the **building**, **attics**, attached garages, **carports**, breezeways, **porches**, **balconies**, exit stairways, corridors, and terraces. In the case of multiple **dwelling** housing, public corridors, common amenity spaces, and **building** mechanical systems are also excluded. In the case of **congregate housing**, communal dining and **kitchen** facilities are excluded.

FLOOR SPACE RATIO means the numerical value of the **net floor area** on all levels of all **buildings** and **structures** on a **lot**, divided by the area of the **lot**.

FORESHORE means the area between the low and **high water levels** of a watercourse that is owned by the Crown.

FORESHORE PUBLIC ACCESS means unimpeded access for pedestrians through the **foreshore**.

FORESTRY means the harvesting, storage, sorting and grading of primary forest materials as well as silviculture activities. **Forestry** activities are **site** specific and shall not include forest material from other **sites**.

FOUR-PLEX HOUSING means any physical arrangement of four attached **dwelling** units intended to be occupied by separate **households** with separate exterior access to grade.

FOUR-PLEX, TOURIST HOUSING means any physical arrangement of four attached **dwelling** units intended to be occupied by separate **households** and/or transient visitors with a maximum stay of 180 days per year per **household** or transient visitor.

FRONTAGE means the length of a **lot line** that adjoins a **street**.

FUR BEARING ANIMAL means an animal that is wild by nature kept in captivity, and whose pelt is commonly used for commercial purpose, but does not include a species excluded by regulation under the *Fur Farm Act*.

FUNERAL SERVICES means the **premises** used for the preparation of the dead for burial or cremation and the holding of **funeral services**.

G

GAMING FACILITIES means any **premise** that is primarily used for games and may include games of chance which may be pursuant to a license issued by or under the authority of the provincial government and includes a social club for which gaming is licensed by the provincial

authority. Games of chance include slot machines as defined and regulated by the provincial authority. There shall be a maximum of 400 slot machines licenced to operate within the City of Vernon boundaries. Once the 400 slot machine limitation is reached the City will not sanction, approve and licence any further slot machines. Gaming tables will be limited to a maximum of 10.

GARAGE / YARD SALES means the sales of used household goods on a residential property by the owner or occupier of the property. Garage / Yard Sales are only permitted two times per property per calendar year, each sale is also restricted to no more than two consecutive days in duration. *(Bylaw 5339)*

GAS BARS means a **development** used for the sale of motor fuel, lubricating oils, automotive fluids and associated **convenience store** products. The **gas bar** may be a self-service, full service, key lock, card lock, or other similar operation and may include **vehicle** washing facilities as a **secondary use**. This does not include **minor** and **major service stations**.

GENERAL INDUSTRIAL USE means **development** used primarily for one or more of the following: processing of raw materials; the manufacturing or assembling of semi-finished or finished goods, products or equipment, but not food products directly to the public; the storage, cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial, **business** or **household use**; terminals for the storage or transshipping of materials, goods and equipment; the distribution and sale of materials, bulk goods and equipment to institutions, industrial or commercial **businesses** for their direct **use** or to **general retail stores** or other **use** classes for resale to individual customers; or the training of personnel in general industrial operations. Any indoor display, **office**, technical, administrative support, or retail sale operations shall be secondary to the **general industrial uses** listed above. The **floor area** devoted to such secondary activities shall not exceed 25% of the **gross floor area** of the **buildings** devoted to the **general industrial use**. This **use** includes **autobody repair and paint shops**.

GOLF COURSE means the **premise** designed and laid out for the purposes of playing golf and may include **buildings** and/or **structures**. This **use** includes, but is not limited to, clubhouses, recreation facilities, **food primary establishments, liquor primary establishments, minor, and other buildings** and or **structures** secondary to the **primary use**.

GOVERNMENT AGENCY means **development** used by municipal, provincial, or federal government providing for a consolidated operation that provides a combination of direct services to the public, **offices** for

administration, limited **outdoor storage of fleet vehicles**, and equipment and indoor storage and maintenance areas for **fleet vehicles**, equipment and warehousing.

GOVERNMENT SERVICES means **development** providing for Crown Corporation, municipal, provincial or federal **government services** directly to the public. This does not include **protective and emergency services, detention and correction services, minor or major impact utility services, and public education services**. These are **uses** that have significant client visitation. Typical **uses** include but are not limited to taxation **offices**, courthouses, manpower and employment **offices**, and social service **offices**.

GRADE, BUILDING (as applied to the determination of **building height**), means the lowest of the average levels of grade as determined in Section 4.6.2 adjoining each exterior wall of a **building**, except that localized depressions such as for **vehicle** or pedestrian entrances need not be considered in the determination of average levels of grade as determined in Section 4.6.2. (Bylaw 5440)

GRADE, NATURAL means the elevation of the ground surface in its natural state, before man-made **alteration**; or on sloping or irregular **sites**, the angled plane, before man-made **alteration**.

GRADIENT means the figure obtained when the vertical distance of a slope is divided by the horizontal distance expressed as a percentage.

GROUP HOME, MINOR means a residential **premise** licensed as required under the *Community Care Facilities Act* intended to provide residential care to children, youth, or adults.

GROUP HOME, MAJOR means a residential **premise** licensed as required under the *Community Care Facilities Act* intended to provide residential care to children, youth, or adults.

GREENHOUSES AND PLANT NURSERIES means a **development** used primarily for the raising, storage and sale of produce and related materials, which includes but are not limited to bulbs, seed, tools, soil, fertilizers, flowers, plants and seedlings.

GUIDE & TOUR SERVICES mean a **business** primarily arranging and operating custom wilderness adventure and recreational tours and associated guide services, but does not include travel agencies or **retail stores**.

H

HARD SURFACE means a durable ground surface, **constructed** of cast-in-place concrete, brick, or concrete unit pavers, turf stone, stone, asphalt, or similar materials, but excludes gravel and clay.

HEALTH SERVICES means a **development** used for the provision of physical or mental health services on an out-patient basis. Services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counseling nature. Typical **uses** include but are not limited to medical and dental **offices**, chiropractors, massage therapists and acupuncture clinics, health clinics, and counseling services.

HEIGHT means, with respect to a **building**, the maximum vertical distance between the **building grade** and the highest point of the **structure** of a non-sloping roof, or the mid-point between the eaveline and ridge of a sloping roof excluding dormers as provided for in Section 4.6 which describes restrictions for walkout basements. *(Bylaw 5440)*

HERITAGE BUILDING means a **building** or **structure** having heritage value or being a heritage property as defined in the *Heritage Conservation Act*.

HIGH TECHNOLOGY RESEARCH AND PRODUCT DESIGN means the research and/or design, but not manufacturing or distribution, of products used in the fields of computer software and programming, electronics, telecommunications, aeronautics, precision engineering, robotics, biochemistry, health care and related industries.

HIGH WATER LEVEL (see **Natural Boundary**)

HIGH WATER MARK is the visible high water mark of a stream 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 stream a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself, and includes the active floodplain. The High Water Mark for Okanagan Lake is set at 343m above sea level (asl), unless otherwise assessed by a qualified environmental professional (QEP) using their professional opinion to satisfy the definition above.*(Bylaw #5369)*

HILLSIDE AREA means land in its natural state having a slope angle of 10% and greater for an elevation change of 6 metres or more.

HOME BASED BUSINESS, MINOR means an activity consisting of the **use** of the primary **dwelling** unit and/or **secondary building/structure** for a **business** by a resident who resides for more than 240 days of a year at that **dwelling** unit. The **minor home based business** shall not occupy more than 25% floor area of the **dwelling** unit up to a maximum area of 25m² of floor area inclusive of the **secondary building**. The **business**

must be secondary to the residential **use** of the **dwelling** and shall not change the residential character of the **dwelling**.

HOME BASED BUSINESS, MAJOR means an activity consisting of the **use** of a **dwelling** unit and/or **secondary building/structure** for a **business** by a resident who resides for more than 240 days of a year at that **dwelling** unit. The **major home based business** shall not occupy more than 40% floor area of the primary **dwelling** unit up to a maximum area of 50m² of floor area inclusive of the **secondary building**. The **business** must be secondary to the residential **use** of the **dwelling** and shall not change the residential character of the **dwelling** or **secondary building**. *(Bylaw 5339)*

HOME BASED BUSINESS, RURAL means an activity consisting of the **use** of a **dwelling** unit and/or one **secondary building/structure** for a **business** by a resident who resides for more than 240 days of a year at that **dwelling** unit. The **rural home based business** shall not occupy more than 100m² of floor area inclusive of the **secondary building or structure**. The **business** must be secondary to the residential **use** of the **dwelling** and shall not change the residential character of the **dwelling**.

HOSTEL means a building used for the provision of communal, transient accommodation intended to provide short-term basic lodgings for not more than 75 patrons or travelers paying for accommodation, with or without the common right to use the common cooking, dining and laundry facilities. Typical uses include but are not limited to hostels and inns. *(Bylaw 5788)*

HOTEL means a **building** or part thereof with a common entrance lobby and shared corridors, which provides sleeping accommodation for transient visitors and may include public facilities such as **food primary establishments**, banquet, beverage, meeting and convention rooms, recreation facilities and **personal services** for the convenience of guests. The maximum length of stay is no more than 240 days.

HOUSEHOLD means

- a person; or
- two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one **dwelling** unit as a single **household** using common cooking facilities; or
- a group of not more than five persons, including **boarders**, who are not related by blood, marriage, or adoption or associated through foster care, all living together in one **dwelling** unit as a single **household** using common cooking facilities; or
- a combination of the above, provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one **dwelling** unit as a single **household** using common cooking facilities. In

addition, a **household** may also include up to one housekeeper or nanny.

HOUSEHOLD REPAIR SERVICES means a **business** used for the provision of repair to goods, equipment and small appliances normally found within the home. Typical **uses** include but are not limited to radio, television, and appliance repair, furniture refinishing, and upholstery shops. This **use** class does not include **personal services**.

I

IMPERMEABLE SURFACE means a surface which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development, and/or a hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. A surface will be considered impermeable when the runoff coefficient is greater than 0.3 as per the following table. Surfaces other than those listed in the table are to be presented complete with all applicable support material such as historical and manufacturer details to the City Engineer for approval of the proposed runoff coefficient and surface designation. All manufactured surfaces are to be installed with permeable joints and base material. The base material is to be to a depth recommended by the manufacturer to ensure infiltration and storage.

SURFACE	RUN OFF COEFFICIENT
Forested	0.059 – 0.2
Lawns, well drained (sandy soil)	
• Up to 2% slope	0.05 – 0.1
• 2% to 7% slope	0.10 – 0.15
• Over 7% slope	0.15 – 0.2
Lawns, poor drainage (clay soil)	
• Up to 2% slope	0.13 – 0.17
• 2% to 7% slope	0.18 – 0.22
• Over 7% slope	0.25 – 0.35
Asphalt	0.7 – 0.95
Concrete.....	0.8 – 0.95
Shingle Roof.....	0.75 – 0.95
Brick Pavers (12mm joint or less).....	0.7 – 0.85
Turfstone (with permeable cells)	0.25
Grasspave	0.1 – 0.25
Uni Eco-Stone (with permeable joints)	0.25

INDUSTRIAL ZONES are any **zones** described in Section 11 of this Bylaw or any CD **zone** in which the predominant **use**, as determined by its general purpose and list of permitted **uses**, is of an industrial nature.

INSTITUTIONAL ZONES are any **zones** described in Section 12 of this Bylaw or any CD **zone** in which the predominant **use**, as determined by its general purpose and list of permitted **uses**, is of an institutional nature.

INSURANCE SERVICES means the provision of general insurance and associated services to the public in an **office** setting.

K

KENNELS means **premises** used for the **business** of boarding, breeding, buying or selling of dogs, cats or other domesticated animals excluding **livestock**.

KITCHEN means facilities for the preparation or cooking of food, and includes any room containing counters, cabinets, plumbing, or wiring, which may be intended or used for the preparation or cooking of food.

L

LANDSCAPE BUFFER means a **landscaped** or natural area intended to visibly separate and screen one **use** from another. This also refers to the use of vegetation and other screening or separation methods to separate non-farming and **ALR** land **uses**.

LAND DISTURBANCE includes, but is not limited to soil re-location due to **buildings**, **parking lots**, tree removal, soil removal or filling, **retaining walls**, patios, lawns, and agricultural activity.

LANDSCAPING means changing, modifying or enhancing the visual appearance of a **site** including reshaping the earth, planting lawns, shrubs, trees or preserving the original natural vegetation, adding walks, fencing, patios and other ornamental features for the purpose of beautifying or screening the appearance of a **lot**.

LANE means a public right-of-way designated as "Road" on a plan registered under the *Land Title Act* or a road deemed to be a public road under Section 4 of the *High Ways Act* more than three metres but not greater than eight metres in width.

LEGACY TREE means a tree suitably located and provided sufficient suitable landscape area to grow to full maturity.

LEGAL SERVICES means the provision of legal, notarial, and paralegal services to the public in an **office** setting.

LEAVE STRIP means a specified area of land and vegetation without **buildings** or **structures** immediately **adjacent** to a watercourse,

measured from the **natural boundary**, which is generally to remain in an undisturbed state. **Leave strips** on private property may be included in any required **yard**.

LICENSE OF OCCUPATION means a form of short-term tenure for a specified **use** over a portion of public right-of-way or land that is issued, controlled and regulated by either the **City** or the Provincial Crown.

LIQUOR PRIMARY ESTABLISHMENT, MINOR means **development** where food and alcoholic beverages are offered for sale to the public, for consumption within the **premises** or off the **site**. Typical uses include neighbourhood pubs. The person capacity of such establishments will be 100 or less. Must hold a **Liquor Primary License** and includes off-sales as a permitted **secondary use**.

LIQUOR PRIMARY ESTABLISHMENT, MAJOR means a **business** where alcoholic beverages are offered for sale to the public from establishments which are characterized by one or more of the provision of dancing or cabaret entertainment; and facilities primarily intended for the provision and consumption of alcoholic beverages which have a person capacity of more than 100. Typical uses include but are not limited to beverage rooms, cocktail lounge, cabarets, and nightclubs. Must hold a **Liquor Primary License**. Off-sales of alcoholic beverages are a permitted **secondary use**.

LIQUOR PRIMARY LICENSE means a liquor license issued by the *Province of British Columbia Liquor Control and Licensing Branch* for a **business** in the hospitality, entertainment or beverage industry including bars, pubs, nightclubs, recreation centres and stadiums, where the service of liquor is the primary focus of the **business**. Off-sales of alcoholic beverages are a permitted ancillary use.

LIVESTOCK means cattle, horses, sheep, goats, swine, chickens, rabbits, **fish**, farmed game and exotic animals as prescribed by the *Minister of Agriculture and Food* responsible for the administration of the *Farm Practices Protection (Right to Farm) Act*.

LIVESTOCK, CONFINED AREA means an outdoor, non-grazing 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 feeding area**.

LOADING SPACE means an on-site **parking space** reserved for temporary parking for the purpose of loading or unloading goods and materials.

LOADING SPACE, CAR means an on-site **parking space** reserved for temporary parking for the purpose of drop-off and pick-up of people.

LOT means a parcel of land, including Crown Land, which is defined by its own legal description.

LOT, BARELAND STRATA means a strata **lot** on a bare land strata plan under the *Strata Property Act*.

LOT, CORNER means a **lot** situated at the intersection of two or more **streets**, or a **lot** that has two adjoining **lot lines abutting** a **street**.

LOT, DOUBLE FRONTING, (or THROUGH) means a **lot** which **abuts** two **streets** which are parallel or nearly parallel to the **lot**.

LOT, EXTERIOR means a **lot** bordered by another **lot** on one **side lot line** and by a **flanking street** on the other **side lot line**.

LOT, INTERIOR means a **lot** bordered by other **lots** on both **side lot lines**.

LOT, IRREGULAR SHAPE means a **lot** that is neither a pie nor a reverse pie or a lot with two pairs of equal parallel sides. For an **irregularly shaped lot**, the **lot width** is the average horizontal distance between the **side lot lines** at the minimum **front yard** setback.

LOT, PANHANDLE means a **lot** that has its primary legal access from a **street** through a narrow strip of land, which projects from the main **lot**. This narrow strip is an integral part of the **lot** and is referred to as the panhandle. The minimum **panhandle** width shall be 6.0m. The **panhandle** portion of the lot shall not be included in lot area calculation nor for **setback** calculations.

LOT, PIE means a **lot** that is generally configured such that its width at the **rear lot line** is greater than at its **front lot line**.

LOT, REVERSE PIE means a **lot** which is generally configured such that its width at the **rear lot line** is less than at its **front lot line**. For a **reverse pie shaped lot**, the **lot width** is the average horizontal distance between the **side lot lines** at the mid point between the **front yard** and **rear yard setback** lines.

LOT, STRATA means a **lot** shown on a strata plan according to the *Strata Property Act*.

LOT AREA means the total horizontal area within the **lot lines** of a **lot**. The **panhandle** portion of a **panhandle lot** shall be excluded from the total horizontal area.

LOT COVERAGE (see **SITE COVERAGE**).

LOT DEPTH means the horizontal distance between the mid-points of the **front** and **rear lot lines**.

LOT LINE means the legally defined boundary of any **lot** or **property line**.

LOT LINE, FRONT means that line that is common to the **lot** and a **street**; in the case of a lot extending between two parallel streets, the **front lot line** shall be determined by the orientation of the buildings in the same block. For **panhandle lots** the **front lot line** shall exclude the **pan handle** portion of the lot.

LOT LINE, REAR means either the **lot line** opposite to, and most distant from, the **front lot line**, or, where there is no such **property line**, the point of intersection of any **property lines** other than a **front lot line** which is furthest from and opposite the **front lot line**.

LOT LINE, SIDE means any **lot line** which is not a **front** or **rear lot line**.

LOT WIDTH means:

- where a **lot** has parallel **side lot lines**, it is the distance between the **side lot lines** at the **front yard setback**;
- where it is a **pie-shaped lot**, it is the horizontal distance between the **side lot lines** at the **front yard setback** line;
- where it is a **reverse pie-shaped lot**, the **lot width** is the horizontal distance between the **side lot lines** at the mid point between the **front yard** and **rear yard setback** lines;
- where it is an **irregular-shaped lot**, the **lot width** is the average horizontal distance between the **side lot lines** at the **front** and **rear yard setback** lines.
- where it is a **panhandle lot**, the **lot width** is the horizontal distance between the **side lot lines** at the **front yard setback**.

M

MANAGER OF PLANNING AND BUILDING SERVICES means the person appointed as such by Council and includes his or her lawful designate.

MARINA means a development containing a commercial or government establishment or **premise**, containing docking or mooring facilities where boats and other water vessels and their accessories are berthed, stored, serviced, repaired, constructed or kept for sale or for rent.

MARINE EQUIPMENT RENTALS means facilities that loan, for remuneration, materials and equipment that are necessary or incidental water related leisure activities.

MARINE FUEL FACILITIES means a fuelling station containing pump facilities. No portion of the **premises** shall be used for the sale of any product other than fuel and motor products required for the operation of marine equipment or convenience retail products for the **boating** public. Gas sales shall not include services related to repairs, oil changes, or greasing.

MARINE SANI-DUMP FACILITIES means a facility used to dispose of wastes accumulated by boats and other water vessels.

MOBILE CATERING FOOD SERVICES means the delivery and sale of food to the public using a **vehicle** or a fleet of **vehicles**.

MOBILE HOME means a single or multiple section **single detached dwelling unit** (CSA Z240 and CSA A277 certified standards or *BC Building Code* standards) for residential occupancy designed to be transportable on wheels.

MOBILE HOME PARK means a **premise** for the placement of two or more **mobile homes**, inclusive of recreation areas and storage compounds. This does not include the situation where an additional agricultural **dwelling** that is a mobile home, located on a lot where another dwelling is also a mobile home.

MOBILE HOME SITE means an area set aside and designated within a **mobile home park** for the installation and placement of a **mobile home**, including area for the exclusive **secondary use** by the **owner** or occupant of that **mobile home**.

MOORAGE BUOY, FEDERAL GOVERNMENT APPROVED means floats approved by the *Canada Coast Guard* that is intended to serve as a warning, marker, or anchoring mechanism.

MOORAGE, TEMPORARY means the short term securing of less than 24 hours of a boat or other water vessel by means of cables, anchors, or other contrivances.

MOORAGE, PERMANENT means the long term securing of a boat or other water vessel by means of cables, anchors, or other contrivances.

MOTEL means a **building** or group of **buildings** divided into self-contained units, each with a separate exterior entrance and direct access to on-site parking. **Motels** may include **food primary establishments** and

personal services. The maximum length of stay is no more than 240 days.

MULTIPLE HOUSING means **row housing, stacked row housing, apartment housing, apartment hotels, mobile home parks** and all tourist residential uses as well as **tourist apartment housing**.

MULTIPLE OCCUPANCY COMMERCIAL & INDUSTRIAL USE means a **building** that is occupied by two or more tenants, **businesses** or **uses**.

MUSHROOM MEDIUM means a composted mixture that is used for growing mushrooms.

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.

NATURAL BOUNDARY means the visible annual **high water level** reached during the mean flood event of any **water course** determined where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark the soil of the bed of the body of water a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself.

NATURAL RESOURCE EXTRACTION includes the quarrying, processing, removal and off-site sale of sand, gravel, earth or mineralized rock found on or under the **site**. Typical **uses** include but are not limited to quarries, gravel pits, and stripping of topsoil. This does not include processing of raw materials transported to the **site**.

NON-ACCESSORY PARKING means **development** providing vehicular parking that is not primarily intended for the **use** of residents, employees, or clients of a particular **development**. Typical **uses** include surface **parking lots** and parking **structures** located above or below grade.

NON-CONFORMING USE means a lawful existing **use** made of a **lot** or **building**, intended to be made of a **building** lawfully under **construction**, or a **development** which is approved under provisions of Section 1.7 of this Bylaw at the date of Council adoption of this Bylaw, or amendment thereof, which on the date this Bylaw or an amendment thereto becomes effective, would no longer comply with this Bylaw.

NON-RESIDENTIAL ZONES are any **zones** other than those described in Sections 5 and 9 of this Bylaw or any CD zone in which the predominant

use, as determined by its general purpose and list of permitted **uses**, is not of a residential nature.

NUISANCE means anything that is deemed in law to be a legal **nuisance**. In addition, where the provisions of this Bylaw specifically prohibit a **nuisance**, the defense of reasonable use of the land creating the **nuisance** is deemed not to be applicable.

O

OFFICE means **development** primarily for the provision of professional, management, administrative, consulting, or **financial services** in an office setting. Typical **uses** include but are not limited to the **offices** of lawyers, accountants, travel agents, real estate and insurance firms, planners, clerical and secretarial agencies. **Offices** includes **construction** and **development** industry **offices**, but excludes **government services**, the servicing and repair of goods, the sale of goods to the customer on the **site**, and the manufacture or handling of a product.

OFFICE, CONSTRUCTION AND DEVELOPMENT INDUSTRY means those professional **offices** restricted to providing services to the **construction** and **development** industries. This includes **offices** providing architectural, engineering, surveying, landscape architecture, and planning services.

OFFICIAL COMMUNITY PLAN means the *City of Vernon Official Community Plan, Bylaw No. 4676, 2001*, as amended.

ON-FARM COMPOSTING means the composting of **agricultural waste** or raw materials, which may include manure, straw, vegetative waste, wood waste, ground paper and other sources of carbon and nitrogen and bulking agents.

OPEN SPACE means that portion of a **lot** not occupied by parking or **vehicle** maneuvering areas, accessible to, and suitable for gardens, **landscaping**, and recreational **use** by **building** tenants or residents. **Open space** shall be free of any **buildings**, except **buildings** for purely recreational purposes in relation to the function of the **open space**.

OWNER means the registered **owner** of an estate in fee simple or his/her agent authorized in writing, ownership in a corporation and a company and includes the tenant for life under a registered life estate, the registered holder of the last registered agreement for sale, corporate and public agency ownership, and the holder or occupier of land held in the manner described in the *Local Government Act*.

P

PARAPET or **PARAPET WALL** means that portion of a perimeter **building** wall that rises above the roof.

PARK, PRIVATE means any private **premise** specifically for passive or active recreation including children's playgrounds, **walkways**, trails, environmentally sensitive areas, forest reserve, wildlife sanctuary, greenbelts, conservation areas, buffers, nature interpretation areas, and similar land **uses**. It includes all **landscaping**, facilities, playing fields, access, trails, **buildings** and **structures** consistent with the general purpose of parkland.

PARK, PUBLIC means any public **premise** specifically for passive or active recreation including children's playgrounds, **walkways**, trails, environmentally sensitive areas, band shells, forest reserve, wildlife sanctuary, greenbelts, conservation areas, buffers, nature interpretation areas, and similar land **uses**. It includes all **landscaping**, facilities, playing fields, access, trails, **buildings** and **structures** consistent with the general purpose of parkland.

PARKING LOT means a **lot** or part of a **lot** or a **building** available to be used for the temporary parking for one or more **vehicles** by customers, employees and/or the public at large.

PARKING SPACE means an on-site space of the size and dimensions to park one **vehicle** in conformance with Section 7 of this Bylaw exclusive of driveways, aisles, ramps, or obstructions.

PARKING SPACE, ACCESSIBLE means an on-site parking space marked with the international symbol of access, and can only be used by people with a valid accessible parking permit issued to a person with disabilities under the Motor Vehicles Act. *(Bylaw 5744)*

PARTICIPANT RECREATION SERVICES, INDOOR means facilities within an enclosed **building** for sports, active recreation and performing and cultural arts where patrons are predominantly participants. Typical **uses** include but are not limited to athletic clubs, health and fitness clubs, swimming pools, rifle and pistol ranges, bowling alleys, and racquet clubs.

PARTICIPANT RECREATION SERVICES, OUTDOOR means facilities that are available to the public at large for sports and active recreation conducted outdoors. Typical **uses** include but are not limited to **golf courses** and playing fields.

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 **lots** of land, each of which is, or is capable of being, a separate real estate entity.

PATIO means any solid **structure** at grade meant for support of people or materials out of doors and less than 0.6m in **height**.

PAWN means the activity to deposit goods or chattels as security for the payment of money or other consideration.

PAWNSHOP means a **business** where goods or chattels are taken in **pawn**.

PENTHOUSE means a **structure** projecting above a **building** roof or **parapet**, housing a suite, elevator shaft or stairwell; or forming a wall or screen around equipment mounted on the roof.

PERSONAL SERVICES means **uses** 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 but are not limited to barber shops, hairdressers, manicurists, tailors, dress makers, shoe repair shops, dry cleaning establishments, and laundries but do not include **health services**.

PIER means an accessible platform, supported by piles or pillars that extend from shore over water.

PORCH means a roofed, open **structure** projecting from the exterior wall of a **building** with walls that are open or screened to facilitate use as an outdoor living area.

POULTRY means domesticated birds kept for eggs, meat, feathers, hide or cosmetic or medicinal purposes, and includes broilers, cornish, layers, breeding stock, replacement pullets, roasters, duck, geese, turkeys, game birds and ratites.

PREMISE means an area of land, including a **lot** or parcel of land with or without **buildings** and/or **structures**.

PRIVATE CLUB means a **development** used for the meeting, social, or recreational activities of members of a philanthropic, social service, non-profit, athletic, **business** or fraternal organization. **Private clubs** may include rooms for eating, drinking and general assembly and may hold a **Liquor Primary License**.

PROPERTY LINE means a legal boundary of a **lot**.

PUBLIC LIBRARY AND MUSEUM means the **premise** 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 **development** for the collection, preservation and public exhibition of publicly or privately owned works or objects of historical, scientific or artistic value. Typical **uses** include but are not limited to **libraries**, museums, art galleries and centres, science centres, and cultural centres and exhibits.

PUBLIC MARKET means **development** used for the sale of goods by more than 3 vendors renting tables and/or space in an enclosed **building**. Vendors may vary from day to day, although the general layout of space available to be rented remains the same. The goods sold are generally farm produce and products, handicrafts, household items, tools, electronic equipment, food products or concessions, plants, clothing, or small furniture. This use does not include **second-hand dealership**.

R

REAL ESTATE SALES CENTRE means a permanent or temporary **building** or **structure** located on a **lot** for the purpose of marketing residential lots and/or **buildings**, for a limited period of time.

REAL ESTATE SALES OFFICE means a **development** used for **offices** for the purpose of marketing and sales of real estate.

RECREATIONAL VEHICLE 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 not including **mobile homes**.

RECREATIONAL WATER ACTIVITIES means leisure activities that could not take place in areas other than the water. Examples include but are not limited to jet skiing, fishing, water skiing, **boating**, swimming, and diving. **Recreational water activities** do not include commercial or public recreation facilities.

RECYCLED MATERIALS DROP-OFF CENTRE means **development** used for the drop off, collection, temporary storage and pick up location for recyclable materials. Recyclable materials include, but are not limited to cardboard, plastics, paper, metal, bottles and similar **household** goods or return for deposit items. This does not include **recycling depots** or **recycling plants**.

RECYCLING DEPOTS means **development** used for the buying, collection, sorting, and temporary storage of bottles, cans, newspapers,

paint and similar **household** goods for reuse where all storage is contained within an enclosed **building**. This does not include **recycled materials drop-off centres**.

RECYCLING PLANTS means a facility within which recyclable materials are recycled, sorted, processed, and treated to return the materials for re-use or as inputs to other processes, and includes Special Wastes as defined under the *Waste Management Act*.

REGISTERED PLAN means a **subdivision** plan registered in the *Provincial Land Title Office*.

RELIGIOUS ASSEMBLY means a **building** wherein people regularly assemble for religious worship and related religious, philanthropic or social activities that is maintained and controlled for public worship. Typical **uses** include but are not limited to churches, chapels, mosques, temples, synagogues, convents, and monasteries. It also includes secondary manses or rectories, meeting halls or meeting rooms.

RESIDENTIAL SECURITY/OPERATOR UNIT means a **secondary building** or portion of a **building** used to provide on-site accommodation by the employer for persons employed on the property, a residence for the **site** caretaker or operator of a **primary use**, or for the on-duty security personnel at a storage facility when permitted in a **zone**. No more than one residential security operator unit is permitted on a **site**.

RESIDENTIAL ZONES are any **zones** described in Sections 9 of this Bylaw or any CD **zone** in which the predominant **use**, as determined by its general purpose and list of permitted **uses**, is of a residential nature.

RETAIL, EXTRACTION RESOURCES means the retail sale of those goods produced in extraction resource **uses**. Extraction resources include, but are not limited to sand, gravel, soil and rocks. The sale of products not extracted on **site** is not permitted.

RETAIL CANNABIS SALES means a **premise** for the retail sale of **cannabis** that has been licensed by the Government of British Columbia.
(Bylaw 5731)

RETAIL STORE, CONVENIENCE means **development** used for the retail sales of those goods required by area residents or employees on a day-to-day basis, from **business premises** that do not exceed 300m² in **gross floor area**. Typical **uses** include but are not limited to small food stores, drug stores, florists and variety stores selling confectionery tobacco, groceries, beverages, pharmaceutical and personal care items or hardware, or printed matter, or the rental of audio/visual products. In the case of the W2 **zone**, this includes items normally required by those using

marina facilities. This **use** does not include a **licensee retail store**, or the sale of **cannabis** or cannabis products. *(Bylaw 5731)*

RETAIL STORE, GENERAL means a **premise** where goods, merchandise, other materials, and personal services are offered for sale at retail to the general public and includes limited on-site and **outdoor storage** or limited seasonal outdoor sales to support that store's operations. Typical **uses** include but are not limited to grocery, hardware, pharmaceutical, appliance and sporting goods stores. This **use** excludes **warehouse sales** and the sale of gasoline, heavy agricultural and industrial equipment, alcoholic beverages, or second-hand goods, or retail stores requiring **outdoor storage**, or the sale of **cannabis** or cannabis products. *(Bylaw 5731)*

RETAIL STORE, LICENSEE means a retail store licensed by the *Province of British Columbia Liquor Control and Licensing Branch* to sell beer, wine, cider, coolers and spirits to the public. This use does not include the retail sale of **cannabis** or cannabis products. *(Bylaw 5731)*

RETAIL STORE, SERVICE COMMERCIAL means **premises** where goods, merchandise or other materials are offered for sale at retail to the general public and require extensive on-site storage to support the store's operations, either for product storage, or for processing, manufacturing or repairing goods sold on-site. Typical **uses** include but are not limited to sales of automotive parts, bakeries and butchers that process on **site**. This use does not include the sale of **cannabis** or cannabis products. *(Bylaw 5731)*

RETAIL STREET SALES means selling chattels or prepared meals or snacks from a mobile vending unit. This use does not include the sale of **cannabis** or cannabis products. *(Bylaw 5731)*

RETAINING WALL means a **structure** constructed to hold back and resist, stabilize or support retained material, such as an earthen bank.

ROADWAY LAND means the land or area containing the physical road surface and pavements up to and including the road alignment boundaries, situated between the **front lot lines** of two **lots** situated across the **street** from each other.

ROOF LINE means the horizontal line made by the intersection of the wall of the **building** with the roof of the **building** or the top of the edge of the **parapet**. In the case of a **building** with a pitched roof, the **roof line** shall be at the eave level.

ROOMING HOUSE means a **building** in which the owner or manager resides a minimum of 240 days a year and supplies sleeping unit

accommodation for remuneration. It may or may not include meal service. It does not include **hotels, motels, temporary shelter services, congregating housing, bed and breakfast homes and boarding rooms.**

ROW HOUSING means a **development** containing three or more **dwelling** units with a separate exterior entrance at grade that shares no more than two **party walls** with **adjacent dwelling** units. No part of any **dwelling** is placed over another in part or whole and every **dwelling** shall have a separate, individual, direct access to grade.

ROW HOUSING, STACKED means **row housing**, except that **dwellings** may be arranged two deep, either horizontally so that **dwellings** may be attached at the rear as well as the side, or vertically so that **dwellings** may be placed over others. Each **dwelling** will have an individual access to outside, not necessarily at grade, provided that no more than two units share a corridor, steps or path.

ROW HOUSING, TOURIST means any physical arrangement of row housing **dwelling** units intended to be occupied by separate **households** and/or transient visitors, with a maximum stay of 180 days per year per owner or household.

RURAL RESIDENTIAL ZONE is a **zone** described in *Section 9 of this Bylaw* or any CD **zone** in which the **primary use**, as determined by its general purpose and list of permitted **uses**, is of a **rural residential** nature.

S

SATELLITE DISH/RECEIVER means a secondary **structure** designed to send or receive telecommunication signals from a satellite.

SEASONAL FEEDING AREA means an area:

- used for forage or other crop production, and
- used seasonally for feeding **livestock** or **poultry**

SECOND-HAND DEALERSHIP means a **business** of purchasing or selling second-hand or used goods or chattels but does not include second-hand clothing stores, **thrift stores**, antique furniture dealers, **auctioneering establishments, used goods stores, flea markets, recycling depots** or **used vehicles.**

SECOND KITCHEN means a **second kitchen** in a **single detached house** intended for the **use** by members of the **household**, which is freely and fully accessible from the remainder of the **dwelling** without any intervening doors equipped with a locking device of any kind.

SECONDARY SUITE means a self-contained secondary **dwelling** unit located within a **single detached housing** or in a **secondary building**. A **secondary suite** has its own separate cooking, sleeping and bathing facilities. It has direct access to outside without passing through any part of the primary unit. The property owner must reside in either the primary dwelling unit or the secondary suite. This use includes in law secondary suites. This **use** does not include **duplex housing, semi-detached housing, apartment housing, boarding rooms** nor **rooming houses**.
(Bylaw 5467)

SECONDARY SUITE, IN LAW means a **secondary suite** which is occupied by an individual or individuals who do not provide rent to the property **owner** and are all related to the property **owner** by blood, marriage or adoption. The **owner** is to provide an annual declaration to the City confirming the occupier(s) do not pay rent and all occupier(s) are related to the property **owner** by blood, marriage or adoption. (Bylaw 5467)

SECONDARY USE means those **uses** in the list of **secondary uses** in the zones of this Bylaw that exists in conjunction with a **primary use**. A **secondary use** is to be ancillary to the **primary use**; or be a lesser function by square footage on the property than the **primary use**.

SEMI-DETACHED HOUSING means a **building** containing **dwelling** units connected above or below grade or side by side and designed exclusively to accommodate two **households** living independently in separate **dwellings**, each having a separate entrance at, or near, grade.

SEMI-DETACHED, TOURIST HOUSING means any physical arrangement of **semi-detached housing** occupied by separate **households** and/or transient visitors, with a maximum stay of 180 days per year per owner or household.

SENIORS ASSISTED HOUSING means housing in the form of either multiple sleeping units where residents are provided with common living facilities; or apartment housing, where residents do not require 24 hour care and supervision but require personal care (meal assistance or provision, transportation for residents, medication management, dressing or bathing assistance), hospitality services (laundry and housekeeping) and on-site emergency monitoring and emergency response services. This housing type is wholly or partially targeted to individuals receiving income assistance or eligible for a rental subsidy, and subject to the conditions of a Housing Agreement.

SENIORS HOUSING means housing in the form of multiple sleeping units where residents are provided with common living facilities; or apartment housing designed for persons 55 years of age or older.

SENIORS RESIDENTIAL CARE means housing intended for residents, who on account of age, infirmity or their physical, mental or psychiatric condition, require 24 hour care and supervision as well as assistance with the performance of the personal functions and activities necessary for daily living.

SENIORS SUPPORTIVE HOUSING means housing in the form of either multiple sleeping units where residents are provided with common living facilities; or apartment housing, both of which provide some combination of personal care (meal assistance or provision, transportation for residents, medication management, dressing or bathing assistance) and/or hospitality services (laundry and housekeeping), but which does not require onsite medical personnel, and where common amenity spaces and dining facilities are provided for the residents. This housing may or may not be licensed as required under the *Community Care Facilities Act*.

SERVICE STATIONS, MINOR means **development** used for the routine washing, servicing or repair of **vehicles** within a **building** containing not more than three service bays; and for the sale of gasoline, petroleum products, and a limited range of automotive parts and accessories.

SERVICE STATIONS, MAJOR means **development** used for the routine washing, servicing or repair of **vehicles** within a **building** containing more than three service bays; and for the sale of gasoline, petroleum products, and a limited range of automotive parts and accessories. **Major service stations** may include **food-primary establishments**. Typical **uses** include truck stops and highway service stations.

SETBACK means the horizontal distance separating a building, structure or use from a specified location.

SEWER SYSTEM, COMMUNITY means a sanitary sewer or a system of sewage disposal works that is owned, operated and maintained by the **City**.

SEWER SYSTEM, PRIVATE means a sanitary sewer or a system of sewage disposal works which is owned, operated and maintained by a person other than the **City**, but does not include conventional septic tank systems within the meaning of *B.C. Regulation 577/75 of the Health Act*.

SHOPPING CENTRE means one or more **buildings** containing more than six retail stores and other **businesses** exceeding 2500m² of **gross floor area**, which share common services, parking, and other facilities on one or more **lots**.

SINGLE DETACHED HOUSING means a detached **building** containing only one **dwelling** unit, designed exclusively for occupancy by one **household**, and a **secondary suite** where permitted.

SINGLE DETACHED HOUSING, TOURIST means a detached **building** containing only one **dwelling** unit, designed exclusively for occupancy by one household, with a maximum stay of 180 days per year per owner or household.

SITE means an area of land consisting of one or two or more **abutting lots** containing a single operating unit.

SITE COVERAGE means the percentage of the total horizontal area of a **lot** or **lots** that may be built upon including **secondary buildings** or **structures** (including **carports**, covered patios larger than 23m² and **decks**).

SLEEPING UNIT means a sleeping room not equipped with self-contained cooking facilities, providing accommodation for guests, residents or employees.

SLEEPING UNIT, ACCESSIBLE means a sleeping room or bed space that is required to conform to accessible design provisions as per the BC Building Code. (*Bylaw 5744*)

SPECIAL NEEDS HOUSING means housing under section 905 of the *Local Government Act* that is used for persons who need subsidized housing because of financial, personal, mental or physical disabilities.

SPECTATOR ENTERTAINMENT ESTABLISHMENTS means an enclosed **building** designed specifically for the presentation of live artistic performances or the showing of motion pictures. Typical **uses** include but are not limited to auditoria, cinemas, theatres, and concert halls.

SPECTATOR SPORTS ESTABLISHMENTS means facilities intended for sports and athletic events that are held primarily for public entertainment, where patrons attend on a recurring basis. Typical **uses** include but are not limited to stadiums, arenas, animal and **vehicle** racing tracks.

STABLE AND RIDING ACADEMY means the **premise** used for equestrian purposes; the **business** of breeding, training, buying and selling or boarding of horses; and the **business** for the teaching and training of students in horse riding and jumping.

STORAGE, COMMERCIAL means a self-contained **building** or group of **buildings** containing lockers available for rent for the storage of personal goods or a facility used exclusively to store bulk goods of a non-hazardous nature.

STORAGE CONTAINERS means a prefabricated unit not requiring any construction or assembly placed on a property for the purpose of storage.

STORAGE, OUTDOOR means the outside storage of equipment, goods, and materials. Typical **uses** include but are not limited to pipe yards or heavy equipment storage compounds as well as **outdoor storage** for building materials, vehicles or boats.

STOREY means the top of any floor and the top of the next floor above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it.

STOREY, FIRST means the uppermost **storey** having its floor level not more than 2.0m above **building grade**.

STOREY, HALF means a **storey** under a sloping roof, the walls of which, on at least two opposite walls, are not more than 0.6m above the finished floor of such a **storey**. A **half storey** also includes a **basement** with walls between 0.6m and 2.0m high lying between **building grade** and the level of the finished floor directly above it.

STREET means a public right-of-way that affords primary access to **abutting** properties under the *Local Government Act* and that is more than eight metres wide, designated as a road, or a named street on a plan registered under the *Land Title Act*, or a road deemed to be a public road under the *Highways Act*. It can include a thorough fare, **street**, trail, avenue, parkway, driveway, highway, road, viaduct, bridge, trestle way, or other public right of way which is ordinarily used for **vehicular** traffic, parking, and pedestrians and is located on publicly owned lands. It includes sidewalks, curbs, boulevards, ditches and traffic **lanes**.

STREET, FLANKING means a **street** that **abuts a side lot line**.

STRUCTURAL ALTERATION means any change or addition to the supporting members of a **structure**, including the foundations, bearing walls, rafters, columns, beams and girders.

STRUCTURE means a **construction** of any kind whether fixed to or supported by or sunk into land or water including but not limited to towers, flag poles, swimming pools, docks, signs and tanks, and excludes areas of **hard surfacing**.

SUBDIVISION means the division of a parcel by an instrument, including a condominium plan, the consolidation of, or boundary change to, two or more adjoining parcels, and subdivide has a corresponding meaning.

SURVEYOR'S CERTIFICATE means a **site** plan certified by a registered *British Columbia Land Surveyor*.

T

TANDEM PARKING means two **parking spaces**, one behind the other, with a common or shared point of access to a maneuvering aisle, **lane** or **street**.

TEMPORARY SHELTER SERVICES means the provision of communal, transient accommodation sponsored or supervised by a public authority or non-profit agency intended to provide basic lodgings for persons requiring immediate shelter and assistance for a short period of time. Typical **uses** include but are not limited to emergency over-night shelters. (*Bylaw 5788*)

THREE-PLEX HOUSING means any physical arrangement of three attached **dwelling** units intended to be occupied by separate **households** with separate exterior access to grade.

THREE-PLEX, TOURIST HOUSING means **three-plex housing** intended to be occupied by separate **households** and/or transient visitors, with a maximum stay of 180 days per year per owner or **household**.

THRIFT STORES means any store or **business** operated by a registered non-profit society selling second-hand or used goods, the entire proceeds of which, above the actual bona-fide expenses, are devoted to any charitable purpose.

TOP OF BANK means the natural topographical break where elevation of land is at its peak. If the distance from the **natural boundary** to the toe of the slope is less than 15.0m, then **setbacks** should be measured from the first significant and regular break in slope that is at least 15.0m wide. Terraces less than 15.0m wide below the slope break shall be included in the leave strip area.

TOUR BOATS means water vessels used regularly to provide paying customers with visits to places of established interest.

TOURIST CAMPSITE means **development** of land which has been planned and improved for the seasonal short term **use** of holiday trailers, **motor homes**, tents, campers and similar **recreational vehicles**, and is not used as year round storage or accommodation for residential use for a period not to exceed 180 days by any one visitor in one year. Typical **uses** include but are not limited to tourist trailer parks, campsites, and tenting grounds.

TRUCK AND MOBILE HOME SALES/RENTALS means **development** used for the sale or rental of new or used trucks, motor homes, **mobile homes**, and automobiles together with incidental maintenance services and the sale of parts and accessories. Typical **uses** include but are not limited to truck dealerships, **recreation vehicle** sales, and **mobile home** dealerships.

U

URBAN SERVICES mean the provision of utility infrastructure consisting of a **community water system**, a storm drainage system, a **municipally sewer system** and paved roadways **adjacent** to the **site**.

USE means the purposes for which land, a **building** or a **structure** is arranged or intended, or for which either land, a **building**, or a **structure** is, or may be, occupied and maintained under this bylaw.

USE, PRIMARY means the main or **primary use** of a **premise** that is provided for in the list of permitted uses in the **zones** of this Bylaw.

USED GOODS STORE means a **development** used for the retail sale of second-hand or **used** minor and major **household** goods, including the refurbishing and repair of the goods being sold. Typical uses include but are not limited to **thrift stores**, the re-sale of items such as antique, used furniture, major appliances, and the re-sale of clothing, jewellery, stereos and musical instruments. This does not include the sale of **used vehicles**, recreation craft or **construction** and industrial equipment, or **flea markets**, **auctioneering establishments**, **pawnshops**, **second-hand dealerships**, and **thrift stores**.

UTILITY SERVICES, MINOR means **development** for utility infrastructure purposes which is likely to have only minor impact on the environment or **adjacent** land **uses** by virtue of its appearance, noise, size, traffic generation or operational characteristics. Typical **uses** in this class include but are not limited to telephone exchanges, wire centres, switching centres, surface reservoirs or storm water lakes including **adjacent landscaping** and **walkways**, minor pump houses, communication towers, gate stations for natural gas distribution, and transit terminals.

UTILITY SERVICES, MAJOR means **development** for utility infrastructure purposes that is likely to have a major impact on the environment or **adjacent** land **uses** by virtue of its potential emissions or effects, or their appearance. Typical **uses** include but are not limited to sanitary land fill **sites**, sewage treatment plants, water treatment plants, major pump houses, water towers or tanks, sewage lagoons, snow dumping **sites**, sludge disposal beds, garbage transfer and compacting stations, power terminal and distributing stations, power generating

stations, cooling plants, equipment and material storage yards for **vehicles**, utilities and services, district heating plants, incinerators, and waste recycling plants.

V

VEHICLE means a **vehicle** as defined in the *Motor Vehicle Act*.

VEHICLE AND EQUIPMENT SERVICES, INDUSTRIAL AND AGRICULTURAL means **development** used for the sale, rental, service, or repair of **vehicles**, machinery or mechanical equipment typically used in **building**, roadway, pipeline, oil field and mining **construction**, manufacturing, assembling and processing operations and agricultural production. This use does not include **truck and mobile home sales/rentals**.

VEHICULAR ORIENTED USE means a **use** that predominantly caters to automotive vehicular traffic. **Vehicular-oriented uses** include but are not limited to **gas bars**, service stations, drive-ins, **drive-through services**, **drive-through vehicle services**, and similar **developments** providing drive-in services.

W

WALKWAY means a **street** intended to carry pedestrian and non-motorized traffic only, except that a **walkway** may be designed to afford emergency **vehicle use**.

WAREHOUSE SALES means **development** used for the wholesale or retail sale of a limited range of bulky goods from within an enclosed **building**, but including **outdoor storage** and sales, where the size and nature of the primary goods being sold typically require large floor areas for direct display to the purchaser or consumer. Typical **uses** include but are not limited to **developments** where primary goods being sold are such bulky items as furniture, carpet, major appliances, and **building materials**.

WATER FEATURE INSTALLATIONS means a **structure**, such as a water fountain that serves as a prominent visual attraction.

WATER SYSTEM, COMMUNITY means a system of waterworks which includes either private or community waterworks within the meaning of the *Health Act* which is owned, operated and maintained by the *City of Greater Vernon Water Utility*, an Improvement District under the *Water Act* or the *Local Government Act*, or which is regulated under the *Water Utility Act* and authorized by the City Council.

WATER SYSTEM, PRIVATE means a privately owned utility system certified as a public convenience and necessity under the *Water Utility Act* that provides water services to more than a single **lot**.

WATERCOURSE means a natural **stream** or source of water supply, whether usually containing water or not. Watercourses include any lake, river, stream, creek, spring, ravine, swamp, gulch, coulee, wetland, or surface source of water, whether containing **fish** or not, including intermittent streams.

WINERY AND CIDERY means a farm winery, an estate winery, or an estate cidery that is licensed under the *Liquor Control and Licensing Act*.

WINTER GARDEN means a **landscaped** courtyard, used for public and/or private enjoyment.

WRECKING YARD means a **premise** used for the collection, demolition, dismantlement, storage, salvage, recycling or sale of waste materials including scrap metal, **vehicles**, machinery, and other discarded materials.

Y

YARD means an area created by **setbacks** from one or more **lot lines** in front, behind or on the sides of the **buildings** or **structures** on the **site** and measured 0.5m above grade. **Yards** shall be free of any **buildings**.

YARD, FRONT means that part of the **site** situated between the **front lot line** and the front of the primary **building** or **structure** extending across the full width of the **site**.

YARD, REAR means that part of the **site** situated between the **rear lot line** and the rear of any **building** or **structure** extending across the full width of the **site**.

YARD, SIDE means that part of the **site** extending from the **front yard** to the **rear yard** and situated between the **side lot line** and the closest side of any **building** or **structure**, except for **fences**.

YARD, FLANKING means that part of the **site** extending from the **front yard** to the **rear yard** and situated between the **side lot line** situated on a **flanking street** and the closest side of any **building** or **structure**, except for **fences**.

Z

ZONE means the areas into which the **city** is divided in accordance with the maps attached as Schedule 'A' of this Bylaw and for which specific regulations are outlined herein for each area.

ZOO means the **premise** used for the permanent shelter, care and breeding of domesticated and/or wild animals for the purpose of public viewing and education. **Secondary uses** with a total maximum area of no more than 300m² shall include **general retail store** and **primary food establishments**.