

120 DEFINITIONS

ACCESSORY means a *use, building or structure* on the same *lot* with, and of a nature clearly incidental and subordinate to the *principal use, building or structure*.

ACCESSORY BOARDING USE means a *use accessory* to a *one unit residential use, a two unit residential use* or a *townhouse residential use* for the accommodation of persons other than members of the *immediate family* that is contained entirely within the *dwelling unit* and limited to not more than two *sleeping units* and a maximum of four persons; **excludes** a *supportive recovery use*.” (B/L 1701-2007)

ACCESSORY BUILDING means a *building or structure*, the *use* of which is *accessory* to a *principal use or building* on the same *lot*, excluding *buildings* used for habitation and *building and structures* for other defined *accessory uses*; includes storage sheds, pumphouses, amenity buildings and a *building* for an *accessory home occupation use* in the A, N and R zones; **excludes** *garages, carports* and unenclosed swimming pools. (B/L 456-97)

ACCESSORY CARE USE means a *use* that is *accessory* to a *congregate apartment residential use* providing for the care of the sick, injured or aged, other than in a public or private hospital; **includes** rehabilitation, personal and intermediate care facilities; **excludes** extended care facilities.

ACCESSORY FAMILY RESIDENTIAL USE means a *residential use accessory* to an *agricultural use* for the accommodation of the *immediate family* of the owner of the *lot*; **includes** the spouse and children of the *resident* specified.

ACCESSORY FULL-TIME EMPLOYEE RESIDENTIAL USE means a *residential use accessory* to an *agricultural use* for the accommodation of employees paid to work full-time on a *farm operation* and, for the purposes of this definition, **includes** the employee's *immediate family*.

ACCESSORY GOLFING SERVICE USE means a *use accessory* to a golf course providing for not more than one club house which may contain a pro shop, lockers, showers, washrooms, laundry area, bag and cart storage, general course storage and maintenance areas, a *bar use, a restaurant use, restaurant (lounge) use, kitchen, administration and general circulation areas*; **excludes** *cabaret use, and any commercial use* not specifically included in this definition. (B/L 1232-2003)

ACCESSORY HOME INDUSTRIAL USE means a *use accessory* to a *residential use*, where the *resident* carries on an occupation in the following industrial categories: providing for the fabricating, assembling, storing, transporting, distributing, servicing or repairing of goods or materials; **excludes** a *service station use, commercial use, the processing, wholesaling, testing, wrecking or salvaging of goods or materials, and all industrial uses* not specifically included in this definition.

ACCESSORY HOME OCCUPATION USE means a *use accessory* to a *residential use*, where a *resident* carries on a profession or occupation which is *accessory* to the principal *residential use* on the *lot*; **includes** a *bed and breakfast* and a facility for family daycare for eight or fewer children at one time, provided such use is licensed under the applicable enactments.

ACCESSORY ONE UNIT RESIDENTIAL USE means a *residential use* consisting of one *dwelling unit* that is *accessory* to a *principal use*, exclusively for the accommodation of an owner, operator, manager, resident counsellor, caretaker or minister, and his or her *immediate family*; **limited** to one per *lot* except as specifically provided for in this by-law.

ACCESSORY PROCESSING USE means a *use accessory* to an *agricultural use* providing for, and specifically limited to, the cleaning, grading and packing for marketing as fresh produce of the crops grown on that and other *farm operations*.

ACCESSORY SEASONAL EMPLOYEE RESIDENTIAL USE means a *residential use accessory* to an *agricultural use* for the accommodation of employees paid to work full-time on a seasonal basis on a *farm operation* and, for the purposes of this definition, **includes** the employee's *immediate family*.

ACCESSORY SECONDARY SUITE RESIDENTIAL USE means a *residential use accessory* to a *one unit residential use*, limited to *one dwelling unit* contained within the same *building* as the *one unit residential use*; **excludes** a *supportive recovery use*; OR in the RMF Zone is a *residential use accessory* to a *townhouse residential use*, limited to *one dwelling unit* contained within the same *strata lot* as the *townhouse residential use*; **excludes** a *supportive recovery use*. (B/L 1871-2009)

ACCESSWAY means that portion of a *driveway* abutting a *street* or *lane* for use by a vehicle to enter or to exit from a *lot*.

ADULT ENTERTAINMENT USE means the use of any premises for the offering for rent, use, viewing or sale of an object (other than a contraceptive device) commodity, good, material, device, machine or entertainment which is designed or intended to be used in, or is a depiction of, a sexual act as defined in the Motion Picture Act and Regulations, as amended or replaced from time to time; **includes** a *body rub parlour*; **excludes** an *Adult Video Store*.

ADULT MOTION PICTURE means a motion picture which comes within the definition of "Adult Motion Picture" contained in the Motion Picture Act and Regulations, as amended or replaced from time to time.

ADULT VIDEO STORE means any *premises* licensed as an adult film distributor or adult film retailer under the Motion Picture Act and Regulations, as amended or replaced from time to time.

AGRICULTURAL USE means a *use* providing for the growing, rearing, producing, and harvesting of agricultural products:

- (1) **includes** the processing on an individual *farm operation* of the primary agricultural products harvested, reared, or produced on that *farm*

operation, the storage of farm machinery, implements and agricultural supplies, repairs to farm machinery and implements used on that *farm operation*, the processing of livestock wastes into garden compost, kennels, aquaculture, fish farming, the growing of mushrooms and *on-farm mushroom composting* and the keeping of horses, cattle, swine, fowl, pigeons, doves, bees, fur-bearing animals or other livestock, and horse riding, training and boarding, if the stables do not have more than 40 permanent stalls; and

- (2) **excludes** *feedlots* and all manufacturing, processing, storage and repairs not specifically included in this definition. (B/L 1523-2006)

AGRI-TOURISM USE means a tourist activity, service or facility accessory to land that is classified as a farm under the Assessment Act, if the use is temporary and seasonal and promotes or markets farms products grown, raised or processed on the *farm operation*, excludes accommodation. (B/L 1523-2006)

AIRPORT USE means any area of land designed or set aside for the landing and take off of aircraft, including all necessary facilities for the housing and maintenance of aircraft. (B/L 628-98)

AIRPORT FUEL FACILITY USE means a *building* or *structure* exclusively used for the storage and supply of aviation fuel. (B/L 628-98)

AIRPORT HANGAR USE means a *use* of land, *buildings* and *structures* for the manufacture, shelter, repair, maintenance, overhaul and servicing of aircraft and aircraft components, as well as the defueling and refueling of aircraft required for repair maintenance and overhaul purposes. (B/L 628-98, B/L 856-99)

AIRPORT OFFICE USE means a *building* or *structure* exclusively used for office purposes for the aerospace industry. (B/L 628-98)

AIRPORT TERMINAL means a *building* or *structure* used for the handling of aircraft and their passengers and freight and **includes** *Liquor Primary Use*, confection, luggage handling, parcel shipping facilities, *restaurant use*, *restaurant (lounge) use*, ticket offices and vehicle rental facilities. (B/L 1777-2008)

AISLE, DRIVE-IN means a paved surface on a *lot* reserved exclusively for and appropriately identified for patrons using a drive-in service wicket.

AISLE, MANEUVERING means that portion of a *driveway* reserved exclusively for purposes of permitting a vehicle to drive into or out of a *parking space*.

AMUSEMENT PARK USE means a *use* which provides entertainment to patrons; **includes** miniature golf, go-cart tracks, bumper boats, batting cages, theme parks, *video game arcade use* in conjunction with at least three or more other amusement attractions and minor retail sales and services customarily associated with and *accessory* to such facilities; **excludes** *adult entertainment use*, *cabaret use*, *casino management use*, pool and billiard halls, bowling alleys, movie houses and theatres.

ANIMAL HOSPITAL means any *premises* in which animals are cared for, treated, maintained or hospitalized.

ANIMAL POUND means a *premises* for the impounding of dogs, horses, cattle or other animals unlawfully at large.

ANIMAL STOCKYARD means an enclosure for the temporary keeping of livestock awaiting auction or shipment.

ANTIQUÉ STORE means any *building* used for the sale of any old and authentic objects of personal property which was made, fabricated or manufactured 50 or more years earlier and which has a unique appeal and enhanced value mainly because of its age, and, in addition, may include the sale of any article of personal property which was made, fabricated, or manufactured 20 years or more earlier and because of public demand has attained value in a recognized commercial market which is in excess of its original value. (B/L 913-2000)

APARTMENT RESIDENTIAL USE, see RESIDENTIAL USE, APARTMENT

ASSEMBLY USE means a *use* providing for the assembly of persons for religious, charitable, philanthropic, cultural, non-commercial private recreational or private educational purposes; **includes** churches, auditoriums, youth and senior centres, social halls, banquet and reception rooms, camps for children and youth, private schools and *child care centre uses*; **excludes** remand centres, detention facilities, prisons, residential facilities such as dormitories, foster homes and residential care facilities or *apartment, congregate apartment or townhouse residential uses*.

ASSEMBLY USE, SPECIAL, see SPECIAL ASSEMBLY USE

AUCTION USE means a use of land or *buildings* where a business accepts goods for sale, places them on public display for inspection and sells them at a public bidding session; **includes** *accessory* office space and the operation of auction training courses; **excludes** all other *commercial uses*.

AUTO BODY REPAIR USE means a *use* providing collision service, body repair, frame straightening, vehicle restoration or vehicle painting.

BALCONY means an unenclosed extension of a floor projecting from the wall of a building and bounded by a partial wall or railing. (B/L 1653-2007)

BED AND BREAKFAST means a business operation carried on as an *accessory home occupation use* by the *residents* of a *dwelling unit* to provide temporary sleeping accommodations, with or without meals, all provided for a prescribed charge on a daily basis, where the maximum length of occupancy by any guest is not more than 30 days in any 12-month period.

BEER BREWING OUTLET means the use of *premises* for the production of beer by the public for a fee and the bottling of beer produced on the *premises*; **includes** the sale of malts, grains, hops and bottles used in the production and bottling of beer on the *premises* and *accessory* sales limited to the sale of books, glassware, magazines and souvenirs related to the brewing of beer.

BINGO HALL USE means the use of *premises* licensed by the Province of British Columbia for the playing of bingo played on paper and electronic machines, which facilitate bingo and other games as provincially authorized by the British Columbia Lottery Corporation, as well as slot machines and Club Keno, and does not include a *Casino Management Use* or *Casino Management Use Group A*.
(B/L 1678-2007)

BODY RUB PARLOUR means the use of *premises* for the practice of manipulating, touching or stimulating by any means of a person's body or part thereof; **excludes** medical, therapeutic or cosmetic massage treatment given by a person duly licensed or registered under any applicable enactments.

BUILDABLE RATE means the appraised value of the *lot* per square metre under the applicable Zone divided by the permitted *base density* of the applicable Zone.
(B/L 1653-2007)

BUILDING means a *structure*, wholly or partially enclosed by a roof or roofs, supported by walls, columns or posts.

BUILDING FACE means the exterior surface of a *building wall* or roof.

BUILDING INSPECTOR means the person or persons appointed by *Council* to that position.

BYLAW ENFORCEMENT OFFICER means the person or persons appointed by *Council* to that position.

CABARET USE means a *use* providing for the sale and consumption of alcoholic beverages, offering entertainment and issued a *Liquor Primary Licence*.
(B/L 1232-2003)

CAMPGROUND USE means a *use* providing for the accommodation of the travelling public in camper trailers, recreation vehicles or in tents; **includes** the following as an *accessory use*: a campground office, limited sales of groceries, camping supplies and souvenirs and laundromats.

CASINO MANAGEMENT USE means a *premises* which provides a casino site, management, equipment and professional personnel for the purpose of conducting a casino gaming event licensed under all applicable enactments.

CASINO MANAGEMENT USE GROUP A means a *casino management use limited to a premises* providing equipment, management and personnel for the purpose of conducting a non-profit casino or other non-profit gaming event licensed under all applicable enactments and, for greater certainty, such *use* does not include a casino or other gaming event held for profit. (B/L 342-97)

CEMETERY USE means a use of land for burial plots.

CENTRE LOT LINE, see LOT LINE, CENTRE

CHIEF BUILDING INSPECTOR means the person appointed by *Council* to that position.

CHILD CARE CENTRE USE means a facility for children; **includes** group day care, preschool, out-of-school care, child minding, specialized day care and emergency child care as regulated under all applicable enactments.

CITY means the City of Abbotsford.

CIVIC USE means a *use* providing for public functions; **includes** federal, provincial, regional and municipal offices and related facilities, colleges, public hospitals, community centres, arenas, swimming pools, fairgrounds, museums, art galleries, *park uses*, remand centres, detention facilities, prisons, courts of law, freeways and *commercial uses accessory* thereto. (B/L 1777-2008)

CLOSED-SIDED ANIMAL ENCLOSURE means a building intended for the keeping of animals, and which is substantially separated from the exterior environment with normally closed walls and doors, and a mechanically conditioned interior air system. (B/L 1869-2009)

COLLEGE AFFILIATED USE means a use associated with an activity, curriculum or programme connected with a college or university. (B/L 1648-2007)

COLLEGE RESIDENTIAL INSTITUTIONAL USE means a *use* providing for the assembly of persons for public educational purposes situated in the *Urban Area*, where *dormitory* accommodations, common kitchen and dining facilities, classrooms, libraries and limited recreational facilities are provided for course participants, and staff; **excludes** camps for youth and children, remand centres, detention facilities, *resort accommodation use*, *tourist accommodation use*, business enterprises conducted from the *lot* and any *use* not specifically permitted by this definition. (B/L 1338-2004)

COMMERCIAL MUSHROOM COMPOSTING FACILITY means a facility for the production of a fresh growing medium for mushrooms where more than 80% of the finished compost is produced for mushroom growing operations which are not on the same legal parcel where the Commercial Mushroom Composting Facility is located. (B/L 837-99)

COMMERCIAL SCHOOL, see SCHOOL, COMMERCIAL

COMMERCIAL USE means a *use* providing for the sale or rental of goods and services, for the servicing and repair of goods or for the provision of personal and non-personal services; (B/L 1678-2007)

- (1) **includes** retail sales, wholesaling or storage *accessory* to retail sales, offices *accessory* to permitted *uses*, *antique stores*, *commercial schools*, entertainment services, *child care centre use*, collection depots for bottles and paper, household services and household repairs, *thrift stores*;

- (2) **excludes** manufacturing, salvaging, warehousing and the sale, servicing and repair of industrial and agricultural machinery, *adult entertainment use, adult video store, amusement park use, auction use, auto body repair use, bingo hall use, cabaret use, casino management use, exotic entertainment establishment, harm reduction use, indoor sport use, liquor store use, mobile food vending cart, non-permanent commercial use, office use, outdoor sports use, pawn shop use, restaurant use, restaurant (lounge) use, second hand goods use, service station use, tourist accommodation use (Type A), tourist accommodation use (Type B) and video game arcade use.*

COMMUNITY SERVICE USE means a *use* by a non-profit society representing non-commercial interests: (B/L 1835-2009)

- (1) providing information, referral, counseling, employment development or advocacy services;
- (2) providing physical, mental health or addiction services on an out-patient basis;
- (3) dispensing aid in the nature of food or clothing;
- (4) providing drop-in or activity space;
- (5) providing child care as an *accessory use* to program services; or
- (6) an *Emergency Shelter Use*, **limited to** lands subject to a housing agreement,

but excludes a *harm reduction use* or a *residential use* not listed above.

CONGREGATE APARTMENT RESIDENTIAL USE, see RESIDENTIAL USE, CONGREGATE APARTMENT

CONVENIENCE STORE means the use of a *premises* for the sale of prepackaged food products, household items, newspapers and magazines, and sandwiches and other freshly prepared foods, such as salads, for off-site consumption.

CORNER LOT, see LOT, CORNER

COUNCIL means the Council of the City of Abbotsford.

DENSITY means:

- (1) minimum *lot area*; and
- (2) a measurement of development intensity on a *lot* which shall be stated as *floor space ratio, unit density or floor area.*

DENSITY, BASE means a measurement of development intensity on a *lot* which shall be stated as a *floor space ratio* excluding the *floor space* permitted under the *density bonus value* provisions of the applicable Zone. (B/L 1653-2007)

DENSITY BONUS VALUE CONTRIBUTION means:

- (1) For non-combustible constructed *buildings* the *buildable rate* multiplied by the additional *floor space* permitted under the *density* provisions of the applicable Zone multiplied by 0.85.
- (2) For wood frame constructed *buildings* the *buildable rate* multiplied by the additional *floor space* permitted under the *density* provisions of the applicable Zone multiplied by 0.50. (B/L 1653-2007)

DENSITY, UNIT means the figure obtained by dividing the total number of *dwelling units* by the *lot area* upon which the *dwelling units* are constructed or are proposed to be constructed.

DENSITY, FLOOR SPACE RATIO, see FLOOR SPACE RATIO.

DESIGNATED FLOOD means a flood which has a statistical frequency of occurrence of once every 200 years, or a flood with recorded levels equal to or greater than a once every 200-year flood.

DESIGNATED FLOOD LEVEL means the observed or calculated elevation for a *designated flood*.

DIRECTOR OF DEVELOPMENT SERVICES means the person appointed by *Council* to that position.

DOMESTIC HOUSE PET means tamed animals, birds, fish, insects or reptiles housed within a *dwelling unit* and kept for purposes of companionship.

DORMITORY means an *accessory dwelling unit* used exclusively for the temporary accommodation of course participants in *sleeping units*; contains no more than one set of cooking facilities per *storey* and may include common living and recreational facilities.

DRIVE-IN AISLE, see AISLE, DRIVE-IN

DRIVEWAY means that portion of a *lot* used to provide vehicle access from a *street* or *lane* to a *parking space*; includes an *accessway* and *maneuvering aisle*.

DWELLING UNIT means one or more *habitable rooms* designed, occupied or intended for use, including occupancy by one or more persons as an independent and separate residence in which cooking, sleeping and sanitary facilities are provided for the exclusive use of such person or persons.

DYKE means a dyke other than a *standard dyke*.

EMERGENCY SHELTER USE means a *residential use* providing accommodation to those requiring non-disaster related temporary shelter for a maximum stay of two weeks. Sleeping arrangements may be in dormitories, or in shared or single bedrooms. (B/L 1150-2002)

ENTERTAINMENT AND SPORTS CENTRE USE means a use providing for a wide range of functions such as *assembly*, convention, entertainment and sporting events, and municipal services and programmes; includes *auction use*; *college affiliated use*; *commercial use*; exercise and fitness centres; kinesiology and sports medicine clinics; *office use* and retail sales and services *accessory* to the *principal use*; *restaurant use*; and *restaurant (lounge) use*. (B/L 1648-2007)

EXOTIC DANCER means a person who, during a performance, removes a substantial portion, but not necessarily all, of the clothing from his or her body, or who comes to the performance area or stage substantially nude and dresses or leaves the stage during a performance to remove a substantial portion of his or her clothing and returns thereafter to continue the performance. (B/L 504-97)

EXOTIC ENTERTAINMENT ESTABLISHMENT means an establishment which features *exotic dancers*, *strippers*, or other similar entertainers. (B/L 504-97)

EXTERIOR LOT LINE, see LOT LINE, EXTERIOR

EXTERIOR SIDE LOT LINE, see LOT LINE, EXTERIOR SIDE

FARM INDUSTRIAL USE means a *use* providing for the fabrication, testing, servicing and repairing of farm equipment, the fabrication of fences, fence posts and containers for farm produce, the fabrication and assembly of farm *buildings*, the processing, storing, distributing, wholesaling, grading, sorting or packaging of farm produce, animal and fish products, feed, seed and agricultural chemicals, the selling of farm equipment and vehicles and animal stock-yards; **excludes** *mushroom growing medium preparation use*.

FARM OPERATION means an area of land used for an *agricultural use* consisting of one or more *lots* within the City of Abbotsford which are classified as farm under the B.C. Assessment Act, R.S.B.C., 1979, and which form and are managed as a single farm.

FARM RETAIL SALES USE means a use accessory to an *agricultural use* providing for the retail sales of agricultural products which are produced on the same *farm operation* or at least 50% of the retail sales area is limited to the sale of farm products produced on the farm on which the retail sales are taking place; excludes areas such as washrooms, offices, and storage areas not accessible to the public. (B/L 1523-2006)

FEEDLOT means a confined area, *structure*, pen or corral used to fatten livestock prior to shipment to market.

FILM VIEWER means any machine capable of showing film, video, tape or electronic medium to a customer for a fee or by way of insertion of a coin or token.

FINISHED GRADE means:

- (1) for a *one* and *two unit residential use*, the level of the ground at any point adjoining each exterior wall of a *building* or *structure*; and
- (2) for all other *uses*, the level of ground at any point adjoining each exterior wall of a *building* or *structure* or the level of ground at any point 6.0 m from each exterior wall, whichever is lower.

FIRST STOREY, see STOREY, FIRST

FLOOD CONSTRUCTION LEVEL means the minimum elevation of the underside of a wooden floor system or the top of a concrete slab for habitable *buildings* or the *finished grade* or the top of a concrete or asphalt pad upon which a *mobile home* or unit rests and is determined by adding an allowance for freeboard to the *designated flood level*.

FLOOR AREA means the area of a *storey* measured to the inside of the exterior walls; **includes** the area covered by any interior walls, partitions or firewalls.

FLOOR AREA, GROSS means the total area of all *storeys* in all *buildings* on a *lot* measured to the outside of the exterior walls of the *building*; **includes**:

- (1) areas for off street parking and loading such as *garages* and carports; (B/L 456-97)
- (2) the area covered by any interior walls or partitions;
- (3) any non-basement enclosed floor areas with a vertical clear *height* greater than 1.2 m;
- (4) basement and cellar space, except that where the entire length of one exterior wall is exposed above *finished grade* by no more than 1.2 m and the average exposed elevation of the exterior walls above *finished grade* is not more than 1.8 m, such basement and cellar space shall not be counted as *floor area* in the calculation of *floor space ratio*. The average exposed elevation is calculated by totalling the portion of the basement wall which is exposed above *finished grade* at each corner of the basement as shown on elevation drawings, and dividing the total by the number of corners. The exposure is measured from the level of the floor above to the *finished grade*; and
- (5) areas enclosed on two sides and covered by an occupied portion of the *building*.

FLOOR AREA, NET means *gross floor area*; **excludes**:

- (1) areas for off street parking and loading;
- (2) *balconies*, open sun decks and roof top areas; and
- (3) *building* area with a ceiling less than 1.2 m in *height*.

FLOOR SPACE RATIO means (B/L 455-97)

- (1) for a *one and two unit residential use*, and a *street townhouse residential use*, the figure obtained by dividing the *gross floor area* by the *lot area*, excluding the area of a panhandle where the width of the panhandle is less than 12.0 m; and
- (2) for all other *uses*, the figure obtained by dividing the *net floor area* of all *buildings and structures* on a *lot* by the *lot area*.

FOOD PRIMARY LICENCE means a Food Primary Licence issued pursuant to the Liquor Control and Licensing Act. (B/L 1232-2003)

FRONT LOT LINE, see LOT LINE, FRONT

FRONTAGE means the side of a *lot* abutting on a *street*.

GARAGE means a *building* or part thereof, used or intended to be used for the parking of vehicles; **excludes** carports.

G.S.C. means Geodetic Survey of Canada.

GROSS FLOOR AREA, see FLOOR AREA, GROSS

GROWING MEDIUM MANUFACTURER USE means the processing and preparation of non-composting materials as a root base medium for the growing of plants in greenhouses and other related controlled growing environments. (B/L 846-99)

HABITABLE AREA means any room or space within a *building* or *structure* which is or may be used for human occupancy, commercial sales, business or storage of goods, **excluding** an entrance foyer or parking facility.

HABITABLE ROOM means a room designed, occupied or intended for living, sleeping or food preparation by one or more persons; **excludes** utility rooms, workrooms, furnace rooms, and storage rooms.

HARM REDUCTION USE means the growing, production, manufacture, sale, distribution or trade of drugs listed in Schedule 1 of the Controlled Drugs and Substance Act including cannabis marijuana or any by product of cannabis marijuana or any substance held out to be cannabis marijuana, methadone treatment clinics and methadone dispensing facilities, except where administered by a pharmacist registered with the British Columbia College of Pharmacists, needle exchanges, mobile dispensing vans, safe injection sites or any other type of similar use of facility and **excludes** *supportive recovery use, residential care use, personal care use* and *detoxification centers*. (B/L 1701-2007)

HEALTH ENHANCEMENT CENTRE means the *use* of premises for the enhancement of health and well-being, including wellness centre, weight loss centre, biofeedback clinics, and the offices of practitioners of therapeutic touch techniques including shiatsu, reflexology and biokinesiology. (B/L 1153-2002)

HEAVY INDUSTRY includes manufacturing or processing of wood and paper products, metal, heavy electrical, non-metallic mineral products, petroleum and coal products, industrial chemicals and by-products and allied products.

HEIGHT means:

- (1) with reference to *buildings* and *structures*, the vertical distance from the lowest of the average levels of *finished grade* adjoining each exterior wall of a *building* (excluding localized depressions for vehicular or pedestrian access), to the highest point of the roof of the *building* or *structure*. In the case of a roof having an inclination to the horizontal plane of not less than 4.7 (a pitch of 2-to-12) and not more than 45 (a pitch of 12-to-12), such roof may exceed the maximum permitted height by not more than 15%. Where a *building* is segmented by firewalls, each portion of the *building* may be treated separately for the purpose of calculating height; and
- (2) with reference to landscaping, fences and landscape walls, means the vertical distance between the average level of *finished grade* within 0.9 m of the base of the landscaping, fence or wall and the top of the said landscaping, fence or wall.

IMMEDIATE FAMILY means a spouse, father, mother, father-in-law, mother-in-law, son, daughter, sister, brother, grandchild, grandparent and great grandparent.

INBOARD TOE OF A DYKE means the base of a *dyke* or *standard dyke* between the *dyke* and the protected area.

INDOOR SPORTS USE means a *use* providing for private sports facilities operated for profit and contained within a *building* or *structure*; **includes** indoor swimming pools, ice arenas, curling rinks, courts for racquet sports, exercise centres, roller rinks, bowling alleys, billiard halls and minor retail sales and services customarily associated with and *accessory* to such facilities including *restaurant use* and *restaurant (lounge) use*; **excludes** *video game arcade use* and *adult entertainment use*. (B/L 1232-2003)

INDUSTRIAL USE means a *use* providing for:

- (1) food processing; or
- (2) the manufacturing, assembling, storing, wholesaling, testing, transporting, servicing, and repairing of equipment, goods or materials.

excludes *resource primary processing use* and *resource processing use*. (B/L 737-98)

INFORMATION TECHNOLOGY USE means the development, design, manufacture, packaging, storage or shipping of computer software; web hosting and data processing services; and the design or research of computer, electrical, electronic or communications equipment, and similar products. (B/L 1047-2001)

INTERIOR LOT, see LOT, INTERIOR

INTERIOR LOT LINE, see LOT LINE, INTERIOR

INTERIOR SIDE LOT LINE, see LOT LINE, INTERIOR SIDE

LANE means a road allowance of less than 10.0 m in width.

LICENSED PREMISES means any *building, structure or premise* licensed under the Provincial Liquor Control and Licensing Act. (B.L. 315-96)

LICENSEE RETAIL STORE is a retail store licenced by the Liquor Control and Licensing Branch (LCLB) to sell beer, wine, ciders, spirits and other alcoholic beverages for consumption elsewhere and operated by a person other than the Liquor Distribution Branch (LDB). (B/L 1230-2003)

LIQUOR PRIMARY LICENCE means Liquor Primary Licence issued pursuant to the Liquor Control and Licensing Act. (1232-2003)

LIQUOR STORE USE is a retail store operated by the Province of British Columbia's Liquor Distribution Branch (LDB) under the authority of the Liquor Distribution Act to sell beer, wine, ciders, spirits and other alcoholic beverages for consumption elsewhere. (B.L. 1460-2005)

LOT means a parcel of land registered in the Land Title Office; **includes** a strata lot that is created by bare land strata subdivision under the applicable enactment.

LOT, CORNER means a *lot* at the intersection or junction of two or more *streets*.

LOT, INTERIOR means a *lot* that has no *exterior side lot lines*.

LOT, NEWLY CREATED means a *lot* created after the date of adoption of this by-law.

LOT, PANHANDLE means an *interior lot* to which access from a *street* is gained by way of a narrow strip of land forming part of the *lot*.

LOT, THROUGH means a *lot* that abuts two or more *streets*, except that for the purposes of this definition a *street* common to an *exterior side lot line* shall not be considered a *street*.

LOT AREA means the area of land within the boundary of a *lot*; **excludes** the area of a *lot* where the width of the panhandle is less than 12.0 m.

LOT COVERAGE means the horizontal area within the vertical projections of the exterior walls of all *buildings and structures* on a *lot*, expressed as a percentage of the *lot area*; where *lot coverage* is calculated at a particular *storey*, the floor area of *buildings and structures* at that *storey* and expressed as a percentage of the *lot area*; **excludes** uncovered *balconies* projecting beyond a structural support; **includes** carports. (B/L. 456-97)

LOT DEPTH means the shortest distance within the *lot* between the *front lot line* and the *rear lot line*.

LOT LINE means the legally defined limits of any *lot*.

LOT LINE, CENTRE means a line between the *front lot line* and the *rear lot line* taken equidistant from all *side lot lines*.

LOT LINE, EXTERIOR means a *lot line* common with a *street*.

LOT LINE, EXTERIOR SIDE means a *lot line*, not being a *front* or *rear lot line*, that is common with a *street*.

LOT LINE, FRONT means the cumulative lines common to the *lot* on an abutting *street*: (B/L 1460-2005)

- (1) in the case of a *corner lot*, the *lot line* or *lines* having the shortest cumulative length abutting one *street*, excluding corner truncations, shall be considered the *front lot line*;
- (2) in the case of a *through lot*, the *lot line* or *lines* common to a *lot* and the minor abutting *street* shall be the *front lot line*;
- (3) in the case of a *panhandle lot*, the *lot line* or *lines* closed and approximately parallel to the *street* from which access to the *lot* is gained, not including the *lot lines* forming the panhandle, shall be considered the *front lot line*; and
- (4) in the case of a bareland strata lot as defined by the Strata Property Act, the *lot line* or *lines* abutting common property occupied by a private road or driveway shall be considered the *front lot line*. (B.L. 1777-2008)

LOT LINE, INTERIOR means a *lot line* common to another *lot* or a *walkway*.

LOT LINE, INTERIOR SIDE means a *lot line*, not being a *rear lot line*, that is common to another *lot*, a *lane* or a *walkway*.

LOT LINE, REAR means a *lot line* opposite to the *front lot line* and that approximately spans the width of the *lot*;

- (1) in the case of triangular shaped *lots*, the point of intersection between two *interior side lot lines* shall be considered the *rear lot line*; and
- (2) in the case of a *through lot*, the *lot line* common to a major abutting *street* shall be considered as part of the *rear lot line*.

LOT WIDTH means the average of the following two linear measurements: (B.L. 455-97)

- (1) a line measured between the *side lot lines* perpendicular to the *centre lot line* at the minimum *setback* of the *principal building* from the *front lot line* along the *centre lot line*; and

- (2) a line measured between the *side lot lines* perpendicular to the *centre lot line* at 20.0 m to the rear of the *front lot line* along the *centre lot line* as illustrated in Figure 1.

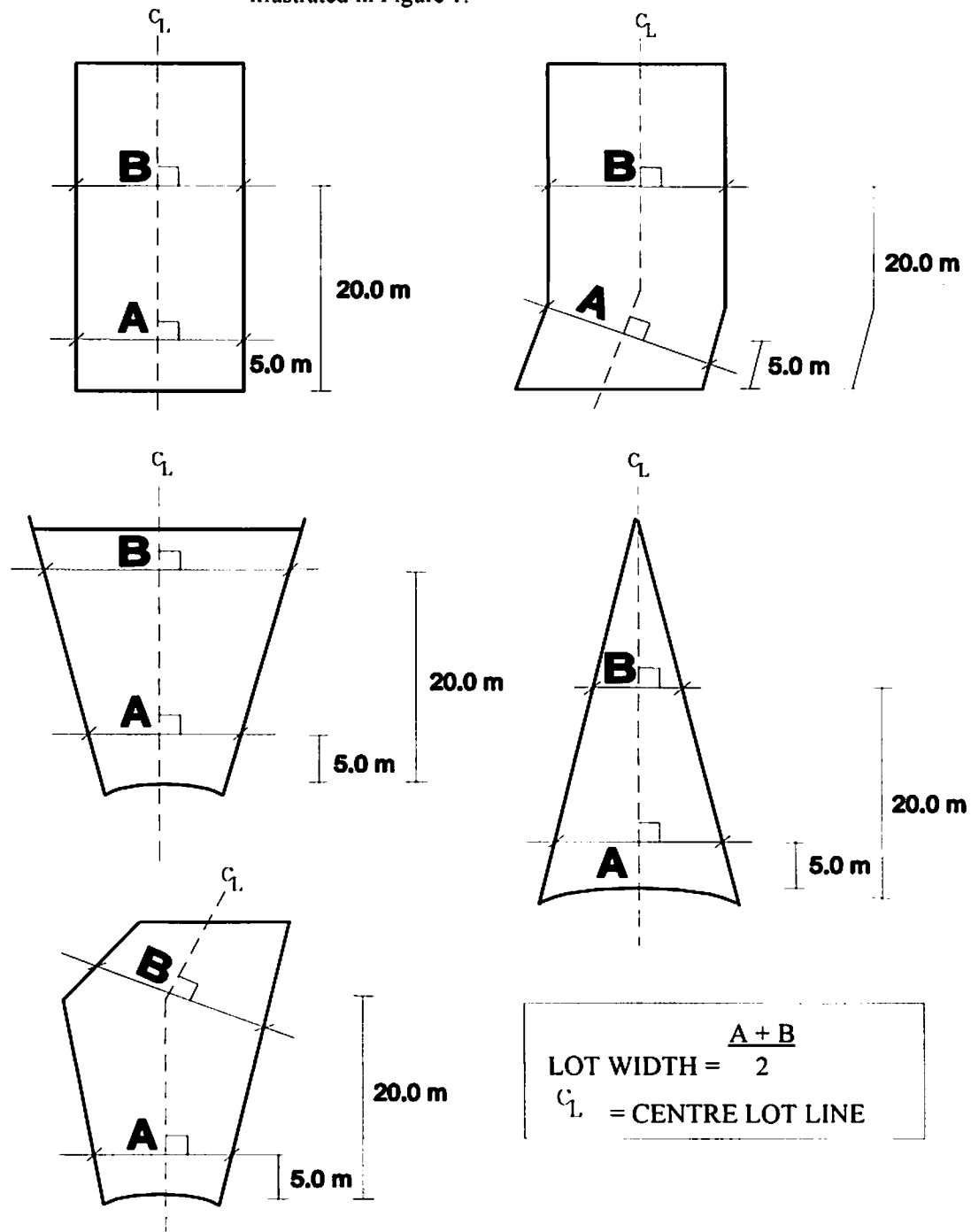


FIGURE 1
ILLUSTRATION OF LOT WIDTH

MANAGER, CURRENT DEVELOPMENT means the person appointed by City Council to that position.

MANEUVERING AISLE, see AISLE, MANEUVERING

MANURE STORAGE FACILITY means the storage of manure in a pit, tank, *building, structure* or piled on the ground in the open air.

MINIMUM PONDING ELEVATION means a minimum construction level assigned to reduce possible flood damage due to ponding of local drainage during a severe local storm.

MOBILE FOOD VENDING CART means a mobile vending cart providing temporary food services which is capable of being moved on its own wheels without alteration or preparation and is fully self-contained with no service connection and containing no more than 2.0 m³.

MOBILE HOME means a *dwelling unit* intended to be occupied in a place other than that of its manufacture on a year-round, long term basis. It is designed and constructed for transportation to a site, for installation on a foundation, and for use when connected to required facilities. It can be either an independent, individual unit or a unit made up of modules. Recreation vehicles and trailers are specifically excluded.

MOBILE HOME PARK USE means a use of land for two or more *mobile homes* for the accommodation of a person or persons and activities customarily associated with home life; **excludes** *mobile homes* used for *one unit residential use, accessory family residential use* and *accessory full-time employee residential use*.

MODULE means a double row of *parking spaces* sharing the same *maneuvering aisle*.
(B/L 846-99, B/L 823-99)

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

NEIGHBOURHOOD COMMERCIAL USE means a *use* providing for the limited sale of goods and services and for related servicing and repair of goods or for the provision of personal and non-personal services provided such *premises* are designed and operated to serve a local neighbourhood; **excludes** a *cabaret use, a casino management use, a community service use, indoor sports use, manufacturing, a neighbourhood public house use, non-permanent commercial use, an office use, the sale, servicing and repair of industrial and agricultural machinery, salvaging, second hand goods use, a service station use, a tourist accommodation use, a video game arcade use, warehousing and a commercial use* not specifically permitted by this definition.

NET FLOOR AREA, see FLOOR AREA, NET

NEWLY-CREATED LOT, *see* LOT, NEWLY-CREATED

NON-PERMANENT COMMERCIAL USE means the retail sale from a stationary vehicle or temporary stall that is not part of a permanent *use* on the *lot*, of goods otherwise permitted to be sold in the zone.

OFFICE, HEALTH CARE means a *use* of premises:

- (1) by physicians, surgeons, dentists, physio therapists, chiropractors, acupuncturists, provincially licensed massage therapists, podiatrists, psychiatrists, psychologists, opticians, optometrists, naturopaths, dental mechanics, and other health care practitioners; and
- (2) for X-ray and other diagnostic facilities, medical and dental laboratories, prosthetic and orthopaedic manufacturers and specialized medical clinics, including a cancer clinic and a blood donor clinic. (B/L 1153-2002)

OFFICE USE means a *use* of the carrying on of a business, the conduct of public administration, the practice of a profession and the administration of an industry; **includes** financial institutions and real estate offices; **excludes** the sale, rental, servicing and repair of goods and the manufacture or processing of a product.

OFFICE USE, RURAL means an *office use* which serves primarily the surrounding rural population and may include accounting, dental, insurance, legal, medical and real estate offices and financial institutions. (B/L 316-96)

OFFICE, INDUSTRY SUPPORT means a *building* or portion thereof in which technical or professional consulting services are performed to serve industrial manufacturing, assembly, processing or repair establishments, and **includes** the *offices* of architects, land surveyors and engineers, but **excludes** *health care offices*, personal services, real estate, advertising, insurance offices, professional services, accountants, lawyers and notary. (B L 1707-2007)

OFFICIAL COMMUNITY PLAN means any Official Community Plan of the City of Abbotsford as amended or replaced from time to time.

OFF STREET PARKING USE means a *principal use* provided for the parking of vehicles; **excludes** commercial vehicles exceeding 6.1 m in length or a gross vehicle weight of 5,500 kg. (B/L 884-99)

ON-FARM MUSHROOM COMPOSTING USE means the production of a fresh growing medium for mushrooms where a minimum of 20% of the finished compost is produced and used on the same legal parcel where the mushroom operation is located. (B L 823-99)

ONE UNIT RESIDENTIAL USE, *see* RESIDENTIAL USE, ONE UNIT

OUTDOOR SPORTS USE means a *use* providing for extensive private open air recreation facilities which occur on man-made sites and are operated for profit; **includes** golf courses, driving ranges, marinas, stadia, rifle ranges, archery ranges, riding academies, waterslides and minor retail sales and services customarily associated with and *accessory* to such facilities.

PARALLEL PARKING SPACE, *see* PARKING SPACE, PARALLEL

PANHANDLE LOT, *see* LOT, PANHANDLE

PARK USE means a *use* consisting of public open space or an area for outdoor recreation or play; **includes** a tot lot and commercial uses *accessory* thereto; **excludes** cemeteries.

PARKING SPACE means the area designated for the parking of one motor vehicle; **excludes** *driveways*, ramps, columns and work areas.

PARKING SPACE, PARALLEL means a *parking space* provided parallel to a *maneuvering aisle*.

PARKING SPACE, TANDEM means a *parking space* of sufficient length to allow two vehicles to park one behind the other.

PARKING SPACE, VISITOR means a *parking space* provided for vehicles of visitors to an *apartment, congregate apartment* or *townhouse residential use*.

PAWN SHOP USE means the *use of premises* by a person and/or business involved in the loaning of money at interest on the security of personal property deposited.

PEDESTRIAN LANDSCAPED AREA means a level (no slope greater than 5%) unobstructed area or areas, including squares, plazas, small parks and/or linear elements, that are pedestrian-friendly, safe and available for use by the general public. These area(s) must be directly accessible from *sidewalks, public walkways* and/or public streets, be located near at least one *building* frontage containing clear window glazing, and reflect Crime Prevention Through Environmental Design (CPTED) principles. These area(s) must be planted with trees and contain amenities such as benches and seating areas, street furniture, paved areas, lawns, water features, public art and bicycle racks. (B.L. 1686-2007)

PERSONAL CARE USE means a use providing for the care of the sick, injured or aged other than in a public hospital and for specialized adult care facilities; **includes** private hospitals, rehabilitation and extended care facilities, personal and intermediate care facilities, private mental health hospitals and a *Supportive recovery use*; **excludes** *harm reduction use*, remand centres, detention facilities and *residential care use*.” (B.L. 1701-2007)

PREMISES means a *building, structure* or part thereof.

PRINCIPAL BUILDING means any *building* to accommodate a *principal use*.

PRINCIPAL USE means a *use*, other than an *accessory use*, specifically permitted in a zone.

PRODUCE PROCESSING USE means a *use* providing for processing of farm produce and office, display and sales area *accessory* thereto; **excludes** meat, poultry or fish processing and flourmills.

PUBLIC SCHOOL, see SCHOOL, PUBLIC

PUBLIC SERVICE USE means a *use* providing for essential servicing of the *City* with water, sewer, electricity, natural gas, telephone, cable, transit stops and similar services, the transmission of electricity, oil or gas and associated maintenance or control facilities, where such a *use* is established and operated by the *City*, by another governmental body, or by a public utility company; includes broadcast transmission facilities and sanitary landfills.

REAR LOT LINE, see LOT LINE, REAR

RECORDING STUDIO USE means a use providing for a studio or facility that is maintained and equipped for making motion pictures, for the transmission of radio and television programs or for making audio recording. (B/L 1365-2004)

RECREATION VEHICLE means a portable *structure* designed and built to be carried on a *vehicle*, or a unit designed and built to be transported on its own wheels to provide temporary living accommodation for travel and recreational purposes and includes such *vehicles* as a motor home, a fifth wheeler, a camper, a travel trailer, and a tent trailer. (B/L 1704-2007)

RECYCLING CONTAINER means a container with a maximum capacity of 15 m³ used for the deposit of recyclable materials where such material is to be removed from the *lot* on a regular basis.

RESEARCH AND DEVELOPMENT USE means the *use* of *premises*, or portions thereof, for the provision of analytical, research or testing services, but not providing services directly to the public. (B/L 1707-2007)

RESEARCH LABORATORY means the *use* of premises for the provisions of analytical, research or testing services, but not providing services directly to the public. (B/L 1153-2002)

RESIDENT means a person who inhabits a *dwelling unit* as his or her principal place of residence.

RESIDENTIAL CARE USE means a daycare for not more than eight children or a *use* for the provision to a maximum of ten adult persons, not more than six of whom are person in care, with physical, mental or emotional disabilities, of board and lodging and one or more of the following: supervision, personal or intermediate care, social training or education training, provided such a use is licenced as a Specialized Adult Residential Care Facility under the applicable enactments; and excludes *harm reduction use*. (B/L 1378-2004)

RESIDENTIAL USE means a *use* of land and *buildings* for the accommodation of a person or persons and activities customarily associated with home life.

RESIDENTIAL USE, APARTMENT means a *residential use* consisting of three or more *dwelling units* on a *lot*, where each *dwelling unit* has its principal access from an entrance or hallway common to at least two other *dwelling units* on the same *storey*. Ground level *dwelling units* may have its principal access from an entrance or hallway common to at least two other *dwelling units* on the same *storey* or a direct ground level access to the *lot, street or lane*. (B/L 1653-2007)

RESIDENTIAL USE, CONGREGATE APARTMENT means an *apartment residential use* for elderly citizens in conjunction with a common resident dining room and appropriately-sized kitchen facilities, social and recreational areas; **includes** a *dwelling unit* for a Resident Manager, a hairdressing salon and gift shop for the use of residents.

RESIDENTIAL USE, ONE UNIT means a *residential use* limited to one *dwelling unit* on a *lot*.

RESIDENTIAL USE, STREET TOWNHOUSE means a *residential use* consisting of one *dwelling unit* vertically attached to one or more *dwelling units* with each *dwelling unit* located on a *lot* abutting a *street* and a *lane*. (B/L 455-97)

RESIDENTIAL USE, TOWNHOUSE means a *residential use* consisting of three or more *dwelling units* on a *lot*, where each *dwelling unit* has direct ground level access, or indirect ground level access by way of a staircase shared by not more than two *dwelling units* on the same *storey*.

RESIDENTIAL USE, TWO UNIT means a *residential use* limited to a *building* designed for or occupied as two *dwelling units* side by side sharing a common wall above ground.

RESORT ACCOMMODATION USE means a *use* providing temporary sleeping accommodation with meals and recreational activities for guests all for a prescribed charge; **includes** camps for children and youth, and *restaurant (lounge) use*; **excludes** remand centres and detention facilities. (B/L 1232-2003)

RESOURCE PRIMARY PROCESSING USE means a *use* providing for: (B/L 737-98)

- (1) the calcining and preliminary grading or crushing of *soil*; and
- (2) log sorting and debarking;

excludes *resource use A*, *resource use B*, *resource processing use* and all manufacturing of products and processing of materials from extracted resource materials, except as permitted herein.

RESOURCE PROCESSING USE means a *use* providing for the manufacture of products and processing of materials from resource material extracted primarily from the same *lot*. The percentage of imported primary materials shall not exceed 25% of the materials processed.

RESOURCE USE A means a *use* providing for the conservation, management and extraction of primary forest on a *lot*; **excludes** *resource use B*, *resource processing use*, *resource primary processing use* and all manufacturing of products and processing of materials from extracted resource materials. (B/L 737-98)

RESOURCE USE B means a *use* providing for the conservation, management and extraction of primary forest and *soil* on a *lot*; **excludes** *resource processing use*, *resource primary processing use* and all manufacturing of products and processing of materials from extracted resource materials. (B/L 737-98)

RESTAURANT USE means a use where meals or refreshments are prepared for consumption on or off the *premises*, and where the seating capacity is 50 or more, may include a lounge with a maximum 20 seats, or 20% of capacity and associated entertainment and operation under a *Food Primary Licence*; **excludes** *bar use, cabaret use and restaurant (lounge)*. (B/L 1232-2003)

RESTAURANT (LOUNGE) USE means a *restaurant use* that includes a lounge with a maximum 40 seats, or 20% of capacity, whichever is less. (B/L 1232-2003)

RETREAT CENTRE USE: means a *use* providing for an establishment used by non-profit religious, cultural or private educational groups for study, relaxation, meditation, training, counselling, and similar activities, including temporary sleeping accommodation with meals, and other compatible accessory facilities; **includes** not more than two self-contained residential suites; **excludes** rehabilitation centres, remand centres, detention facilities, correction homes, *resort accommodation use, tourist accommodation use*, emergency shelters, fraternity or sorority houses, hostels, camps for youth and children, business enterprises conducted from the *lot* and any *use* not specifically permitted by this definition. (B/L 1090-2001)

RIVER USE means use of a river for water-related recreation, log storage, transportation and trans-shipment; **includes** wharves; **excludes** houseboats and other forms of *residential use*, marinas, boathouses, fuelling and servicing facilities.

RURAL OFFICE USE, see OFFICE USE, RURAL (B/L 316-96)

RURAL RESIDENTIAL INSTITUTIONAL USE means a *use* providing for the assembly of persons for non-profit religious, cultural or private educational purposes situated outside the *Urban Area*, where dormitory accommodations, common kitchen and dining facilities, classrooms, libraries and limited recreational facilities are provided for course participants, and where limited residential accommodation is provided for staff; **includes** church centres, private schools and colleges; **excludes** camps for children and youth, remand centres, detention facilities, *resort accommodation use, tourist accommodation use*, business enterprises conducted from the *lot* and any *use* not specifically permitted by this definition.

SANCTUARY means the principal area of a church, temple or synagogue designed for worship services; **includes** second floor balconies; **excludes** vestibules.

SCHOOL, COMMERCIAL means an educational facility operated for profit; **includes** instruction in the arts, sports, business skills, self-improvement, academics and a *trade school*.

SCHOOL, PUBLIC means a place of learning which is provided, maintained and operated principally with public funds and involves a curriculum of elementary or secondary academic instruction.

SCHOOL, TRADE means a *commercial school* in which is taught principally a manual, mechanical or technical trade involving special equipment or vehicles.

SECOND HAND GOODS USE means: (B.L. 1460-2005)

- (1) the *use* of more than 2.5 m² of *floor area* in a *premises* for the sale of:
 - (a) used electronic equipment, including audio or video equipment or accessories, computers, printers or fax machines; or
 - (b) two or more of the following types of used merchandise bicycles, jewelry, cameras or tools; or
- (2) the *use* of more than 10% of *floor area* in a *premise* or the use of more than 15m² for the sale of used furniture, clothing, books, musical instruments, and recreational equipment and accessories.

SERVICE STATION USE means a *use* providing for the retail sale of motor fuels or lubrication oils; **includes** the following as an *accessory use*: the washing of automobiles, the servicing or repair of motor vehicles, the sale of *automobile accessories*, and the rental of trailers and motor vehicles; **excludes** all other sales and services and an *auto body repair use*.

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

SHOPPING CENTRE USE means a *commercial use* and *office use* located in a planned complex of stores exceeding a *net floor area* of 14,000 m², grouped around an enclosed pedestrian mall and/or plaza, designed, operated and managed as an integrated unit and with common parking.

SIDEWALK means a portion of a *street* established for pedestrian use.

SLAUGHTERHOUSE means land or *premises* engaged in commercial abattoir operations. (B.L. 1777-2008)

SLEEPING UNIT means a *premises* designed, occupied or intended for use, including occupancy by one or more persons exclusively for sleeping accommodation; **excludes** any cooking facilities.

SLOUGH means a slow moving body of water.

SOIL means sand, gravel, rock and other substances of which land is composed; **includes** minerals. (B.L. 737-98)

SPECIAL ASSEMBLY USE means a *use* providing for the assembly of persons for religious, charitable, philanthropic, cultural, non-commercial private recreational or private educational purposes; **includes** churches, auditoriums, youth and senior centres, private schools and *child care centre use*; **excludes** social halls, banquet halls and reception rooms.

STANDARD DYKE means a *dyke* which is built to a minimum crest elevation equal to the *flood construction level* and which meets the standards of design and construction approved by the Ministry of Environment for the Province of British Columbia.

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

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

STREET means a road allowance of 10.0 m or more in width.

STREET TOWNHOUSE RESIDENTIAL USE *see* RESIDENTIAL USE, STREET TOWNHOUSE (B/L 455-97)

STRIPPER means a person who, during a performance, removes all of the clothing from his or her body, or who comes to the performance area or stage, either totally nude and dresses in the performance, or leaves the stage during the performance to undress and returns thereafter to continue the performance. (B/L 504-97)

STRUCTURE means any construction fixed to, supported by, or sunk into land or water; **includes** stadia, sheds, platforms, tanks, decks, satellite dishes; **excludes** fences, retaining walls less than 1.5 m in height, fountains, swimming pools and their decks, concrete and asphalt paving or similar surfacing of a *lot*.

SUPPORTIVE RECOVERY USE means a *residential use* providing a supportive and structured environment for individuals recovering from drug or alcohol addiction, before they are ready to move into independent housing; **excludes** a *harm reduction use*. (B/L 1701-2007)

TANDEM PARKING SPACE, *see* PARKING SPACE, TANDEM

THRIFT STORE means a retail store operated by a non-profit society which sells primarily donated used merchandise. (B/L 897-99)

THROUGH LOT, *see* LOT, THROUGH

TOURIST ACCOMMODATION (TYPE A) USE means a *use* providing for the accommodation of the travelling public in *dwelling units* or *sleeping units* where the maximum length of occupancy by any guest is not more than 30 days in any 12-month period; **includes** the following as an *accessory use*: gift shops, meeting rooms, *restaurant use*, *restaurant (lounge) use*, and amenity facilities; **excludes** *cabaret use*. (B L 1777-2008)

TOURIST ACCOMMODATION (TYPE B) USE means a *use* providing for the accommodation of the travelling public in a minimum of 40 *dwelling units* or *sleeping units* where the maximum length of occupancy by any guest is not more than 30 days in any 12-month period; **includes** the following as an *accessory use*: gift shop, meeting rooms, *restaurant use*, *restaurant (lounge) use*, and amenity facilities; **excludes** *cabaret use*. (B L 1777-2008)

TOURIST ACCOMMODATION (TYPE C) USE means a *use* providing for the accommodation of the traveling public in *dwelling units* or *sleeping units* and **includes** the following as an *accessory use*: gift shops, meeting rooms, *restaurant use*, *restaurant (lounge) use*, and amenity facilities; **excludes** *cabaret use*. (B/L 1777-2008)

TOWNHOUSE RESIDENTIAL USE, see RESIDENTIAL USE, TOWNHOUSE

TRADE SCHOOL, see SCHOOL, TRADE

TWO UNIT RESIDENTIAL USE, see RESIDENTIAL USE, TWO UNIT

UNDERGROUND PARKING means parking contained in a *building*, no part of which is more than 1.0 m above *finished grade* anywhere on a *lot* except for localized depressions for vehicle or pedestrian access.

UNIT DENSITY, see DENSITY, UNIT

URBAN AREA means that area shown on Schedule "D" of this by-law.

URBAN RESIDENTIAL INSTITUTIONAL USE means a *use* providing for the assembly of persons for non-profit religious, cultural or private educational purposes situated in the *Urban Area*, where dormitory accommodations, common kitchen and dining facilities, classrooms, libraries and limited recreational facilities are provided for course participants, and where limited residential accommodation is provided for staff; **includes** church centres, private schools and colleges; **excludes** camps for youth and children, remand centres, detention facilities, *resort accommodation use*, *tourist accommodation use*, business enterprises conducted from the *lot* and any *use* not specifically permitted by this definition.

USE means the purpose or function to which land, *buildings* or *structures* are or may be put.

VEHICLE means a device in, on or by which a person or thing is or may be transport or drawn on a highway, but does not include a device designed to be moved by human power, a device used exclusively on stationary rails or tracks or a motor assisted cycle, and includes a trailer. (B/L 1460-2005)

VEHICLE, COMMERCIAL means a motor vehicle having permanently attached to it a truck or delivery body, and **includes**: an ambulance, casket wagon, fire apparatus, hearse, motor bus, tow car, road building machine, taxi, tractor or a combination of vehicles. (B/L 1460-2005)

VIDEO GAME ARCADE USE means any establishment, room or *premises* where more than two amusement devices of any description are operated by coins or tokens or for a fee; **includes** pinball amusement games, electronic amusement games and laser tag; **excludes** any coin-operated mechanical musical device and ride, a billiard hall, *adult video store*, *adult entertainment use* and computer amusement games.

VIDEO LOTTERY USE means any lottery scheme described in paragraph 207(i)(a) and subsection 207(4) of the Criminal Code of Canada that is played or operated through a computer or video device. (B/L 315-96)

VISITOR PARKING SPACE, see **PARKING SPACE, VISITOR**

WALKWAY means a surfaced area for the exclusive use of pedestrians; **excludes** a *sidewalk*.

WATERCOURSE means any natural or manmade depression with well-defined banks and a bed 0.6 m or more below the surrounding land serving to give direction to a current of water at least six months of the year or having a drainage area of 2.0 km² or more upstream of the point under consideration.

WELL means a deep hole or shaft sunk into the earth to tap an underground supply of water; **includes** a drilled well, dug well and sandpoints.

WINERY USE means a winery or cidery as licensed by the Province of British Columbia; **includes** the following as an *accessory use*: areas for wine sampling, food and beverage service, retail wine display, wine sales, and picnic areas. (B/L 1825-2008)

WRECKED VEHICLE includes (B/L 1460-2005)

- (1) a *vehicle* that cannot be operated by its own mode of power;
- (2) *vehicle* parts; or
- (3) a *vehicle* which appears to be dismantled.