

Section 2 Definitions

[Note: Uses defined in Section 2 and listed in the District Schedules are grouped together and listed alphabetically according to twelve generic headings as follows: Agricultural Uses, Cultural and Recreational Uses, Dwelling Uses, Institutional Uses, Manufacturing Uses, Office Uses, Parking Uses, Retail Uses, Service Uses, Transportation and Storage Uses, Utility and Communication Uses, and Wholesale Uses. For example, “Greenhouse” is listed alphabetically under “A” for “Agricultural Use”. Refer to Index for more assistance.]

In this By-law, unless the context otherwise requires:

Accessory Building means:

- (a) a building, the use or intended use of which is ancillary to that of the principal building situated on the same site, but does not include an additional dwelling unit to a dwelling unit already existing;
- (b) a building which is ancillary to the principal use being made of the site on which such accessory use is located;

Accessory Use means:

- (a) a use which is ancillary to the principal building, or use of the principal building, situated on the same site, or
- (b) a use which is ancillary to the principal use being made of the site upon which such accessory use is located;

Adult Magazine means any pamphlet or magazine which

- (a) contains a visual image or representation of the pubic, perineal or perianal areas, the buttocks, or the female breast and
- (b) depicts sexual conduct or sadomasochistic behaviour;

Affordable Housing Share means a financial contribution in an amount per share as specified in the Affordable Housing and Amenity Share Schedule to this by-law, that is paid in exchange for a specified increase in the permitted floor area of a development and that is to be used for the provision of social housing;

Agricultural Uses means and includes all of the following uses, and any one of them, but no other:

Greenhouse;

Nursery, Field Crop or Fruit Farm, which means the use of land for the growing of plants, shrubs, trees, vegetables, field crops, berry or bush crops, or orchard crops;

Stable, which means the use of premises for the keeping, breeding, raising, training or boarding of horses, but does not include a riding ring;

Urban Farm - Class A, which means the use of land, with or without a principal building, for the cultivation of fruits or vegetables for sale;

Urban Farm - Class B, which means the use of land or premises for the cultivation of fruits or vegetables for sale, and of which part or all of the use may take place in a greenhouse or other structure, and may include on-site sales;

Amenity Share means a financial contribution in an amount per share as specified in the Affordable Housing and Amenity Share Schedule to this by-law, that is paid in exchange for a specified increase in the permitted floor area of a development, and that is to be used towards the conservation or provision of an amenity as specified in the applicable zoning district schedule regulations;

Base Surface means that hypothetical surface determined by joining the official established building grades at all corners of the site, provided however that where official established building grades cannot be obtained through application to the City Engineer, existing grades shall be used. For the purpose of measuring the height of a building at any point, the elevation at that point on the base surface shall be determined by interpolating from the official established building grades or, where official established building grades cannot be obtained, from existing grades;

Basement means a space between two floors, with the lower floor located less than 1.5 m below finished grade and the floor surface of the storey above located not more than 2.0 m above finished grade;

Board of Variance means the Board of Variance appointed pursuant to the provisions of Section 572 of the Vancouver Charter;

Building Envelope Professional means a member of the Architectural Institute of British Columbia or the Association of Professional Engineers and Geoscientists of British Columbia;

Cellar means a space between two floors, with the lower floor located 1.5 m or more below finished grade;

Certified Passive House means a building that is designed to meet the Passive House standards developed by the Passive House Institute in Darmstadt, Germany, as verified by a Passive House Certifier.

City Building Inspector means the city official appointed as such by Council or the Chief Building Official appointed as such by Council and includes the authorized representatives of the City Building Inspector;

Comprehensive Development means a development containing any number of buildings or uses or a combination of sites planned or developed in an integrated fashion and requiring special regulations with the approval of City Council;

Cultural and Recreational Uses means and includes all of the following uses, and any one of them, but no other:

Arcade, which means the use of premises for four or more machines on which games are played for amusement or entertainment and for which a coin or token must be inserted or a fee is charged for use;

Artist Studio, which means where used without a qualifier both an **Artist Studio - Class A** and an **Artist Studio - Class B**;

Artist Studio - Class A, which means the use of premises for the production of dance, live music, creative writing, painting, drawings, pottery or sculpture, video, moving or still photography, none of which involves amplified sound or one or more of the materials or processes specified under **Artist Studio - Class B**;

Artist Studio - Class B, which means the use of premises for the production of

- (a) dance or live music involving electronically amplified sound,
- (b) moving or still photography (excluding video) involving on-site film processing,
- (c) paintings, drawings, pottery or sculpture involving the use of fibreglass, epoxy and other toxic or hazardous materials or one or more of the following processes: welding, woodworking, spray painting, silk screening or fired ceramics;

Arts and Culture Indoor Event, which means an event of an artistic or cultural nature, including but not limited to visual, performing, media, literary, craft or interdisciplinary arts, for a maximum of 250 persons, which occurs not more than three days per month in a building.

Billiard Hall;

Bingo Hall, which means the use of premises for the purpose of playing bingo and where the operation is conducted and managed by, and the proceeds are distributed to, one or more charitable organizations, but does not include bingo where the player is not playing the same game and responding to the same caller as and with other players in the hall or the use of player-oriented video lottery terminals or slot machines;

Bowling Alley;

Casino - Class 1, which means the use of premises for the purpose of playing or operating games of chance or mixed chance and skill on which money may be wagered and for which authority has been given under the authority of the Gambling Control Act of British Columbia or successor Act, but does not include player-operated video lottery terminals, slot machines, bingo halls, pari-mutuel betting, non-player-operated video lottery terminals, or Casino-Class 2;

Casino - Class 2, which means the use of premises for the purpose of playing or operating games of chance or mixed chance and skill on which money may be wagered and for which authority has been given under the authority of the Gambling Control Act of British Columbia or successor Act, and may include player-operated video lottery terminals or slot machines, but does not include bingo halls, pari-mutuel betting, and non-player-operated video lottery terminals;

Club, which means the use of premises by a non-profit society, association or corporation organized solely for the promotion of some common object and which is operated for club members and their guests only, but does not include **Church, Hospital, Social Service Centre, Community Care Facility and Group Residence** or premises used for residential or administrative purposes;

Community Centre or Neighbourhood House;

Fitness Centre includes Fitness Centre - Class 1 and Fitness Centre - Class 2;

Fitness Centre – Class 1, which means the use of premises, which do not exceed 200 m² of gross floor area, for the development, on a one-to-one basis or in a group session, of physical fitness including health centres, gymnasia, racket and ball courts, reducing salons, yoga, pilates, weight loss, dance, self-defence, and sports;

Fitness Centre – Class 2, which means the use of premises, which exceed 200 m² of gross floor area, for the development, on a one-to-one basis or in a group session, of physical fitness including health centres, gymnasia, racket and ball courts, reducing salons, yoga, pilates, weight loss, dance, self-defence, and sports;

Golf Course or Driving Range;

Hall;

Library;

Marina, which means the use of premises for the mooring of pleasure craft, but does not include repairing or building boats;

Museum or Archives;

Park or Playground;

Riding Ring, which means the use of a building for practising equestrian skills;

Rink; [Curling, Ice, Roller]

Stadium or Arena;

Swimming Pool;

Theatre, which means a facility for performing arts, motion pictures, other media arts or presentations before a live audience, excluding cabaret;

Zoo or Botanical Garden;

Development Permit Board means the Development Permit Board of the City established under the provisions of By-law No. 5869;

Digital Entertainment and Information Communication Technology means the use, design or development of technology to process digital information and/or deliver a broad range of digital products and services, including but not limited to business applications, data security, data storage, management and processing, entertainment and gaming, interactive educational, communications, e-commerce, social media, software and mobile applications, and may include the use of information technology and telecommunications infrastructure, for hosting, storing and processing digital media, information and applications;

Director of Planning means the city official appointed as such by Council and includes the authorized representatives of the Director of Planning.

Director of Licenses and Inspections means the city official appointed as such by Council and includes the authorized representatives of the Director of Licenses and Inspections.

Dwelling Uses means and includes all of the following uses, and any one of them, but no other:

Dwelling Unit, which means a self-contained housekeeping unit; [see section 10.21 for general regulations which apply to dwelling units]

Freehold Rowhouse means a dwelling unit, in a row of at least three side by side dwelling units, which shares a party wall with an adjoining dwelling unit, and is located on its own lot which abuts a street and a lane;

Infill, which means and includes when used by itself without reference to any other dwelling term, all of the following uses, or any one of them, but no other: infill one-family dwelling, infill two-family dwelling, and infill multiple dwelling;

Infill Multiple Dwelling, which means a building containing only three or more dwelling units on a site already containing one or more existing buildings some or all of which are retained, but does not include a community care facility and group residence;

Infill One-Family Dwelling, which means a building consisting of only one dwelling unit on a site already containing one or more existing buildings some or all of which are retained;

Infill Two-Family Dwelling, which means a building consisting of only two dwelling units on a site already containing one or more existing buildings some or all of which are retained;

Laneway House means a detached one-family dwelling constructed in the rear yard of a site on which is situate a one-family dwelling or one-family dwelling with secondary suite.

Lock-off Unit means a smaller dwelling unit within a larger principal dwelling unit, which must have separate external access and shared internal access, and which can be locked off from the larger dwelling unit, but does not include a secondary suite;

Micro Dwelling, which means a self contained residential unit which measures no less than 23.2 m² and no more than 29.7 m².

Multiple Conversion Dwelling, which means a building converted to contain only two or more residential units, but does not include a community care facility and group residence or a one-family dwelling with secondary suite;

Multiple Dwelling, which means a building containing only three or more dwelling units, but does not include a multiple conversion dwelling or a community care facility and group residence;

One-Family Dwelling, which means a building containing only one dwelling unit;

One-Family Dwelling with Secondary Suite means a building containing only two dwelling units, a larger principal dwelling unit and a smaller secondary suite, but does not include an infill one-family dwelling, infill two-family dwelling, multiple conversion dwelling, principal dwelling unit with lock-off unit, two-family dwelling, or two-family dwelling with secondary suite;

Principal Dwelling Unit with Lock-off Unit means a larger principal dwelling unit, containing a smaller dwelling unit which must have separate external access and shared internal access, and which can be locked off from the larger principal dwelling unit;

Rooming House, which means a building containing three or more sleeping units, but does not include a multiple conversion dwelling or a community care facility and group residence;

Secondary Suite means a smaller dwelling unit within a larger one-family dwelling or two-family dwelling, which must have separate external access and may have shared internal access, but does not include a lock-off unit;

Seniors Supportive or Assisted Housing, which means the use of a building for residential units designed to accommodate seniors as they age including separate common areas for dining and socializing, and the provision of meals, housekeeping and personal care but does not include a Community Care Facility and Group Residence;

Temporary Modular Housing, which means demountable structures, not permanently affixed to land, containing three or more residential units and accessory uses, but does not include a multiple conversion dwelling, community care facility or group residence;

Two-Family Dwelling, which means a building containing only two dwelling units, but does not include a multiple conversion dwelling or a one-family dwelling with secondary suite;

Two-Family Dwelling with Secondary Suite means a building containing two larger principal dwelling units, one of which must contain and one of which may contain a smaller secondary suite, but does not include an infill one-family dwelling, infill two-family dwelling, multiple conversion dwelling, multiple dwelling, or principal dwelling unit with lock-off unit;

Family means either

- (a) one or more individuals all related to one another by blood, marriage, or adoption or
- (b) a maximum of three unrelated individuals living together as a household.

For the purposes of this definition, two people living together in a common-law relationship shall be deemed to be in a marriage relationship and each of the blood relatives of the parties to a common-law relationship shall be considered to be related to the partners and to the other blood relatives thereof.

Floor Space Ratio means the figure obtained when the area of the floors of the buildings on a site is divided by the area of the site;

Grade means the elevation of the surface of the ground at any point on a site;

Grade, Existing means the elevation of the surface of the existing undisturbed ground at any point on a site;

Grade, Finished means the elevation of the surface of the ground at any point on the site of a completed development between the site boundaries and the buildings. For the purpose of determining a basement or cellar, finished grade means the average elevation of the surface of the ground adjoining a building at all exterior walls of a completed development, as determined by the City Building Inspector;

Half-storey means the uppermost level of a building where the floor area, existing, proposed or as may be extended over open-to-below space, and having a minimum ceiling height of 1.2 m, does not exceed 50 percent of the storey immediately below;

Head of Household means, for the purpose of regulating family suites, the resident owner of the dwelling in which the family suite is situated or, if the owner is not resident in the dwelling, a person who is a resident of the dwelling and who, by way of a letter filed with and satisfactory to the Director of Planning, has been designated by the owner as the head of household, and includes the partner of the head of household provided such partner also resides in the same dwelling unit as the head of household;

Hen means a domesticated female chicken that is at least four months old;

[Height of Building -- replaced by Section 10.10.1]

Homecraft means a craft or occupation conducted as an accessory use subordinate to the principal residential use of a dwelling unit;

Housekeeping Unit means a sleeping unit containing facilities for cooking; [see section 10.20 for general regulations which apply to housekeeping units]

Institutional Uses means and includes all of the following uses, and any one of them, but no other:

Ambulance Station;

Child Day Care Facility, which means the use of premises to provide care, supervision, social or educational training to children as defined by the Community Care Facility Act and the Child Care Regulation made pursuant to the Community Care Facility Act. It includes but is not limited to group day care, preschool, special needs day care, out of school care, emergency care, child minding or overnight care but does not include the provision of licensed care in premises where up to eight children are cared for.

Church, which means the use of premises for religious worship, including, but not limited to a mosque, synagogue, temple, chapel or religious meeting room;

Community Care Facility, which means and includes **Community Care Facility – Class A** and **Community Care Facility – Class B**.

Community Care Facility – Class A, which means the use of premises operated as a community care facility by a licensee under the Community Care and Assisted Living Act of British Columbia to provide residential care to six or fewer persons not related by blood or marriage to the licensee or, if the licensee is a corporation, to any director, officer or member of the corporation.

Community Care Facility – Class B, which means the use of premises operated as a community care facility by a licensee under the Community Care and Assisted Living Act of British Columbia to provide residential care to seven or more persons not related by blood or marriage to the licensee or, if the licensee is a corporation, to any director, officer or member of the corporation.

Detoxification Centre, which means the use of premises for drug or alcohol detoxification or rehabilitation;

Group Residence, which means the use of premises operated as a facility to provide accommodation to six or more persons not related by blood or marriage to the operator of the facility or, if the operator is a corporation, to any director, officer or member of the corporation, where:

- (a) legislation other than the Community Care and Assisted Living Act of British Columbia requires such persons to reside in the facility, but does not include a facility in a **Hospital**; or
- (b) the facility provides a rehabilitation program in which all such persons, as a condition of residence, must participate; or
- (c) the facility provides accommodation for fewer than 30 days, and may provide personal services, but does not include a **Hotel, Rooming House**, or boarding house.

Hospital;

Public Authority Use;

School - Elementary or Secondary;

School - University or College;

Social Service Centre, which means the use of premises by a non-profit society:

- (a) providing information, referral, counselling, advocacy or health care services; or
- (b) dispensing aid in the nature of food or clothing; or
- (c) providing drop-in or activity space;

but does not include premises used for residential purposes or **Detoxification Centre**;

Lane means a public thoroughfare or way not more than 10.1 m in width which affords only a secondary means of access to a site, at the side or rear;

Live-Work Use means the use of premises for:

- (a) a Dwelling Unit,
- (b) General Office, Health Care Office, Barber Shop or Beauty Salon, Photofinishing or Photography Studio, or Artist Studio – Class A, or
- (c) any use referred to in subsection (b) in conjunction with a Dwelling Unit use,

but does not include:

- (d) any dating service, entertainment service, exotic dancer business, social escort business, or other similar business, as determined by the Director of Planning in consultation with the Chief License Inspector, or
- (e) any tattooing, piercing, branding, or other similar service, as determined by the Director of Planning in consultation with the Vancouver Coastal Health Authority;

Locked in Lots means a lot or lots that, as a result of development of any adjoining lots, is or are unlikely to be consolidated with an adjoining lot to increase the site size;

Manufacturing Uses means and includes all of the following uses, and any one of them, but no other:

Animal Products Processing, which means the use of premises for the processing of hides, skins, tannage, feathers, bristles, human hair, or other crude, inedible animal products, or for the tanning, curing, or dressing of furs, hides or skins;

Bakery Products Manufacturing;

Batteries Manufacturing;

Brewing or Distilling, which means the use of premises for the brewing or distilling of alcoholic beverages or beverage products with alcoholic content exceeding one percent by volume, where the use may involve the milling of grain, rice or malt;

Chemicals or Chemical Products Manufacturing - Class A, which means the use of premises for the manufacturing of chemicals, plastics, paints, fertilizers, synthetic rubber, synthetic resins or related chemical products, but does not include **Linoleum or Coated Fabrics Manufacturing** or **Plastic Products Manufacturing**;

Chemicals or Chemical Products Manufacturing - Class B, which means the use of premises for the manufacturing of cosmetics, toilet preparations, pharmaceuticals, medicines, disinfectants, deodorants, soaps, cleaning compounds, polishes, inks, adhesives, household tints or dyes, or similar products, but does not include **Chemicals or Chemical Products Manufacturing - Class A**;

Clothing Manufacturing, which means the use of premises for the manufacturing of clothing or garments, including leather clothing, but does not include **Plastic Products Manufacturing**, **Rubber Products Manufacturing** or **Shoes or Boots Manufacturing**;

Creative Products Manufacturing, which means the use of premises for the creation, development, prototyping and ancillary marketing of products produced in a physical or digital form that are the result of a customised design process, including but not limited to: clothing design, furniture design, industrial product design, technological equipment design, and similar uses.

Dairy Products Manufacturing;

Electrical Products or Appliances Manufacturing, which means the use of premises for the manufacturing or remanufacturing of small electrical appliances, both electrical and non-electrical major household appliances, lighting fixtures, table or floor lamps, radios, televisions, small component electrical or electronic equipment, electric wire or cable, or transmission cable, but does not include **Batteries Manufacturing** or **Motor Vehicle Parts Manufacturing**;

Food or Beverage Products Manufacturing - Class A, which means the use of premises for the manufacturing of animal feed or the manufacturing of food or beverage products, but does not include **Bakery Products Manufacturing**, **Brewing or Distilling** or **Dairy Products Manufacturing**;

Food or Beverage Products Manufacturing - Class B, which means the use of premises for the manufacturing of animal feed or the manufacturing of food or beverage products, where the use does not involve the milling of grain, rice or malt, the refining of sugar, the canning of meat, fish or poultry, the pickling of fruits or vegetables, the refining of vegetable oil, the processing of fats, bones, hides, skins, offal or animal products of a like nature, the use of fish, or the use of live animals or live poultry, but does not include **Bakery Products Manufacturing**, **Brewing or Distilling** or **Dairy Products Manufacturing**.

Furniture or Fixtures Manufacturing, which means the use of premises for the manufacturing of furniture, mattresses or related non-electrical fixtures such as mirrors, curtain rods, cabinets, counters or lampshades, but not stone, concrete or marble furniture;

Ice Manufacturing;

Information Communication Technology Manufacturing means the production of electrical, electronic or communications equipment, including but not limited to computer-enabled devices, computer hardware, infrastructure, semiconductors, fibre cables and telecommunications equipment;

Jewellery Manufacturing, which means the use of premises for the manufacturing of jewellery, metal badges, silverware, or precious metal alloys or products, the cutting or polishing of industrial diamonds, plating with precious metals, lapidary work, or engraving on metals except for printing purposes;

Leather Products Manufacturing, which means the use of premises for the manufacturing of luggage, handbags or small leather goods, but does not include **Animal Products Processing**, **Clothing Manufacturing** or **Shoes or Boots Manufacturing**;

Linoleum or Coated Fabrics Manufacturing, which means the use of premises for the manufacturing of linoleum, oil cloth, artificial leather, asphalt-felt-base floor covering, pyroxylin or vinyl-coated fabrics or other similar coated fabrics;

Machinery or Equipment Manufacturing, which means the use of premises for the manufacturing of machinery or equipment primarily intended for industrial or commercial use, including business or office equipment only secondarily intended for household use, but does not include **Electrical Products or Appliances Manufacturing**, **Motor Vehicle Parts Manufacturing** or **Transportation Equipment Manufacturing**;

Metal Products Manufacturing - Class A, which means the use of premises for the manufacturing of metal ingots, shapes, pigs or powders from ore or scrap, for the alloying, extruding, casting or rolling of metals, or for the manufacturing of metal structural shapes or metal castings, but does not include **Jewellery Manufacturing**;

Metal Products Manufacturing - Class B, which means the use of premises for the manufacturing of boilers, metal tanks, fabricated structural metal products, non-electrical wire or wire products, hardware, tools, cutlery, heating equipment or other fabricated metal products, or for the machining, stamping, pressing, coating, welding or smithing of metal or metal products, but does not include **Electrical Products or Appliances Manufacturing**,

Machinery or Equipment Manufacturing, Metal Products Manufacturing - Class A, Motor Vehicle Parts Manufacturing or Transportation Equipment Manufacturing;

Miscellaneous Products Manufacturing - Class A, which means the use of premises for the manufacturing of any product not included in any other Manufacturing Uses included in this section 2;

Miscellaneous Products Manufacturing - Class B, which means the use of premises for the manufacturing of toys, games, bicycles, novelties, ornaments, decorations, brooms, brushes, scientific or professional equipment, dentures and dental supplies, eye glasses, contact lenses, orthopaedic and other health care devices, clocks, signs, displays, sporting goods, recreational equipment, musical instruments, office or artists' supplies other than paper products, marking devices, awnings, window shades, blinds, umbrellas, notions, or wax products not involving the manufacturing of wax;

Motor Vehicle Parts Manufacturing, which means the use of premises for the manufacturing of parts for motor vehicles, but does not include **Batteries Manufacturing, Rubber Manufacturing or Rubber Products Manufacturing**;

Non-metallic Mineral Products Manufacturing - Class A, which means the use of premises for the manufacturing of cement, clay, concrete, gypsum, glass, stone products, clay or concrete bricks, tiles or blocks, or other non-metallic mineral products;

Non-metallic Mineral Products Manufacturing - Class B, which means the use of premises for the manufacturing of china, crockery, porcelain products, stone or concrete furniture or monuments, statuary, glass or glass products other than within glassworks, or abrasives, but does not include **Non-metallic Mineral Products Manufacturing - Class A**;

Paper Manufacturing, which means the use of premises for the manufacturing of paper;

Paper Products Manufacturing which means the use of premises for the manufacturing of paper products, but does not include **Paper or Pulp Manufacturing, Petroleum Products or Coal Products Manufacturing or Printing or Publishing**;

Petroleum Products or Coal Products Manufacturing, which means the use of premises for the manufacturing of petroleum products, coal products, tar products or derivatives, tarpaper or asphalt roofing or siding material, and for the recycling or re-refining of oil;

Plastic Products Manufacturing, which means the use of premises for the manufacturing of plastic products, including plastic clothing and footwear, but does not include **Chemicals or Chemical Products Manufacturing - Class A**;

Printing or Publishing, which means the use of premises for printing, lithographing, or silkscreen printing; for platemaking or engraving as allied to the printing or publishing industries; for the publishing and printing of newspapers, magazines, periodicals, books, almanacs, maps, guidelines, pamphlets, flyers, or similar matter; or for book binding and associated binding operations as allied to the printing or publishing industries; but does not include **Print Shop**;

Pulp Manufacturing, which means the use of premises for the manufacturing of pulp, woodfibre, fibreboard or paperboard;

Rubber Manufacturing, which means the use of premises for the manufacturing of rubber from raw material or for the manufacturing of tires;

Rubber Products Manufacturing, which means the use of premises for the manufacturing of rubber products, including rubber clothing and footwear, or for the retreading of tires, but does not include Rubber Manufacturing;

Shoes or Boots Manufacturing, which means the use of premises for the manufacturing of shoes or boots, including leather footwear, but does not include **Plastic Products Manufacturing** or **Rubber Products Manufacturing**;

Textiles or Knit Goods Manufacturing, which means the use of premises for the manufacturing of textiles, textile products or knit goods, including, but not limited to, carpets, mats, rugs, canvas products, cotton bags, jute bags, automobile fabrics, draperies, silk fabrics, linen fabrics, thread, cordage, twine or similar products, but does not include **Clothing Manufacturing** or **Linoleum or Coated Fabrics Manufacturing**;

Tobacco Products Manufacturing;

Transportation Equipment Manufacturing, which means the use of premises for the manufacturing of aircraft, railroad rolling stock, ships, boats, truck or bus bodies, truck trailers, snowmobiles or motor vehicles;

Vegetable Oil Manufacturing;

Wood Products Manufacturing - Class A, which means the use of premises for the manufacturing of wood products which involves the use or milling of logs, including, but not limited to the operations of sawmills, planing mills, shingle mills, veneer mills or plywood mills, but does not include **Paper or Pulp Manufacturing**;

Wood Products Manufacturing - Class B, which means the use of premises for the manufacturing of wood products which does not involve the use or milling of logs, but does not include **Furniture or Fixtures Manufacturing, Paper or Pulp Manufacturing or Wood Products Manufacturing - Class A**;

Mural means a use of land constituting a work of art or graphic depiction of any kind which is painted, inscribed, inlaid or otherwise placed on, affixed to, or formed as an element of the design of an exterior wall, roof, fence, or hoarding, but does not include a sign as defined in the Sign By-law;

Office Uses means and includes all of the following uses, and any one of them, but no other:

Financial Institution, which means the use of premises by banks, credit unions and trust companies;

General Office, which means the use of premises for any office use, including **Digital Entertainment and Communication Information Technology** but does not include **Financial Institution, Health Care Office or Health Enhancement Centre**;

Health Care Office, which means the use of premises by professions in which persons exercise skill or judgement or provide service related to the preservation or improvement of the physical, mental, or emotional health of individuals, or the treatment or care of individuals who are injured, sick, disabled or infirm, including chiropractors, dentists, optometrists, physicians, surgeons, dental hygienists, dental technicians, denturists, dietitians, licensed practical nurses, massage therapists, midwives, naturopathic physicians, nurses (registered), nurse practitioners, occupational therapists, opticians, physical therapists, psychologists, registered psychiatric nurses, traditional Chinese medicine practitioners, and acupuncturists, and other health care and social service practitioners including counsellors and herbalists but which excludes **Beauty and Wellness Centre, Detoxification Centre, Health Enhancement Centre, Hospital, Laboratory, Social Service Centre, and Community Care Facility and Group Residence**;

Health Enhancement Centre, which means the use of premises to enhance health through therapeutic touch techniques including shiatsu, reflexology, bio-kinesiology, hellework, polarity, reiki, rolfing, and trager but which excludes **Fitness Centre, Beauty and Wellness Centre**;

Temporary Sales Office, which means the use of a building, for a period not exceeding three years, for the sole purpose of marketing and selling dwelling units associated with a residential development.

Official Established Building Grade means the intended elevations of the street or lane along the property line of the site related to City datum, as established by the City Engineer;

Parking Uses means and includes all of the following uses, and any one of them, but no other:

Parking Area, which means an open area of land other than a street or lane, used or intended to be used to provide space for the parking or storage of motor vehicles, and includes parking spaces, loading spaces, manoeuvring aisles and other areas providing access to parking or loading spaces, but does not mean an area providing no more than four spaces accessory to a residential use;

Parking Garage, which means a structure or a portion of a structure which is principally used or intended to be used for the parking or storage of motor vehicles, but does not mean a structure providing no more than four spaces accessory to a residential use.

Passive House Certifier means a person internationally accredited by the Passive House Institute in Damstadt, Germany for the purposes of certifying buildings as being designed in accordance with its Passive House standards.

Public Bike Share Station means a bicycle sharing facility where bicycles are stored and from which the general public may rent and return bicycles and other objects or equipment necessary for or appurtenant to the operation of a Public Bike Share service.

Rate of Change, for the purpose of section 3.3.6, and section 3.2.DW of each of the RM-2, RM-3, RM-3A, RM-4 and RM-4N, RM-5, RM-5A, RM-5B, RM-5C and RM-5D, RM-6, and FM-1 District or Districts Schedules, means the percentage net loss of rental housing units in a zoning district in the 365 days preceding the date on which a person submits a rezoning or development application, whichever first occurs, for a multiple dwelling consisting of six or more dwelling units, on real property in that zoning district, as determined by the Director of the Housing Centre or successor in function;

Rental Housing Unit, for the purposes of section 3.3.6 of this by-law, and for the purposes of section 3.2.DW of the RM-2, RM-3, RM-3A District Schedules, the RM-4 and RM-4N Districts Schedule, the RM-6 District Schedule and the FM-1 District Schedule and for the purposes of section 3.2.DW of the RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule, means a dwelling, housekeeping, or sleeping unit that is rented by a tenant, or has been rented by a tenant in the past, as living accommodation, but does not include a dwelling, housekeeping or sleeping unit rented by a not for profit housing cooperative to a member of the cooperative, or a dwelling, housekeeping or sleeping unit in a community care facility or group residence;

Residential Rental Accommodation means any building or part thereof which

- (a) is being used, or
- (b) having been used, has ceased to be used;

as habitable living accommodation on a landlord and tenant basis; but does not apply to any building which has been lawfully changed to any other use from such use prior to the 26th of October, 1989;

Residential Storage Space means floor area within or accessory to a dwelling unit, used to store personal items such as recreation equipment, tires, barbecues, suitcases, miscellaneous household articles, and similar items, but does not include floor area for clothes closets, linen closets, or kitchen or bathroom cupboards.

Residential Unit means a sleeping unit, housekeeping unit or dwelling unit;

Retail means to offer to sell or rent, or to sell or rent, merchandise to a consumer who buys or rents the merchandise as the ultimate consumer or end user, being the last person in the chain of distribution, for personal consumption or use and not for further sale or rent;

Retail Uses means and includes all of the following uses, and any one of them, but no other:

Adult Retail Store, which means the use of premises to display or retail either or both of the following:

- (a) a sex object;
- (b) adult magazines using more than 3.0 linear metres of shelving, being a maximum of .6 m in depth.

Farmers’ Market, means an open air or fully or partly covered market, for the sale directly by producers or by their representatives who are involved in production, of: local fresh, dried or frozen fruit and vegetables; local dried or frozen meat and seafood; local eggs; local dairy products; local plants; local prepared foods; local ready-to-eat foods; local artisan crafts; or local wine, cider, beer or spirits;

Furniture or Appliance Store, which means the use of premises with a floor area greater than 500 m² to retail household furniture, major household appliances, or household furnishings such as carpets and draperies;

Gasoline Station - Full Serve, which means the use of premises for the retail sale of motor fuels and lubricants that are dispensed by an attendant for the customer and where staff are available to provide other services such as checking tire pressure and fluid levels, cleaning windows and doing minor repairs;

Gasoline Station - Split Island, which means the use of premises for the retail sale of motor fuels and lubricants that are dispensed by the customer, and which includes at least one pump island at which all types of gasoline and diesel fuels sold by the station are dispensed by an attendant for the customer at all times the station is open for business, and where staff are available to provide other services such as checking tire pressure and fluid levels, cleaning windows and doing minor repairs;

Grocery or Drug Store, which means the use of premises to retail food or drugs, including food and drugs manufactured on the premises as an integral part of the retail operation but which excludes Neighbourhood Grocery Store or specialty shops such as bakeries, butchers, delicatessens, candy shops, and ice cream parlours which limit sales to a particular type of food;

Liquor Store, which means the use of premises for the sale of liquor, beer or wine for consumption off premises;

Medical Marijuana-related Use, means a retail use in which the use of marijuana for medicinal purposes is advocated, and includes a Compassion Club as defined in the License By-law;

Neighbourhood Grocery Store, which means the use of premises in a residential district for the primary purpose of selling groceries and convenience goods, and may include selling and serving prepared food and beverages for consumption on or off the premises, but does not include the sale of alcohol;

Pawnshop, which means the use of premises for the retailing of goods and chattels in pawn;

Public Bike Share means a use of premises that provides the general public with an opportunity to rent bicycles through an automated system, on a short-term basis for use within the city as part of a network comprised of no fewer than 50 Public Bike Share Stations located on separate sites.

Retail Store, which means the use of premises to retail merchandise, including merchandise manufactured on the premises, if the total floor area used for manufacturing does not exceed 300 m², but which excludes any other Retail Uses listed in this section 2 or included in a Lumber and Building Materials Establishment;

Secondhand Store, which means the use of more than 2.5 m² of floor area in premises for the retailing of

- (a) used electronic equipment, including, but not limited to, audio or video equipment or accessories, computers, printers or fax machines, or
- (b) two or more of the following types of used merchandise: bicycles, sports equipment, luggage, jewellery, cameras, musical equipment or tools;

Small-scale Pharmacy, which means a Drug Store that has a total gross store area of less than 600 m².

Vehicle Dealer, which means the use of premises to retail motor vehicles, boats, or recreational trailers;

Secured Market Rental Housing, means a development or part of a development, used only as market rental housing, which has a covenant or housing agreement registered against title restricting its use to market rental housing, for the longer of 60 years or the life of the building, or for such other term as may be agreed upon by the city and the owner;

Service Bay means an automotive mechanical service and repair facility which is completely enclosed within a building, offers services and repairs such as carburetor and ignition servicing, muffler installing, brake relining, wheel balancing, front-end alignment and similar services, and is maintained in an operable condition.

Service Uses means and includes all of the following uses, and any one of them, but no other:

Animal Clinic, which means the use of premises for the care of birds, fish, or animals except horses, including veterinary treatment, grooming, training, breeding or boarding;

Auction Hall, which means the use of premises for the sale of goods where the purchasers are invited to make competitive bids for the goods offered for sale;

Barber Shop or Beauty Salon, which means the use of premises for the styling, cutting, or chemical treatment of hair;

Beauty and Wellness Centre, which means the use of premises to improve beauty and wellness through styling, cutting, or chemical treatment of hair and through skin and body treatments, including pedicures, manicures, facials, microdermabrasion, electrolysis, waxing, laser, hydrotherapy, anti-aging, skin rejuvenation therapy, aromatherapy, stone therapy massage, and relaxation massage, but which excludes **Fitness Centre**;

Bed and Breakfast Accommodation means the use of one or two bedrooms in a dwelling unit as temporary accommodation where the room rate includes breakfast provided on the premises;

Body-rub Parlour, which means the use of premises for the practice of manipulating, touching or stimulating by any means of a person's body or part thereof but does not include:

- (a) medical, therapeutic or cosmetic massage treatment given by a person duly licensed or registered under any statute of the Province of British Columbia governing such activities other than the Vancouver Charter; or
- (b) a **Health Enhancement Centre**;

Cabaret, which means the use of premises for dancing by customers and where entertainment may be provided;

Catering Establishment, which means the use of premises for the preparation of food for consumption off premises but does not include a retail store or restaurant selling food directly to the public;

Drive-through Service, which means the use of premises where customers order and receive services, food or other goods in their motor vehicles via one or more designated drive-through lanes, but does not include uses which involve the fuelling, service, repair or washing of vehicles;

Funeral Home;

Hotel, which means premises providing temporary accommodation by way of furnished sleeping, housekeeping or dwelling units, but does not include **Bed and Breakfast Accommodation**;

Laboratory, which means the use of premises not providing service directly to the public for the provision of analytical, research, or testing services, including biotechnologies and energy and environmental technologies, but does not include **Photofinishing or Photography Laboratory**;

Laundromat or Dry Cleaning Establishment, which means the use of premises with a maximum floor area of 300 m² for the laundering or cleaning of clothing, draperies or related small household goods;

Laundry or Cleaning Plant, which means the use of premises for the laundering, cleaning or dyeing of textiles, knit goods, draperies, clothing, garments, or related goods, but does not include **Laundromat or Dry Cleaning Establishment**;

Motor Vehicle Repair Shop, which means the use of premises for the repairing of motor vehicles or motor vehicle parts including tires, or for the painting or repairing of motor vehicle bodies;

Motor Vehicle Wash, which means the use of premises for the washing of motor vehicles;

Neighbourhood Public House;

Photofinishing or Photography Laboratory, which means the use of premises for photofinishing or photography but does not include **Photofinishing or Photography Studio**;

Photofinishing or Photography Studio, which means the use of premises with a maximum floor area of 300 m² for photofinishing or portrait photography;

Print Shop, which means the use of premises with a maximum floor area of 300 m² for printing or lithographing;

Production or Rehearsal Studio, which means the use of premises for the production of motion pictures, videos, television or radio programs or sound recordings or for the rehearsal of dance, music or drama, but does not involve the presence of an audience and does not include **Artist Studio - Class A, Artist Studio - Class B** or **Theatre**;

Repair Shop - Class A, which means the use of premises for the repairing of products or goods not included in **Motor Vehicle Repair Shop** or **Repair Shop - Class B**;

Repair Shop - Class B, which means the use of premises for the repairing of household goods, including, but not limited to, the repairing of jewellery, leather goods, sporting goods, clothing, shoes, toys, bicycles or other household items capable of being carried to the premises by the customer, or for the sharpening of blades, cutting of keys, or re-upholstering or mending of household furniture;

Restaurant, which means where used without a qualifier both a **Restaurant - Class 1** and a **Restaurant - Class 2**;

“**Restaurant - Class 1**”, means the use of premises for the primary purpose of selling and serving prepared food to the public during all hours of operation, where the premises include at least 17 indoor or outdoor seats for customers consuming food purchased on the premises, and where live entertainment, including the use of non-amplified or amplified musical instruments and disc jockey mixing turntables, but excluding patron participation such as karaoke, dancing and open microphone performing, may be available.

“**Restaurant - Class 2**”, means the use of premises for the primary purpose of selling and serving prepared food to the public during all hours of operation, where the premises include at least 17 indoor or outdoor seats for customers consuming food purchased on the premises, and where live entertainment, including the use of non-amplified or amplified musical instruments and disc jockey mixing turntables and patron participation such as karaoke, dancing and open microphone performing may be available.

Restaurant - Drive-in, which means the use of premises for the sale of prepared food to the public where parking is provided and customers are encouraged to eat in their motor vehicles on the site, but does not include **Drive-through Service**;

School - Arts or Self-Improvement, which means the use of premises for training or instruction other than as included in any other use in this By-law, including, but not limited to, training or instruction in drama, music, art, driving, cooking, sewing, language, or similar forms of self-improvement;

School - Business, which means the use of premises for training or instruction in business skills, including, but not limited to, secretarial, teller, bookkeeping, key punching, computer programming, business machine operating or general sales skills, but does not include **School - Elementary** or **Secondary** or **School - University or College**;

School - Vocational or Trade, which means the use of premises for training or instruction in particular vocations or trades, including, but not limited to, barbering, beauty culture, hairdressing, broadcasting, charm or modelling, salesmanship in a particular vocation, driving (commercial transport), piloting (commercial transport), woodworking, metalworking, construction or other trade or technical occupations or vocations, but does not include **School - Elementary** or **Secondary** or **School - University or College**;

Sign Painting Shop;

Wedding Chapel, which means the use of premises for wedding ceremonies only;

Work Shop, which means the use of wholly enclosed premises for the storing, maintenance, and assembly of equipment and material for audio, electrical, plumbing, construction, and related trades;

Sex Object means any of the following:

- (a) a replica of a penis, vagina, buttocks, anus, or female breast;
- (b) a device, machine or instrument intended for the stimulation primarily of the penis, the vagina or the anus by vibration or suction;
- (c) a pill, lotion or other medication intended to prolong or enhance the erection of the penis or the desire for sex, except when dispensed by or under the direction of a pharmacist licensed by the College of Pharmacists of British Columbia;
- (d) a whip or implement intended for use in the enactment of human bondage or sadomasochistic activities when displayed in conjunction with or on the same premises as any of the objects referred to in clauses (a), (b) or (c) above;

Site means an area of land consisting of one or more adjoining parcels or lots abutting on a street not being a lane, but does not include a strata lot or a leasehold parcel created under section 99(1)(k) of the Land Title Act, or successor section;

Site, Corner means a site located at the intersection or junction of two or more streets;

Site, Double Fronting means a site abutting two parallel or approximately parallel streets;

Sleeping Unit means one or more rooms equipped to be used for sleeping and sitting purposes; [see section 10.19 for general regulations which apply to sleeping units]

Social Housing, means rental housing:

- (a) in which at least 30% of the dwelling units are occupied by households with incomes below housing income limits, as set out in the current “Housing Income Limits” table published by the British Columbia Housing Management Commission, or equivalent publication;
- (b) which is owned by a non-profit corporation, by a non-profit co-operative association, or by or on behalf of the city, the Province of British Columbia, or Canada; and
- (c) in respect of which the registered owner or ground lessee of the freehold or leasehold title to the land on which the housing is situate has granted to the city a section 219 covenant, housing agreement, or other security for the housing commitments required by the city, registered against the freehold or leasehold title, with such priority of registration as the city may require;

except that in the HA-2 district; in the area of the FC-1 district located north of National Avenue; in the area of the M-1, I-2, RT-3 and RM-3A districts located north of Venables Street, Malkin Avenue and Prior Street, south of Hastings Street, east of Gore Avenue and west of Clark Drive; in the Downtown-Eastside Oppenheimer district; and in the area of the Downtown district denoted as C2 on Map 1 of the Downtown Official Development Plan; social housing means rental housing:

- (d) in which at least one third of the dwelling units are occupied by persons eligible for either Income Assistance or a combination of basic Old Age Security pension and Guaranteed Income Supplement and are rented at rates no higher than the shelter component of Income Assistance;
- (e) which is owned by a non-profit corporation, by a non-profit co-operative association, or by or on behalf of the city, the Province of British Columbia, or Canada; and
- (f) in respect of which the registered owner or ground lessee of the freehold or leasehold title to the land on which the housing is situate has granted to the city a section 219 covenant, housing agreement, or other security for the housing commitments required by the city, registered against the freehold or leasehold title, with such priority of registration as the city may require.

Storey means that portion of a building which is situated between the surface of any floor and the surface of the floor next above it and, if there is no floor above it, that portion between the surface of such floor and the ceiling surface above it. A storey shall not include a basement or cellar;

Transportation and Storage Uses means and includes all of the following uses, and any one of them, but no other:

Aircraft Landing Place, which means the use of premises or an open area of water for the taking off or landing of aircraft where any license or permit issued pursuant to the provisions of the 'Aeronautics Act' is conditional upon obtaining the approval of the City of Vancouver, or where the consent of the City is required prior to the issuance of the license or permit;

Booming Ground, which means the use of premises or an open area of water for the collection, sorting, booming, rafting or storage of logs;

Bulk Data Storage, which means the use of a wholly enclosed building, for the storage of information on operating data servers;

Cold Storage Plant;

Grain Elevator;

Marine Terminal or Berth, which means the use of premises for the mooring of boats, ships, float planes, ferries and other water vessels, but not including pleasure craft, for the land or water trans-shipment of goods or transfer of passengers, for the operations of a water taxi service, piloting service, boat rental or charter service, or for related marine services including stevedoring, salvaging, dredging or diving;

Mini-storage Warehouse, which means the use of a wholly enclosed building for the storage of personal property in self-contained, self-storage units, each of which units has separate and exclusive access from either the exterior or interior of the building;

Packaging Plant, which means the use of premises for the boxing, crating or related packaging of goods or material brought specifically to the premises for that purpose;

Railway Station or Rail Yard, which means the use of premises as a depot or station for passengers awaiting use of rail transport (non-commuter), for the servicing, cleaning or live storage of railroad cars, engines and other rolling stock, for the marshalling of trains, and including related storage of goods pending transport;

Stockyard;

Storage Warehouse, which means the use of a wholly enclosed building, or portion thereof, for the storage of goods, material, machinery, or equipment, but not any storage that is ancillary to a principal use of premises, but does not include **Cold Storage Plant or Grain Elevator**;

Storage Yard, which means the use of a partially enclosed building, or portion thereof, or an open area of land for the storage of goods, material, machinery or equipment, but not any storage that is ancillary to a principal use of the premises;

Taxicab or Limousine Station, which means the use of premises as a base of operations for a taxicab, limousine, charter bus, or other land-vehicle passenger transport service, or for a pilot car service;

Truck Terminal or Courier Depot, which means the use of premises for the parking and servicing of trailers, containers, trucks and other motor vehicles involved in commercial transport, cartage, moving, delivery or related goods movement;

Weighing or Inspection Station, which means the use of premises for the weighing or inspection of vehicles;

Works Yard, which means the use of a partially enclosed building, or a portion thereof, or an open area of land for the storing, repairing, or cleaning of supplies, materials, equipment, or vehicles of any business which conducts construction, installation, cleaning, repair or other industrial trade services off-site;

Utility and Communication Uses means and includes all of the following uses, and any one of them, but no other:

Public Utility;

Radiocommunication Station, which means the use of premises for the transmitting or receiving of radio, television, satellite, microwave or related communications, but not when used for domestic purposes;

Recycling Depot, which means the use of premises for the collection and sorting of garbage, and the packaging of paper, newspapers, clothing, cans, or bottles and similar domestic or commercial garbage, but does not include **Animal Products Processing, Junk Yard or Shop or Waste Disposal Facility**;

Waste Disposal Facility, which means the use of premises for the treatment, reduction, recycling, incineration or disposal of refuse, garbage, sewage or other waste material, but does not include **Animal Products Processing, Junk Yard or Shop or Recycling Depot**;

Wholesale means to offer to sell or rent, or to sell or rent, merchandise other than at retail;

Wholesale Uses means and includes all of the following uses, and any one of them, but no other:

Bulk Fuel Depot, which means the use of premises to wholesale gasoline, fuel oil, heating oil, petroleum, propane, kerosene, coal, coke, fuel wood, natural gas or similar fuels;

Cardlock Fuel Station, which means the use of premises for the sale of motor fuels for vehicles registered as commercial vehicles, where motor fuel is dispensed by the customer who has been supplied with a card, key or other device for the operation of the fuel dispensing equipment;

Junk Yard or Shop, which means the use of premises for the sale of scrap or waste materials such as rubber, tires, metal, paper, sacks, wire, ropes, rags, machinery, or motor vehicle parts, including associated wrecking, dismantling, recycling or processing;

Lumber and Building Materials Establishment, which means the use of premises to wholesale and retail merchandise consisting primarily of lumber, plywood, millwork and related building materials;

Wholesaling - Class A, which means the use of premises to wholesale merchandise where the operator of the premises keeps merchandise for sale or rent on the premises and the floor area for storage space exceeds the floor area for showroom or display space, but which excludes any other Wholesale Uses included in this section 2;

Wholesaling - Class B, which means the use of premises to wholesale merchandise where the operator of the premises keeps merchandise for sale or rent on the premises and the floor area for showroom or display space exceeds the floor area for storage space, but which excludes any other Wholesale Uses listed in Section 2 and an office for an import agent or broker, manufacturer's agent or similar establishment;

Yard, Exterior Side means that portion of a corner site extending from the front yard to the rear yard and lying between the side property line adjacent to the flanking street and the closest side of the principal building;

Yard, Front means that part of the site lying between the front property line and the front of the principal building and extending across the full width of the site;

Yard, Rear means that part of the site lying between the rear property line and the rear of the principal building and extending across the full width of the site;

Yard, Side means that part of the site extending from the front yard to the rear yard and lying between the side property line and the closest side of the principal building.