

PART I - DEFINITIONS

The following definitions shall apply throughout this Zoning By-law:

"ACCESSORY USE"

means a use that is customarily supplementary to a principal use and where:

Inserted
B/L 7246
08/30/82

(a) the principal use is a permitted use that is carried on the lot;
and

Amended
B/L 12521
02/13/95

(b) the said accessory use:

(i) is carried on a smaller area of the lot than the principal use; and

(ii) if carried on in a building, is carried on in a building or portion thereof smaller in area than the buildings or portions thereof in which the principal use is carried on.

"ACCESSORY AGRICULTURE AND HORTICULTURE USES"

means the accessory uses in connection with the principal agricultural or horticultural uses permitted on the site to aid or support these principal agricultural or horticultural operations performed on the same site.

"ADULT ENTERTAINMENT STORE"

means any premises wherein is sold or offered for sale, objects other than contraceptive devices, designed or intended to be used in a sexual act as defined by Section 1 of the Motion Picture Act Regulations, B.C. Reg. 260/86 made pursuant to the Motion Picture Act, S.B.C. 1986, C17.

Inserted
B/L 11457
03/22/93

"APPROVING OFFICER"

means a person appointed by the Municipal Council as an Approving Officer under the Land Title Act, R.S.B.C.

Inserted
B/L 8792
11/03/86

"ARCADE"

means a premise where six or more devices or machines, mechanically, electronically, or otherwise operated, are made available for the amusement and enjoyment of the public, but shall not include a carnival ride or a premise licensed under the Liquor Control and Licensing Act, R.S.B.C., as amended, where minors are not permitted.

Inserted
B/L 6873
11/09/81
Amended
B/L 6934
12/21/81
B/L 8113
01/14/85

"ARTERIAL HIGHWAY"

means an arterial highway so designated by the Municipal Engineer.

"ASSEMBLY HALL"

means a structure providing for the assembly of persons for religious, charitable, philanthropic, cultural, private recreational, or private education purposes, and includes churches, auditoriums, youth centres, social hall, group camps, and private schools not operated by a Municipal authority; but does not include structures used exclusively for kindergartens, play schools, day nurseries, and day care schools.

"BASEMENT"

means that portion of a building between two floor levels which is partially or wholly underground with at least one-half of the volume of the said portion below the finished grade adjoining its exterior walls and includes cellars.

Amended
B/L 12521
02/13/95

"BED AND BREAKFAST"

means a business operation carried on by the members of a family on a daily basis to provide temporary sleeping accommodations, with or without meals being provided, within the same dwelling resided by the operators, all provided for a prescribed charge on a daily basis.

Inserted
B/L 8245
06/10/85

"BLOCK OF LAND"

means a block of land as delineated and numbered or lettered on the map or plan or any parcel or tract of land in any municipality deposited in the Land Registry Office. In the event of any parcel or track of land not being divided into such blocks, the said term shall mean any portion of the Municipality surrounded or enclosed by streets of not less than ten (10) metres [35 ft.] in width.

"BOARDING OR LODGING HOUSE"

means a building containing rooms for rental as sleeping units, with or without meals being provided for the persons living therein, and containing more than four (4) boarders or lodgers.

"BUILDING"

means a structure having a roof supported by columns or walls used or capable of being used for the shelter or accommodation of persons, animals or chattels and includes a portion of a building as well as chimneys and steeples.

"BUILDING ACCESSORY"

means a subordinate detached building which is:

- (a) Used for the better enjoyment of the building to which it is accessory; and
- (b) Situated upon the site on which the main building is, or is being erected; and

(c) Situated at a distance of not less than one (1) metre from an exterior wall of the main building to which it is accessory; and shall include:

- Detached toolhouse
- Carports
- Private Garages but not private stables
- Satellite dishes

Amended
B/L 7845

"BUILDING - FACE"

means a facia, canopy facia, mansard, roof eaves, parapet, exterior wall of a building or exterior wall of a penthouse.

"BUILDING HEIGHT FOR BUILDINGS LOCATED ON SINGLE FAMILY AND DUPLEX LOTS"

means the vertical distance measured from the average finished grade level, determined by averaging the finished grades at all building faces surrounding the perimeter of a building, to:

Inserted
B/L 17182
06/07/10

- (a) the highest point on a flat roof; or
- (b) the average level between the eaves and ridge of a gable, hip or gambrel roofed building; or
- (c) the greater of the two measurements referred to in (a) and (b) above in the case of a building with more than one type of roof.

Dormers and other similar roof elements shall not be included in the measurement of building height provided that the dormers and other similar roof elements, in aggregate, do not exceed 25% of the plan view area of the roof on which they are located.

"BUILDING HEIGHT FOR BUILDINGS NOT LOCATED ON SINGLE FAMILY AND DUPLEX LOTS"

means the vertical distance measured from the average existing grade level, determined by averaging the existing grades at all building faces surrounding the perimeter of a building, to:

Inserted
B/L 17182
06/07/10

- (a) the highest point on a flat roof; or
- (b) the average level between the eaves and ridge of a gable, hip or gambrel roofed building; or
- (c) the greater of the two measurements referred to in (a) and (b) above in the case of a building with more than one type of roof.

Elevator service rooms, air conditioners and similar equipment, and dormers and other similar roof elements shall not be included in the measurement of building height provided that the dormers and other similar roof elements, in aggregate, do not exceed 25% of the plan view area of the roof on which they are located.

"CAMPER"

means a structure designed to be mounted upon a motor vehicle and to provide facilities for recreational purposes and does not include a fifth wheeler.

Inserted
B/L 11030
08/31/92

"CAMPSITE"

means a site occupied and maintained or intended to be occupied and maintained for the temporary accommodation of trailers or tents.

"COMPREHENSIVE DESIGN"

means development containing any number of buildings planned as an integrated project on one site.

"COMPREHENSIVE DEVELOPMENT DISTRICT": Deleted BL 9117 01/11/88

"CONTAINER - HOUSEHOLD GARBAGE"

means a container for the deposit of household waste material designed to facilitate transport to an off-site location for garbage disposal or periodic emptying into another container for such purpose.

Inserted
B/L 10916
6/17/91

"CONTROL PLAN"

means a plan approved by Council indicating road layout and land uses to provide a guide for future subdivision and development within a defined area.

"COOKING EQUIPMENT"

Means equipment, devices, or appliances that can be utilized to prepare a meal within a dwelling unit and includes a sink, gas or electric range or stove, counter-top cooking unit, hot plate, wall oven, microwave oven, convection oven, toaster oven, electric frying pan, electric wok, pressure cooker, crock pot or any other such cooking facility or any combination of such cooking facility or any combination of such cooking facilities and includes the arrangement of service lines which provide the energy source being used or intended to be used to service such facilities

Inserted
B/L 10880
6/17/91

"COPY AREA"

means the area of a rectangle or rectangles which enclose the extreme limits of the advertising message or announcement on a sign.

"DANGEROUS GOODS"

means any product, substance or organism included in the classes listed in the Schedule to the Transport of Dangerous Goods Act, S.B.C. 1985, c.17.

Inserted
B/L 11441
10/05/92

"DENSITY"

means a measurement of development intensity on a site which shall be in either of the following forms:

- (a) Floor Area Ratio: means the figure obtained when the area of all the floors of the buildings on a site, excluding those areas which are used for parking within the outermost walls of a building or underground and is ancillary to the principal use, is divided by the area of the site. The floor area of the building shall be measured to the outside edge of the exterior walls, excluding basements, crawl spaces less than or equal to 1.5 metres [5 ft.] clear height, balconies, canopies, terraces and sun decks. Undevelopable areas are excluded, except in RS, R-A(G), R-1, R-H(G), R-F, R-F(R), R-F(F), R-F(C) and R-F(D) Zones, where a lot size after the reduction of the undevelopable area is less than the minimum lot size permitted in the Zone, the minimum lot size shall be used in calculating the floor area ratio. In the event that parking is a principal use of the site, those areas which are used for parking within the outermost walls of a building or underground and is a principal use of the site shall be counted in the calculation of the floor area ratio.

Amended
B/L 12521
02/13/95

- (b) Unit Density: means the figure obtained when the total number of dwelling units constructed or to be constructed on a site is divided by the total area, excluding the undevelopable area, of the site.

"DEVELOPMENT PERMIT AREA"

means the area is designated by Council, under Section 702AA, sub-section (2a) of the Municipal Act, R.S.B.C., in which an owner of land shall, prior to the commencement of a development other than the development of three or less self-contained dwelling units, obtain or hold a development permit.

"DRUG STORE"

means a commercial establishment with a gross floor area of 600 square metres [6,450 square feet] or greater which fills a broad range of pharmaceutical prescriptions, and which includes the display for sale of health and beauty products and general merchandise on at least 65% of its gross floor area.

Amended
B/L 16804
11/24/08

"DWELLING UNIT"

means 1 or more habitable rooms which constitute 1 self-contained unit used or intended to be used for residential accommodation for which is provided:

Amended
B/L 10880
6/17/91

- (a) cooking equipment or the facilities for the installation of cooking equipment; and
(b) one or more bathrooms with a water closet, wash basin and shower or bath.

"DWELLING - SINGLE FAMILY"

means a detached building used exclusively for residential purposes and consisting of one dwelling unit, and may, in addition, include one temporary dwelling unit. No such dwelling shall contain less than eighty-four (84) square metres [900 sq. ft.] of floor area on the ground floor thereof nor shall the width of the building be less than seven (7) metres [24 ft.].

"DWELLING UNIT - TEMPORARY"

means a dwelling unit of temporary duration which:

- (a) was in existence prior to August 1, 1975;
(b) was licensed prior to April 1, 1985;
(c) will be discontinued prior to April 30, 1991; and
(d) is covered by a valid business license.

Amended
B/L 8203
04/22/85
Amended
B/L 10508
07/09/90

"DWELLING - TWO-FAMILY OR DUPLEX"

means a detached building used exclusively for residential purposes and consisting of two (2) dwelling units.

Amended
B/L 6839
& 10/26/81
B/L 9328
01/25/88

"DWELLING - THREE-FAMILY OR TRIPLEX"

means a detached building used exclusively for residential purposes and consisting of three (3) dwelling units connected by an interdependent structural system between rooms other than a garage or carport and having entrances from the ground level at not less than two (2) sides of the structure.

"DWELLING - FOUR-FAMILY OR QUADRUPLEX"

means a detached building used exclusively for residential purposes and consisting of four (4) dwelling units connected by an interdependent structural system between rooms other than a garage or carport and having entrances from ground level at not less than three (3) sides of the structure.

"DWELLING - MULTI-FAMILY"

means a residential development within a record lot consisting of more than two (2) detached or structurally connected dwelling units and shall be in the form of any of the following housing types:

Amended
B/L 9951
04/10/89

- (a) Cluster Housing: means detached residential buildings containing one dwelling unit or two dwelling units, forming parts of a comprehensively designed multi-family residential development, and the said buildings are located so as to set aside common areas for the use and enjoyment of the residents of the development.
- (b) Townhouse: means a multi-family dwelling of which each dwelling unit shall have at least two (2) bedrooms and shall have direct ground entrance accessible to a communal garden or open space.
- (c) Garden Apartment: means a multi-family dwelling consisting of ground-oriented dwelling units with access to a garden or open space.
- (d) Medium Rise Apartment: means a multi-family dwelling of up to and including four (4) storeys having dwelling units on each floor with access to a common corridor; and
- (e) High-Rise Apartment: means a multi-family dwelling which is wholly or partly at least five (5) storeys having dwelling units on each floor with access to a common corridor.

Inserted
B/L 9951
04/10/89
Amended
B/L 11691
03/22/93

"EXISTING GRADE"

means the lowest ground elevation existing prior to construction, as established on a legal survey plan by a registered British Columbia Land Surveyor, such ground elevation to include fill materials placed on the lot to raise the ground elevation up to, but not above, the average elevation of adjacent lots at the adjoining lot lines.

Inserted
B/L 17182
06/07/10

"FAMILY"

means one or more persons occupying a dwelling unit and living as a single non-profit housekeeping unit.

"FEEDLOT"

means a building, structure, or enclosure used to feed beef cattle and/or other livestock by a means other than grazing, where the number of livestock is more than one hundred (100) animal units in such building, structure or enclosure. For the purpose of calculating the number of livestock in a feedlot, one (1) animal unit shall be equivalent to one (1) beef cow, or one (1) bull, or two (2) beef feeders, or ten (10) veal calves, or one (1) horse, or four (4) sheep, or twelve (12) feeder lambs.

"FINISHED GRADE"

means:

- (a) the rough grading elevation as identified on a lot grading plan, where such a plan has been approved by the City at the time of subdivision when the lot was created; or

Inserted
B/L 12521
02/13/95

- (b) where there is no lot grading plan that was approved by the City at the time of subdivision when the lot was created, the lowest ground elevation existing prior to construction, as established on a legal survey by a registered British Columbia Land Surveyor, such ground elevation to include fill materials placed on the lot to raise the ground elevation up to, but not above, the average elevation of adjacent lots at the adjoining lot lines. Amended B/L 17182 06/07/10

"FITNESS RECREATION USES"

means a sport or activity requiring either a large or sound isolated space, such as badminton, tennis, exercising to music, band practice and ancillary fund raising activities, gymnastics, indoor miniature golf and other similar physical exercises which do not require substantial alterations to the building, and for this purpose bowling alleys, racquetball courts, health spas and other similar sports or activities are, therefore, excluded." Amended B/L 7950 08/13/84 B/L 9201 10/26/87

"FLOOR AREA RATIO"

refers to "DENSITY".

"FRONTAGE"

means the boundary of the record lot abutting a highway. Where a record lot abuts more than one highway, other than a lane, the frontage shall be that boundary having the least measurement. A frontage as herein defined shall not be less than four (4) metres.

"GASOLINE SERVICE STATION"

means any building or land, the use of which shall be the retail sale of motor fuels and lubricants and may include automotive diagnostic centres and the servicing and minor repairing of motor vehicles, but not including self-serve gasoline stations.

"GENERAL MOTOR VEHICLE REPAIR SHOP"

means a building or land used or intended to be used for repair of automobiles, trucks, construction equipment and other motor vehicles, and of trailers and parts thereof, and shall include a body shop, but shall not include the manufacture or assembly of motor vehicles or parts thereof, nor the wrecking or storage of wrecked vehicles.

"GOLF DRIVING RANGE"

means an open air recreation facility where the sport of golf is practised from individual tees. The structure housing the tees may be covered and/or uncovered and may consist of more than one level. This use may or may not be connected with a golf course and usually includes such accessory structures as a kiosk for golf ball and golf club rentals, a structure from which the golfers stand, a snack bar to serve the patrons of the golf driving range, and a residence for the grounds keeper. Inserted B/L 9602 08/29/88

"GROCERY OR CONVENIENCE STORE"

means a store primarily retailing groceries, meats, fruit and vegetable products, and confectioneries, and also may include ancillary retail and service uses such as selling health and beauty products and housewares, rental of audio or video recordings, equipment and machines, selling of lottery tickets, and other sundry products and services. Inserted B/L 8505 03/10/86

"GROUND ORIENTED"

shall mean the location of a dwelling unit on the grade level. The main entrance may be oriented towards a corridor and connected to a common lobby. The living spaces of such a dwelling unit may provide access to a garden or patio. The bedrooms may be situated on the ground floor or on a second floor, accessible from an internal staircase.

"G.V.W."

means Gross Vehicle Weight.

"HIGHWAY"

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

"HOME OCCUPATION"

means any occupation or profession carried on for consideration which is clearly incidental to the use of the dwelling unit for residential purposes but shall not include social escort services.

Amended
B/L 8037
10/29/84

"HORTICULTURE"

means the cultivation of the ground for the purpose of raising fruits, vegetables, plants and flowers

Inserted
B/L 7246
10/03/82

"HOTEL"

means a building in which lodging, with or without meals, is provided and offered to the public for compensation and is open to transient guests but which does not include individual housekeeping facilities. Does not include motels or auto courts.

"HOUSE TRAILER"

means any vehicle, including tent trailer, recreational vehicle(other than a camper), camper conversion van, motor home and fifth wheeler, designed to travel on the highways, whether or not self-propelled and to be used as temporary living or sleeping quarters by travellers.

Inserted
B/L 11030
08/31/92

"INDUSTRIAL COFFEE SHOP"

means a place of business engaged in supplying light meals and snacks primarily to employees of an industrial building, complex, or area during the working hours of said employees.

Inserted
B/L 7682
10/03/83

"INDUSTRIAL PARK"

means an area designated for consolidation and subdivision under the provisions of the Industrial Park Zone of this By-law, for the purposes of creating a comprehensively designed industrial area with special emphasis on landscaping and landscape retention, landscape buffers on the surrounding edge of the area and design guidelines regulating and coordinating the appearance of buildings and structures.

"KENNEL COMMERCIAL"

means a kennel specifically set up for boarding, breeding and training of dogs not owned by the kennel operator

Amended
B/L 8069
11/26/84

"KENNEL HOBBY"

(a) means a kennel where not more than 6 dogs which are kept on the premises for breeding or showing purposes. The operator of the hobby kennel must reside on the property on which the hobby kennel is operated. There shall be no boarding or training of dogs not owned by the kennel operator or the property owner.

&
B/L 11412
09/14/92

Notwithstanding (a)

(b) One dog not owned by the hobby kennel operator or property owner may be kept in the hobby kennel for breeding or show purposes

"LANDSCAPING"

shall mean any combination of trees, bushes, shrubs, plants, flowers, lawns, bark mulch, decorative boulders, decorative paving, planters, foundations, sculptures, decorative fences, and the like, tastefully arranged and maintained so as to enhance and embellish the appearance of a property, or where necessary to effectively screen a property, and shall not include paved parking areas and sidewalks, or uncleared natural bush, undergrowth, or uncontrolled weed growth.

"LIMITED ADVERTISING SIGNS"

means a sign which is erected with a maximum height of two (2) metres [6 ft.], which may have a changeable message intended to advertise goods or services available on the record lot on which the sign is located and which is erected in accordance with the provisions of Part VI of this Zoning By-law for Limited Advertising Signs.

Inserted
B/L 8792
11/03/86

"LIQUOR STORE"

means a business licensed as a "licensee retail store" operation under the regulations to the Liquor Control and Licensing Act, R.S.B.C. 1996, chapter 267, s. 84, as amended.

Inserted
B/L 15065
07/21/03

"LOT - RECORD"

means land designated as a separate and distinct parcel on a legally recorded subdivision plan or description filed in the records of the Land Registry Office, New Westminster.

"LOT LINE - EXTERIOR SIDE LOT LINE"

means that boundary between a lot and a public right-of-way where one or both ends of that boundary line intersect a front lot line.

"LOT LINE - INTERIOR SIDE LOT LINE"

means that boundary common to two lots where one or both ends of that boundary line intersect a front lot line.

"LOFT SPACE"

shall be defined as a remnant space which is the result of an open roof space or attic over the usable area of a building or structure, and is accessible from such usable area. Loft spaces shall not be counted into the calculation of usable building floor area if the area underneath those portions of the roof which exceed two decimal eight (2.8) metres in height measure less than two decimal five (2.5) metres horizontally.

"MAGAZINE STORAGE"

means the carrying of an access some distance into a property without having connection to a parking area on the said property so that vehicle can store without interference from on-site traffic.

"MARINA"

means a site including the surface of water, which provides for the sale and/or rental of boats, docking berths, marine engines and marine supplies.

"METHADONE DISPENSARY"

means a business selling or filling methadone prescriptions for customers as the primary activity of the business and which does not display for sale of health and beauty products and general merchandise on at least 65% of its gross floor area, but excludes a drug store or a small-scale drug store.

Inserted
B/L 16804
11/24/08

"MINK FARM" OR "FOX FARM"

denotes structures and land intended for the keeping of mink or fox or other fur-bearing animals for commercial purposes.

"MOBILE HOME"

means a structure manufactured as a unit designed to be transported on its own wheels or by other means, and arriving at the site ready for occupancy apart from incidental operations and connections.

"MOBILE HOME PARK"

means any parcel of land, upon which two or more mobile homes, occupied for dwelling purposes, are located, including all buildings, structures or accessories used or intended to be used as equipment for such mobile home park; but shall not include vehicle sales, or other lands on which mobile homes are manufactured or placed solely for the purposes of storage or inspection and sale.

"MOTEL"

means one or more connected or detached buildings, in which the transient public are provided for consideration, with:

- (a) Lodging, with or without provision of housekeeping facilities;
- (b) An office with a public register; and
- (c) An attendant on duty at all times.

A "Motel" shall also refer to accommodation commonly known as an "Auto Court".

"MOTION PICTURE FILM"

Photographic film, pre-recorded videotapes, pre-recorded video disks and includes any other object or device on which or within which there is recorded, by photographic, electronic or other means, the contents of a motion picture, and from which, by the use of a projector, machine or other appropriate technology, the motion picture may be viewed, exhibited or projected.

Inserted
B/L 9234
12/14/87

"MUSHROOM FARM"

denotes structures and land intended for the growing of mushrooms for commercial purposes.

"NON-CONFORMING BUILDING OR USE"

means any building or use which does not conform with any or all of the regulations for the zone in which such a building or use is located.

"OCCUPIED"

means "occupied or arranged, designed, or intended to be occupied".

"OFFICIAL COMMUNITY PLAN"

means the community plan which expresses Council's policy for any use or uses of land, including surfaces of water and/or the pattern of the subdivision of land applying to any or all areas of the Municipality, and which has been duly adopted by Council under the provision set out in the Municipal Act, R.S.B.C.

"PARCEL OR LOT"

means any area in which land is held as a singular entity or into which land is subdivided, including strata lots created by strata plan, but does not mean a highway or portion thereof.

Inserted
B/L 8792
11/03/86

"PARKING FACILITY"

means a building, structure or land designed or intended for short-term parking of vehicles weighing less than 5,000 kilograms [11,023 lbs.] G.V.W., with or without charge.

Inserted
B/L 11513
11/16/92

"PARKING, WITHIN THE BUILDING ENVELOPE"

shall include one of, or a combination of, the following types of parking area:

Inserted
B/L 6728
09/21/81

- (1) Roof top parking area; provided, however, that such parking area shall be adequately screened with landscaping materials so that no parked vehicles are visible from the ground level.
- (2) Parking area forming an integral part of the principal building; provided, however, that not less than fifty (50) percent of such parking area shall be under the interior usable space of the principal building. The remaining portion of the parking area shall be covered with a roof integrated into the roof structure of the principal building.
- (3) Parking area forming an integral part of the principal building; provided, however, that any portion of the parking area not under or within the principal building shall be covered. The structure covering the parking area not under the principal building shall be landscaped and accessible for recreation uses.
- (4) Multi-level parking structure; provided, however, that such parking structure shall not occupy more than ten (10) percent of the developed site and that a covered pedestrian walk shall be provided to connect such parking structure with the principal building(s).

"PERSONAL CARE FACILITY"

means a building which contains sleeping units for persons receiving care or assistance where the building and/or operator are regulated or funded by provincial or federal agencies, including care and assisted living as defined and regulated under the Community Care and Assisted Living Act, S.B.C., 2002, c.75 as amended.

Amended
B/L 17182
06/07/10

"PIGGERY"

means the keeping of more than two (2) pigs for commercial purposes.

"POULTRY FARM"

means the keeping of more than one hundred (100) heads of poultry including laying hens, broilers, roasters, pullets, breeding flocks, turkeys, geese and ducks.

"RECREATIONAL USES"

recreational uses or recreational facilities shall not be construed as to include arcades.

Inserted
B/L 8819
11/17/86

"RECYCLABLE MATERIAL"

means paper, paper products, and containers made of glass, metal or plastic or such other material as may be collected under Municipal Contract.

Inserted
BL 10916
6/17/91

"RECYCLING CONTAINER - PASSIVE"

means a container for the deposit of recyclible material which is designed to be transported to an off-site depot for unloading

Inserted
B/L 8710
09/08/86

"REPLOTTING SCHEME"

means the resubdivision of an area under the replotting provisions of the Municipal Act, R.S.B.C.

Inserted
B/L 8792
11/03/86

"RETAIL STORE"

means the business of selling goods or merchandise to the ultimate consumer for personal consumption or household use and not for resale purposes and includes convenience stores, drug stores, small scale drug stores, video rental, household equipment rental, retail warehouse uses, government liquor stores, and flea markets which are wholly enclosed within a building, but excludes vehicle sales and rentals, liquor stores and methadone dispensaries.

Inserted
B/L 16804
11/24/2008

"RETAIL WAREHOUSE"

means a business operation offering accommodation of retail sale and wholesale within a warehouse

Inserted
B/L 9900
03/13/89

"ROOF-LINE"

means the line delineated by the intersection of the plane of the outside face of the exterior wall of the building and the plane of the roof of the building except that in the case of a pitched roof with projecting eaves the roof line shall be at the eaves level, and where the building has a continuous roof parapet or mansard the roof line shall be the line of the top of the parapet or mansard.

"SECONDARY SUITE"

means a second dwelling unit, located within the structure of an owner-occupied single family dwelling.

Inserted
B/L 10703
2/25/91
Amended
B/L 11443B
03/22/93

"SATELLITE DISH"

means an antenna system designed to receive signals from a transmitting satellite.

Inserted
B/L 7845
04/09/84

"SELF-SERVE GASOLINE STATION"

means any building or land, the use of which shall be the retail sale of motor fuels and lubricants which purchasers dispense themselves and may include the servicing and minor repairing of motor vehicles.

"SENIOR CITIZENS' HOUSING DEVELOPMENT"

means any structure or building designed, used or occupied exclusively by senior citizens and which has been approved by and is supported in whole or in part by financial assistance from the Municipal, Provincial, or Federal Governments or agencies.

Amended
B/L 9951
04/10/89

"SERVICE STATION"

means a place of business engaged, either exclusively or in conjunction with another retail business, in supplying goods and services essential to normal operation of automobiles and excluding body and fender work and painting.

"SET BACK"

means the least horizontal distance from the record lot line to the exterior wall of a building.

"SIGN"

means generally, but not limited to any symbols, letters, numerals, words, figures, pictures, illustrations, advertisements, announcements, direction, logo, visual representation or other attention drawing device which advertises, identifies, or communicates information or attracts the attention of the public, for any purpose, displayed out of doors on a record lot or on the exterior of a building on a record lot in such a manner as to be visible from a highway and shall include a sign displayed on the interior surface of an exterior window, but shall not include a traffic control device, nor architectural symbolism or graphics which are an integral part of the architectural design of a building."

Amended
B/L 7678
10/24/83

"SIGN - ADVERTISING"

means a sign which advertises or identifies a business, profession, or event conducted upon the record lot on which said sign is located, or which advertises or identifies goods, products, services or other things produced, displayed, offered for sale or otherwise obtainable upon the said record lot.

"SIGN - AREA OF"

means the area of the rectangle within which the extreme limits of the face of a sign can be completely contained, exclusive of any supporting structure, except that:-

- i) Where a sign has more than one face or the face of the sign is not flat, the area of such sign shall be the rectangle, circle or triangle within which the extreme limits of the largest area of the face of the sign, in profile, can be completely contained, exclusive of any supporting structure, and

- ii) Where a sign is made up of individual letters the area of such sign shall be the combined area of the smallest rectangles, circles or triangles that will enclose the extreme limits of the individual letters or figures of the said sign.

"SIGN - BILLBOARD"

means a panel, sign-board, bulletin board, boarding or hoarding mounted on a building or free-standing structure, and used or intended to be used for the posting or displaying of notices or advertising materials pasted, glued, fastened, or otherwise affixed thereto.

"SIGN - CANOPY"

means a fascia sign displayed on a canopy fascia but shall not include a free-standing sign or a projecting sign.

"SIGN - COMMUNITY ACTIVITY"

means a sign or banner indicating that a community activity or event including, but not necessarily limited to a fair, rodeo or fund drive, is about to be, or is being, or has been carried on.

"SIGN - DIRECTIONAL"

means a sign indicating the name and direction only of a commercial or industrial establishment.

"SIGN - FACIA"

means a single faced sign displayed on a building face with its display surface in a plane parallel to the said building face, and shall include a sign displayed on the interior surface of an exterior window of said building in such a way as to be visible from a highway, but shall not include a billboard.

"SIGN - FREE-STANDING"

means any sign wholly or partially supported from the ground by a structure which is independent of any of the buildings or other structures located on the same record lot on which the sign is situated, but shall not include a billboard.

"SIGN - HOME OR FARM IDENTIFICATION"

means a fascia sign or free-standing sign which identifies a residence or a farm.

"SIGN - HOME OCCUPATION"

means a fascia sign indicating that a home occupation is carried out in the building to which the sign is affixed.

"SIGN - MUNICIPAL BUILDING AND ASSEMBLY HALL"

means a free-standing sign or fascia sign located on the site of a Municipal building or facility or an assembly hall, indicating thereon the name of said building or facility and the activities pertaining thereto.

Inserted
B/L 8819
11/17/86

"SIGN - POLITICAL"

means a sign erected to promote the voting at an election, or the election of a particular candidate or the voting for or support of a particular cause at an election.

"SIGN - PORTABLE"

means a sign placed upon but not fixed to the ground or a building on a record lot and used to advertise a product or an event on a temporary basis, and shall include a sign which is set upon or supported by a vehicle as defined by the Motor Vehicle Act, as amended. portable sign shall not include a sandwich board sign."

Amended
B/L 7678
10/24/83

"SIGN - PROHIBITION"

means a facia or free-standing sign indicating a prohibition or penalty respecting the property on which it is situated.

"SIGN - PROJECTING"

means a sign attached to and with its display surface(s) at right angles to and attached to a wall of a building.

"SIGN - PUBLIC BUILDING"

Repealed by By-law No. 8819.

"SIGN - REAL ESTATE OR CONSTRUCTION"

means a free-standing or facia sign indicating that the property on which it is located, or a premises on the said property is for sale, rent or lease, or that a building project or development on the said property is about to be undertaken, or is currently in progress.

"SIGN - ROOF"

means a sign erected upon or above a roof or parapet of a building, or a sign affixed to a building and extending above the roof line of the building, but shall not include a projecting sign.

"SIGN - SANDWICH BOARD"

means a one or two face non-illuminated portable sign with a maximum area of eight (8) square feet on each side."

Inserted
B/L 7678
10/24/83

"SIGN - UNDER CANOPY"

means a sign affixed to or beneath a permanent marquee, canopy or awning, and with its display surface situated at right angles to the face of the building of which said marquee, canopy, or awning forms part, and does not include a projecting sign.

"SIGN - WELCOME OR TOURIST INFORMATION"

means a sign designed to orient the visitor and assist him in the location of community facilities and services, and, further indicating general tourist information relating to the Municipality of Surrey as a whole.

"SIMILAR EXTERIOR DESIGN"

means construction whose exterior appearance to the same. Minor changes in exterior structural appearance and minor variations in surface treatment shall not be considered as changes in design.

"SITE"

means a tract of land occupied or to be occupied by a principal building or principal buildings and its accessory buildings together with such open spaces and yards as are required in this By-law, and having its principal frontage on a highway. A "site" need not coincide with a "record lot". Where a group of apartment buildings or commercial buildings or industrial buildings are built or proposed to be built under a comprehensive design "site" shall not include land required for the purpose of a highway allowance or for the purpose of widening a highway.

"SITE COVERAGE"

unless specified in the zone, "Site Coverage" shall mean the horizontal area produced by a vertical projection of the outside of the outermost walls of all buildings and structures on the lot, or on the site where the site does not coincide with the "record lot".

Excluded from this calculation may be any structure located in or beneath a yard, provided that the top of such structure is located beneath the average elevation of adjoining streets, lanes, or adjacent sites.

"SITE - DEVELOPED"

means the portion of a site which is occupied by building, structure and/or land improvements.

"SITE FOR SUBDIVISION"

means a tract of land proposed to be subdivided under the provisions of the "Surrey Subdivision By-law, 1979, No. 5944".

"SMALL SCALE DRUG STORE"

means a commercial establishment with a gross floor area of less than 600 square metres [6,450 square feet] which fills prescriptions and which includes the display for sale of health and beauty products and general merchandise on at least 65% of its gross floor area.

Inserted
B/L 16804
11/24/08

"SPECIAL WASTE"

means any substance designated as such under the Waste Management Act, S.B.C. 1982, c.41.

Inserted
B/L 11441
10/05/92

"SOCIAL ESCORT SERVICE"

means any person carrying on the business of providing or furnishing male or female escorts for social occasions.

Inserted
B/L 8037
10/29/84

"STRUCTURE"

means a construction of any kind whether fixed to, supported by or sunk into land including but not limited to stadiums, sheds, fences, platforms, display signs, tanks, poles, towers, swimming pools, windmills, chimney towers, satellite dishes, and spires.

Amended
B/L 7845
04/09/84

"THEATRE"

Includes a hall, building, premises, room or place, including an open-air place commonly known as a "Drive-in Theatre" where motion picture films are exhibited to the public. Theatres designed to accommodate less than 20 persons are prohibited.

Inserted
B/L 9234
12/14/87

"THEATRE 2"

means a building used or intended to be used for the projection of motion picture films classified as restricted designated under the Motion Picture Act B.C. Reg. 260/86, or where there is one or more film viewers made available for use by the public or both.

Inserted
B/L 11457
03/22/93

"THIRD PARTY ADVERTISING"

means content on a sign which directs attention to products sold or services provided, which cannot be considered as the principal product sold or principal services provided on the premises at which such third party advertising is located.

"TOURIST TRAILER PARK"

means a parcel of land which has been planned and improved for the placement of travel trailers and other recreational vehicles for transient use.

"TRADE SCHOOL"

are those institutions the purpose of which is to educate and train individuals in the manual arts and thereby develop such programs in order to enable students enrolled therein to further their education through provision of training facilities, instruction, materials and equipment and further that this institution is recognized by the Ministry of Labour by the issuance of a certificate of registration.

Inserted
B/L 7976
08/27/84

"UNDEVELOPABLE AREA"

means the portion of a lot containing the following features:

- (a) utility rights-of-way, excluding City services; or
- (b) ravine, swamps, river banks and similar features which make the said portion of the lot unsuitable for the placement of buildings and structures of which the boundary shall be determined by a line 5 metres [16 ft] inland from the top-of-bank.

Amended
B/L 12521
02/13/95

"VEHICLE"

means a vehicle as defined in the "Motor Vehicle Act".

Amended
B/L 7678
10/24/83

"WATERSLIDE"

means a recreational facility consisting of one or more open or enclosed flume(s) for people to ride down on a flow of water.

Inserted
B/L 7937
07/23/84

"WRECKED MOTOR VEHICLE"

A vehicle as defined in the Motor Vehicle Act, R.S.B.C. 1979, Chapter 288, that is:

- (a) Physically wrecked or disabled so it cannot be operated by its own mode of power;

Amended
B/L 7678
10/24/83

- (b) Wrecked or parts of a physically wrecked or disabled vehicle; or &
- (c) A vehicle that appears to be physically wrecked, although it could be operated by its mode of power, but is not displaying thereon a lawful current license for its operation on the highway. B/L 9234
12/14/87

"YARD"

means an open area unoccupied to the sky, except for the following:

- (a) The ordinary projection of sills, belt course, cornices and eaves, provided, however, that none of these shall project into a minimum yard more than six hundred (600) millimetres;
- (b) Fire proof fire escapes;
- (c) The ordinary projection of chimneys, provided, however, that no chimneys shall project into a minimum yard more than six hundred (600) millimetres;
- (d) Accessory buildings occupying not more than 30 percent of the area of a rear yard;

and except as otherwise provided under the provisions of this by-law.

"YARD - FRONT"

means a yard extending across the full width of the site and measured as to depth at the least horizontal distance between the street line and the exterior wall.

"YARD - REAR"

means a yard which extends the full width of a site and measured as to depth at the least horizontal distance between the rear site line and the exterior wall.

"YARD - SIDE"

means a yard which extends from the front yard or front lot line where no front yard exists to the rear yard or rear lot line where no rear yard exists, and measured as to width at the least horizontal distance between the side site line and the exterior wall.