

Comparison of Definitions

Zoning Bylaw No. 1085, 1998 – Section 2		Draft Zoning Bylaw No. 1395 – Section 4.0	
A			
ACCESSORY BUILDING means a building or structure that is customarily associated with, ancillary and clearly subordinate to a principal building on the same lot.		“accessory building or structure” means a detached <i>building</i> or <i>structure</i> located on the same <i>parcel</i> as the <i>principal building</i> , the use of which is subordinate, customarily incidental, and exclusively devoted to that of the <i>principal building</i> ;	
[“carriage house” is referenced other sections of Zoning Bylaw No. 1085, but is not defined]		“accessory dwelling” means a <i>dwelling unit</i> which is permitted as an <i>accessory use</i> in conjunction with a <i>principal use</i> and is not located entirely within a <i>single detached dwelling</i> ;	
ACCESSORY USE means a use that is customarily associated with, ancillary and clearly subordinate to a principal use on the same lot.		“accessory use” means a use which is subordinate, customarily incidental, and exclusively devoted to a <i>principal use</i> in existence on the same <i>parcel</i> ;	
AGRICULTURAL USE means a use providing for growing, rearing, producing and harvesting of agricultural products. It may include the storage and sale on an individual farm of the products harvested, reared, or produced on that farm; the storage of farm machinery, implements and supplies; and repairs to farm machinery and implements used on that farm, but does not include intensive agriculture as permitted by Section 555 of the Local Government Act.		“agriculture” means the use of land, <i>buildings</i> or <i>structures</i> for growing, harvesting, packing, storing and wholesaling of agricultural crops for the purposes of providing food, horticultural, medicinal or <i>farm products</i> , but excludes processing and <i>retail sales of farm products</i> and <i>cannabis production, indoor</i> . Agriculture includes <i>cannabis production, outdoor</i> , producing and rearing animals and <i>range grazing</i> of horses, cattle, sheep, and other <i>livestock, composting operation</i> and includes <i>apiculture</i> and <i>aquaculture</i> ;	
AGRICULTURAL USE–INTENSIVE means the use of land, buildings or structures by a commercial enterprise or an institution for the rearing of poultry, livestock or fur-bearing animals, or the growing of mushrooms.		[it is not proposed to carry-forward the definition of “agricultural use – intensive” into Draft Zoning Bylaw 1395 as it is otherwise addressed by the “agriculture” use listed above]	
		“agriculture, indoor” means the use of a <i>building</i> or <i>structure</i> for the growing, harvesting, cultivating, propagating, packing, storing and wholesaling of horticultural products, including but not limited to, vegetables, fruits, nuts and flowers, and <i>cannabis production, indoor</i> ;	
AIRCRAFT includes fixed wing airplanes, helicopters and ultralight and other similar such airplanes.			
AIRPORT means a place where aircraft can land and take off, and may include hangars, facilities for refuelling and aircraft repair.		“airport” means any area of land and water to function as a facility for the arrival, departure, movement, or servicing of aircraft;	
[see “craft brewery / distillery” definition above]		“alcohol production facility” means a brewery, cidery, distillery, meadery or <i>winery</i> that is licenced under the <i>Liquor Control and Licensing Act</i> to produce beer, cider, spirits, mead or wine;	
[see “multiple family dwelling” definition above]		“apartment building” means a <i>building</i> other than a <i>townhouse</i> containing three (3) or more <i>dwelling units</i> , each of which has its principal access from an entrance common to the dwellings;	
		“apiculture” means the keeping and raising in apiaries of honey bees for honey production, crop pollination, and bee stock production;	
		“aquaculture” means the growing and cultivation of aquatic plants, or fish, for commercial purposes, in any water environment or in human made containers of water, and includes the growing and cultivation of shellfish on, in or under the foreshore or in the water;	
ARCADE means a business that contains arcade games and may provide snack items.		[see “indoor recreation” definition below]	
ART GALLERY means the use of premises for the display and sale of paintings, drawings or other works of art.		“art gallery” means a <i>building</i> or part of a <i>building</i> where works of art, such as paintings, sculpture, pottery, glass or weaving are displayed for public viewing, sale or both;	
		“asphalt plant” means the processing and <i>manufacturing</i> of road paving materials from raw material and petroleum products;	
ASSEMBLY USE means a use providing for the assembly of persons for religious, charitable, philanthropic, cultural, and private educational purposes.		“assembly” means a <i>building</i> or land used for the gathering of persons for charitable, civic, cultural, educational, entertainment, philanthropic, political, recreational or religious purposes, and includes a <i>church</i> and community hall;	
		“attic” means the space between the underside of the roof sheathing and the top of the ceiling joists or floor joists of the storey immediately below where the vertical clear <i>height</i> does not exceed 1.5 metres;	
AUTOMOBILE SALES means land or building used for the purpose of displaying for sale and selling automobiles.		[see “vehicle sales and rentals” definition below]	

Comparison of Definitions

Zoning Bylaw No. 1085, 1998 – Section 2	Draft Zoning Bylaw No. 1395 – Section 4.0
AUTO WRECKER means land or building used for storing, disassembling and sale of automobiles and automobile parts, the wrecking of automobiles and the baling, sorting and sale of scrap metal.	[see “salvage operation” definition below]
B	
BALCONY / SUNDECK means an extension of an above grade floor.	
BARE LAND STRATA SUBDIVISION means a subdivision approved pursuant to the Bare Land Strata Regulation under the Condominium Act.	
BED & BREAKFAST means a business of providing a breakfast meal and accommodation for the travelling public within a single family dwelling utilizing not more than three bedrooms for bed and breakfast use, and which is occupied by the operator of the bed and breakfast. An unlicensed Bed and Breakfast is a home occupation utilizing two bedrooms or less for bed and breakfast use.	“ bed and breakfast operation ” means an occupation conducted within a <i>principal dwelling unit</i> , by the residents of the <i>dwelling unit</i> , which provides sleeping accommodations to the traveling public and may include the provision of meals for those persons using the sleeping accommodations;
BEDROOM means a room located in a dwelling that is used primarily for sleeping, and may also be used as a den, library, recreation room, sewing room or other similar uses.	[see “sleeping unit” definition below]
BILLIARD HALL means a business that contains 3 or more billiard tables and may include arcade games and may provide snack items.	[see “indoor recreation” definition below]
[see Foreshore & Lake Zoning Bylaw 1294, 2012]	“ boat launch ” means a ramp into a lake that is intended to be used for the purpose of placing or removing a boat in the water;
[see Foreshore & Lake Zoning Bylaw 1294, 2012]	“ boat lift ” means a <i>structure</i> supported from the bottom of a lake, which facilitates the removal of a boat from the water, and may allow for a boat to be stored above the water;
BOTTLE DEPOT means the use of land or building for the collection and temporary storage of bottles that have a refund value, and may include the collection and temporary storage of recyclable bottles, cans and containers.	[see “recycling materials depot and drop-off centre” definition below]
BOULEVARD means that portion of the public highway between the curb lines or the lateral boundary lines of the roadway and the adjoining property or between curbs or median islands.	[this is more appropriately defined in the Town’s Subdivision and Development Servicing Bylaw]
BUILDING means a structure located on the ground which is designed, erected or capable of providing support, enclosure or protection for persons, animals or property. For the purpose of this Bylaw vehicles shall not be considered to be buildings.	“ building ” means any <i>structure</i> consisting of a roof supported by walls or columns used or intended to be used for sheltering, accommodating or enclosing people, animals, goods, chattels or equipment;
BUILDING INSPECTOR means the person duly appointed as such from time to time by Council and includes any person designated by Council to act on his behalf.	
BUILDING PERMIT means a building permit issued pursuant to the Town of Osoyoos Building Code Administration Bylaw.	
BUILDING WIDTH means the lesser of the two horizontal dimensions of a building or structure and in the case of a mobile home or a manufactured home means the width of the mobile home or a manufactured home exclusive of any structural additions attached thereto which were not a part or intended to be a part of the mobile home when it was manufactured.	[the term “building width” is not used in Zoning Bylaw 1085, 1998, and is, therefore, not proposed to be carried forward into Draft Zoning Bylaw No. 1395]
BYLAW ENFORCEMENT OFFICER means a person appointed by Council to enforce this Bylaw.	
C	
CAMPGROUND means a facility intended for the temporary accommodation of travelers in recreational vehicles or tents but specifically excludes a Mobile Home Park.	“ campground ” means a <i>parcel</i> of land occupied and maintained for temporary accommodation of the traveling public in tents, <i>tourist cabins</i> or recreation vehicles which are licensed for the current year and have been brought to the site by the traveler. May include an <i>office</i> as part of the permitted use but excludes <i>hotels, manufactured homes, manufactured home parks, motels</i> or park model trailers;
	“ cannabis ” means any plant of the genus cannabis; including: a) any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;

Comparison of Definitions

Zoning Bylaw No. 1085, 1998 – Section 2	Draft Zoning Bylaw No. 1395 – Section 4.0
	<p>b) any substance or mixture of substances that contains or has on it any part of such a plant; and also includes</p> <p>c) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.</p>
[see “marihuana operation” definition below]	“cannabis production, indoor” means the commercial production, cultivation, synthesis, harvesting, altering or propagating of <i>cannabis</i> inside a <i>structure</i> , as permitted by federal enactment, but excludes the growing of <i>cannabis</i> by an individual for their personal use and consumption, or <i>cannabis production, outdoor</i> ;
[see “marihuana operation” definition below]	“cannabis production, outdoor” means the commercial production, cultivation, synthesis, harvesting, altering or propagating of <i>cannabis</i> outside in a field, as permitted by federal enactment, but excludes the growing of <i>cannabis</i> by an individual for their personal use and consumption, or <i>cannabis production, indoor</i> ;
	“cannabis products” means plant material from <i>cannabis</i> and any products that include <i>cannabis</i> or <i>cannabis</i> derivatives, intended for human use or consumption;
[see “garage or carport” definition below]	“carport” means a roofed <i>structure</i> to be used to shelter parked vehicles or equipment, which is not enclosed on at least two sides, one being the side fronting the driveway;
CAR WASH means the use of land or a building for the cleaning of passenger motor vehicles and single axle commercial trucks without trailers.	
CHILD CARE FACILITY means a facility licensed and used as a child care facility pursuant to the Community Care and Assisted Living Act.	“child care facility” means a <i>building</i> or <i>structure</i> in which child care services are provided for children in accordance <i>Child Care Licensing Regulation</i> under the <i>Community Care and Assisted Living Act</i> ;
CHURCH means a building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship.	“church” means a <i>building</i> or <i>structure</i> used for religious worship or organized religious services and associated <i>accessory uses</i> which may include an auditorium, <i>child care facility</i> and one (1) <i>accessory dwelling</i> ;
	“civic facility” means a <i>building</i> or <i>structure</i> in which government services are provided to the public including but not limited to a government <i>office</i> , law court, health care centre or hospital, fire hall, library, ambulance or police station;
COLD STORAGE FACILITY means the use of a building or space specifically designed for the storage of goods that require refrigeration.	[see “farm building” definition below]
	“commercial card-lock facility” means a premises used for the bulk storage and sale of petroleum products dispensed from pumps utilizing a card-lock or key-lock system, but excludes a <i>service station</i> ;
COMMERCIAL VEHICLE means a vehicle displaying or required to display a valid and subsisting commercial license plate issued pursuant to the Commercial Transport Act and in the case of a farm vehicle as defined in the regulations made pursuant to the Commercial Transport Act, a valid and subsisting license plate issued pursuant to Division 2 of Part 16 of the Local Government Act.	
COMMUNITY CARE FACILITY means a Building containing Sleeping Units for persons receiving care or assistance licensed or funded by Provincial or Federal agencies, including all care as defined and regulated under the Community Care and Assisted Living Act, and extended care as defined and regulated under the Hospital Act. Specifically excludes First Stage Housing Shelter and Supportive Recovery.	“community care facility” means premises for the accommodation and care of persons who require continuing assistance due to age, medical infirmity or disability. A <i>community care facility</i> may or may not be licensed under the <i>Community Care and Assisted Living Act</i> ;
COMMUNITY SEWER SYSTEM means the sewage collection and disposal system that is owned and operated by the Town of Osoyoos.	“community sewer system” means a system of works owned operated and maintained by the Town of Osoyoos and which is established and operated for the collection, treatment and disposal of sanitary sewage and which serves more than one parcel, and for certainty excludes such system of works owned and operated by a strata corporation, private sewer utility or business corporation;
COMMUNITY WATER SYSTEM means the system of waterworks owned and operated by the Town of Osoyoos.	“community water system” means a water supply system owned, operated and maintained by the Town of Osoyoos, and for certainty excludes a water supply system owned and operated by a strata corporation, private water utility or business corporation.
	“composting operation” means the entire area, <i>buildings</i> , and equipment used for the biological decomposition of organic materials, substances or

Comparison of Definitions

Zoning Bylaw No. 1085, 1998 – Section 2		Draft Zoning Bylaw No. 1395 – Section 4.0	
		objects under controlled circumstances in composting storage facilities and composting storage sites;	
COMPREHENSIVE DEVELOPMENT means a site specific zone designed, developed and operated according to a plan adopted under this Bylaw. All definitions and regulation of the zoning Bylaw apply unless specifically stated in the CD zone.			
		“concrete plant” means the processing, <i>manufacturing</i> and sale of concrete, and includes the accessory manufacture and sales of products made from concrete;	
CONGREGATE CARE FACILITY means a facility that provides individual private living areas but common kitchen, dining and amenity space for six or more persons who because of age, mental or physical limitations, require personal care. The use may include housekeeping, laundry and service businesses, but living areas shall not contain kitchens.		[see Section 5.7]	
		“conservation area” means land that is preserved and protected in a natural state, and may be owned by an individual, the Province including ecological reserves or protected areas, the Canadian Wildlife Service, The Nature Trust, The Land Conservancy, Town of Osoyoos, the public or other not for profit organizations interested in conservation for the prime purpose of conserving natural habitat. Typical examples include but are not limited to land protected in a natural state for the purpose of conserving plant life and providing sanctuary, habitat and breeding grounds for wildlife or fish, but excludes <i>indoor recreation</i> and <i>outdoor recreation</i> ;	
		“construction supply centre” means the <i>retail</i> sale or wholesale of <i>building</i> material, fixtures, or hardware, garden furniture, construction and home improvement equipment or supplies, animal feed, farm supplies, and includes a lumber yard, building supply outlet, home improvement centre, and the accessory rental of home construction, maintenance or repair equipment;	
CONVENIENCE STORE means a retail sales outlet providing for the sale of household goods including but not limited to food, beverage, books, magazines or household accessories.		[see “retail” definition below]	
CONVENTION FACILITY means a building or portion thereof designated for assembly use. Also known as banquet or conference facility.			
		“cooking facility” means facilities for the storage, preparation or cooking of food, and includes any room containing counters, cabinets, sinks, stoves, dishwashers and other appliances, plumbing, or wiring which, may be intended or used for the preparation or cooking of food, but excludes a <i>wet bar</i> ;	
CORNER LOT means a lot abutting two or more highways at their intersection or two parts of the same highway.			
COUNCIL means the Council of the Corporation of the Town of Osoyoos.			
CRAFT BREWERY/ DISTILLERY means an establishment licensed under the Liquor Control and Licensing Act that manufactures alcoholic beverages by brewing or distillation, and may include the tasting and retail sales of alcoholic products on-site.		[see “alcohol production facility” definition above]	
		“crawl space” means the space between the underside of the joists of the floor next above and the ground floor slab or ground surface where no slab exists, having a vertical clear <i>height</i> less than 1.5 metres;	
		“cultural facility” means a <i>building</i> or <i>structure</i> used for artistic performances and the display of art and cultural artefacts, including but not limited to <i>art gallery</i> , community theatre and museum;	
D			
		“derelict vehicle” includes a vehicle, except a farm vehicle, that is not displaying a current licence, pursuant to Provincial regulations, and which is not enclosed within a garage or <i>carport</i> ;	
		“designated flood” means a flood, which may occur in any given year, of such magnitude as to equal a flood having a 200-year recurrence interval, based on a frequency analysis of unregulated historic flood records or by regional analysis where there is inadequate <i>watercourse</i> flow data available;	

Comparison of Definitions

Zoning Bylaw No. 1085, 1998 – Section 2	Draft Zoning Bylaw No. 1395 – Section 4.0
DESIGNATED FLOOD LEVEL means an observed or calculated water level attained by a Designated Flood, which is used in the calculation of the Flood Construction Level.	“designated flood level” means an observed or calculated water level attained by a <i>designated flood</i> , which is used in the calculation of the flood construction level;
DEVELOPABLE HECTARE means the area of a parcel of land that is usable for development purposes expressed in terms of hectares or portion thereof.	[see Section 6.7 “Residential Density Calculation”]
DEVELOPMENT means the improvement of land that will occur as the result of the issuance of a Building Permit or approval of a plan of subdivision.	“development” means any activity carried out in the process of clearing or preparing a site or constructing or erecting <i>structures</i> ;
[see the Foreshore and Lake Zoning Bylaw No. 1294, 2012]	“dock” means an aquatic <i>structure</i> used for the purpose of mooring boats and for providing pedestrian access to and from the moored boats, but excludes the <i>moorage</i> of float planes, a <i>group moorage facility</i> , a strata <i>moorage</i> facility or a <i>marina</i> ;
DRY CLEANER the use of a building for cleaning through a chemical process, fabrics, materials or garments that are not cleaned by conventional methods.	[see “personal service establishment” definition below]
DUPLEX see TWO FAMILY DWELLING.	“duplex dwelling” means a <i>building</i> containing two <i>principal dwelling units</i> with each unit having an independent exterior entrance, but excludes a <i>secondary suite</i> ;
DWELLING UNIT means one or more habitable rooms, constituting a self-contained unit with one or more separate entrances, containing eating, living, sleeping and sanitary facilities and used or capable of being used as a residence for one family.	“dwelling unit” means one or more habitable rooms constituting one self-contained unit which has a separate entrance, and which contains washroom facilities, and not more than one set of <i>cooking facilities</i> and which is designed to be used for living and sleeping purposes;
E	
[see “restaurant” definition below]	“eating and drinking establishment” means a <i>development</i> where prepared foods and beverages are offered for sale to the public for consumption within the premises or off the site and includes neighbourhood pubs, licensed restaurants, lounges, cafes, delicatessens, tea rooms, dining rooms, drive-in food services, refreshment stands and take-out restaurants but excludes <i>mobile vendor</i> ;
EDUCATIONAL INSTITUTION means private, parochial and public funded educational facilities such as schools, colleges, and universities, and may include a storefront school.	“educational facility” means the use of land, <i>buildings</i> or <i>structures</i> for education, instruction and training and may include administration <i>offices</i> and dormitories to house students. Typical examples include but are not limited to elementary, middle and secondary schools, storefront schools, community colleges, universities, technical and vocational schools;
EQUESTRIAN / RIDING FACILITY means the use of premises for the keeping, breeding, raising, training, boarding and riding of horses.	“equestrian centre” means the use of riding arenas, stables, training tracks and other <i>structures</i> that accommodate the activity of riding horses, and in which horses are sheltered and fed;
[see “lot line, side exterior” definition below]	“exterior side parcel line” means any <i>parcel</i> line common to a <i>highway</i> , other than a <i>lane</i> , which is not a <i>front parcel line</i> ;
F	
FAMILY means one person or two or more persons related by blood, adoption or marriage or up to three unrelated persons jointly occupying a dwelling unit.	“family” means one or more persons related by marriage, blood, common law, adoption or foster parenthood, and not more than five (5) unrelated persons sharing one <i>dwelling unit</i> typical of a single-family unit or other similar basic social unit;
	“farm building” means a <i>building</i> or part thereof which is associated with and located on land devoted to the practice of <i>agriculture</i> , and used for the housing of equipment or <i>livestock</i> , or the production, storage, processing, marketing and selling of agricultural and horticultural produce or feeds;
	“farm operation” means a farm operation as defined in the <i>Farm Practices Protection (Right to Farm) Act</i> ;
	“farm use” means an occupation or use of land for agricultural purposes, including farming of land, plants and animals and any other similar activity designated as farm use by Provincial regulation, and includes a <i>farm operation</i> ;
FENCE means a railing, retaining wall, gate, paling, trellis, tower, hedge or other structure forming a boundary to or enclosing an area.	“fence” means an artificially constructed barrier of any material or combination of materials erected to enclose or <i>screen</i> areas of land;

Comparison of Definitions

Zoning Bylaw No. 1085, 1998 – Section 2	Draft Zoning Bylaw No. 1395 – Section 4.0
FINANCIAL INSTITUTION means a bank, savings and loans business, credit agency, investment company, broker and dealer of securities and commodities, and security and commodity exchanges.	[see “office” definition below]
FINISHED GRADE means the finished ground level at the midpoint of the exposed wall of a building.	“finished grade” means the average finished ground level at the perimeter of a <i>building</i> or <i>structure</i> , excluding any localized mounds or depressions such as those for vehicle or pedestrian entrances;
FIRST STAGE HOUSE means a permanently staffed facility providing for the needs of the poor and homeless and includes the provisions of a temporary residence not exceeding 3 consecutive months and may include meals, clothing, counseling and vocational services for those persons temporarily residing therein.	[see “community care facility” definition aboev]
	“fleet service” means the use of a <i>parcel</i> for a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long term lease. Typical uses include but are not limited to taxi services, bus lines, storage of a fleet or rental vehicles, and messenger and courier services, but excludes a <i>freight terminal</i> ;
FLOOD CONSTRUCTION LEVEL means a Designated Flood Level plus an allowance for Freeboard.	[see Section 9.1 “Flood Designation and Flood Construction Level”]
	“floodplain” means an area of land, whether flood-proofed or not, which is susceptible to flooding by a <i>watercourse</i> , lake or other body of water;
	“floodplain setback” means the required minimum distance from the <i>natural boundary</i> , or other reference line of a <i>watercourse</i> , lake, or other body of water to any landfill or structural support required to elevate a floor system or pad above the flood construction level, so as to maintain a floodway and to allow for potential land erosion;
FLOOR AREA GROSS means the total area of all the floors in all the buildings on the lot, measured to the extreme outer limits of the inside of the building or to the center of firewalls, including all suites or dwelling units and all areas giving access thereto such as corridors, hallways, landings, foyers, staircases and stairwells. Enclosed balconies and mezzanines, enclosed porches or verandas, and accessory buildings (except those used for parking) shall also be included. Any floor space occupied by heating, laundry, storage or recreational facilities shall not be included.	[see “gross floor area” definition below]
[see the Foreshore and Lake Zoning Bylaw No. 1294, 2012]	“foreshore” means land lying between the highest water mark and the lowest water mark that is alternatively covered and exposed by water with the normal rise and fall of the level of the body of water;
FREEBOARD means a vertical distance added to a Designated Flood Level, used to establish a Flood Construction Level.	“freeboard” means a vertical distance added to a <i>designated flood level</i> used to establish a flood construction level;
	“freight terminal” means premises used as an origin or destination point from which vehicles are dispatched for the delivery or pick-up of materials, goods and equipment and which may include warehouse space for the temporary storage of such materials, goods and equipment;
FRONTAGE means the length of a lot line adjacent to a highway.	
[see “lot line, front” definition below]	“front parcel line” means any <i>parcel</i> line common to a <i>parcel</i> and one <i>highway</i> other than a <i>lane</i> , provided that, where a <i>parcel</i> is contiguous to the intersection of two or more <i>highways</i> , the front <i>parcel</i> line is the shortest <i>parcel</i> line contiguous to one of the <i>highways</i> . Where a <i>parcel</i> is bisected by a <i>highway</i> , both <i>parcel</i> lines abutting the <i>highway</i> are considered to be <i>front parcel lines</i> ;
	“funeral home” means a <i>building</i> or part of a <i>building</i> wherein a licensed undertaker prepares human remains for interment and may include a chapel for funeral services (not including cremation);
G	
GARAGE or CARPORT means a detached accessory building or a portion of a principal building whose principal use is for the parking or temporary storage of motor vehicles and in which there are no facilities for the commercial repairing or servicing of motor vehicles.	[see definition of “accessory building or structure” above]
GAS BAR means a building and land used for the sale of motor vehicle fuel, lubricating oil and minor motor vehicle accessories directly to the users of motor vehicles, and may include a convenience store. A Gas Bar does not include service bays for the repair of vehicles.	[see definition of “service station” below]

Comparison of Definitions

Zoning Bylaw No. 1085, 1998 – Section 2	Draft Zoning Bylaw No. 1395 – Section 4.0
GASOLINE SERVICE STATION means a building and land used for the retail sale of motor fuels and lubricants and includes as accessory uses, the servicing and repair of motor vehicles and the sale of automobile accessories, but shall not include motor vehicle body work, painting or structural repairs.	[see definition of “service industry establishment” below]
	“ golf course ” means a tract of land for playing golf, pitch and putt courses or driving ranges, including clubhouses, restaurants, pro shops and similar accessory facilities, including banquet facilities, necessary for golf purposes and which may include <i>buildings</i> necessary for the maintenance and administration of the golf course;
	“ gravel processing ” means screening, sorting, crushing and storing of any earth material, but excludes subsequent <i>manufacturing</i> operations such as concrete and <i>asphalt plants</i> ;
	“ greenhouse ” means a <i>structure</i> covered with translucent material, and used for the purpose of growing plants, which is of sufficient size for persons to work within the <i>structure</i> ;
[see “floor area gross” definition above]	“ gross floor area ” means the total floor area of a <i>building</i> measured to the outer limit of the exterior walls of a <i>building</i> , but excludes: <ul style="list-style-type: none">• parking areas to a maximum floor area exclusion of 45.0 m², unless such parking is a <i>principal</i> use in which case no exclusion shall be permitted;• a swimming pool;• unenclosed front entry porches, balconies, decks, patios, terraces, courtyards or stairways; and• <i>crawl spaces</i> or <i>attics</i>.
[see the Foreshore and Lake Zoning Bylaw No. 1294, 2012]	“ group moorage facility ” means one or more multi-berth <i>docks</i> providing communal <i>moorage</i> to an adjacent <i>apartment building</i> , <i>resort residential building</i> , <i>townhouse</i> or multi- <i>parcel residential development</i> , including a strata or shared interest <i>development</i> ;
G.S.C. means Geodetic Survey of Canada datum.	
H	
HABITABLE AREA means any space or room within a building or structure that is or can be used for human occupancy, industrial, business, or commercial use, or storage of goods, or placement of equipment (including furnaces) which could be subject to damage by floodwater.	“ habitable area ” means, for the purpose of the flood construction level provisions of this Bylaw, any space or room within a <i>building</i> or <i>structure</i> , including a <i>manufactured home</i> or unit, which is used or is capable of being used for human occupancy or industrial, business or commercial use, or storage of goods, including equipment (and furnaces), which is susceptible to damage by floodwater;
HEDGE means a type of fencing or screening of vegetation forming a boundary to, or enclosing an area.	[see “screen” definition below]
HEIGHT (BUILDING) means the vertical distance from the average finished grade at the perimeter of a building or structure to the highest point of the roof surface of a flat roof, and to the mean level between the eaves and the highest point of a mansard roof, and to the mean level between the eaves and the ridge of a gable, hip, gambrel or other sloping roof, and in the case of a structure without a roof to the highest point of the structure.	“ height ” means the vertical distance from the average finished grade at the perimeter of a building or structure to the highest point of the roof surface of a flat roof, and to the mean level between the eaves and the highest point of a mansard roof, and to the mean level between the eaves and the ridge of a gable, hip, gambrel or other sloping roof, and in the case of a structure without a roof to the highest point of the structure;
HIGHWAY includes a street, road, lane, bridge, viaduct, and any other way open to public use, but does not include a private right-of-way or easement on private property.	“ highway ” includes a street, road, <i>lane</i> , bridge, viaduct or any other way open to public use other than a private right-of-way on private property;
HOME OCCUPATION means a business contained entirely within a dwelling, and / or in its accessory building where allowed, and which is clearly subordinate to the principal residential use of the dwelling and where the business proprietor is also a resident of the said dwelling.	“ home occupation ” means an occupation or profession that is accessory to the principal <i>residential</i> use of a <i>parcel</i> and may include home <i>offices</i> ; studios; home workshops, and other similar uses;
	“ hooked parcel ” means a <i>parcel</i> of which one portion is physically separated from the other portion by a <i>highway</i> , or by another <i>parcel</i> ;
HOTEL/MOTEL means a building or group of buildings for paid temporary accommodation for overnight or longer stays in units with their own complete sanitary facilities, which includes an on-site registration office and may include a lobby and/or restaurant.	“ hotel ” means a <i>building</i> containing commercial guest <i>sleeping units</i> , and a lobby area for guest registration and access to the <i>sleeping units</i> , which may contain <i>accessory uses</i> such as a restaurant, licensed drinking facilities, accessory <i>retail</i> sales, and meeting rooms;
I	

Comparison of Definitions

Zoning Bylaw No. 1085, 1998 – Section 2	Draft Zoning Bylaw No. 1395 – Section 4.0
[see “recreation commercial” definition below]	“indoor recreation” means a facility within an enclosed <i>building</i> intended for leisure activities where patrons are predominantly participants or spectators. Typical uses include amusement arcades, bingo halls, health and fitness centres, athletic facilities and ice rinks, billiard and pool halls, swimming pools, bowling alleys, theatres and concert or music halls;
[see “lot line, side interior” definition below]	“interior side parcel line” means a <i>parcel</i> line between two or more <i>parcels</i> other than the front, rear or <i>exterior side parcel line</i> ;
K	
KENNEL means any building, structure, compound, group of enclosures or cages or property in which or where four or more dogs or cats are capable of being trained, cared for, bred, boarded, or kept for any purpose whatsoever. A dog or cat means a member of the canine or feline species respectively which is four or more months of age.	“kennel” means the care of four (4) or more dogs, cats or other domestic animals or pets whether such animals are kept commercially for board, propagation, training, sale or for personal and private enjoyment;
L	
LANDSCAPING means the planting of lawns, shrubs and trees, and/or the placement of fencing, walks, drives, or other structures and materials used in landscape architecture.	
LANE means a public road that provides secondary or alternate access to parcels of land.	“lane” means a <i>highway</i> that provides a secondary access to one or more <i>parcels</i> and is less than 8.0 metres in width;
LAUNDROMAT means the use of a building or portion thereof for the washing and drying of laundry excluding dry cleaning establishments.	[see “personal service establishment” definition below]
LICENSED ESTABLISHMENT means an establishment licensed for the service of liquor and includes liquor-primary establishment and licensee retail store as defined and regulated by the Liquor Control and Licensing Act.	[see “eating and drinking establishment” definition below]
LIVESTOCK means rabbits, goats, sheep, swine, horses, cattle, poultry, fur bearing animals as defined in the Fur Farm Regulation, or game as defined in the Game Farm Regulation.	“livestock” means horses, cattle, sheep, swine, llamas, <i>ratites</i> , goats, farmed game and other similar animals;
LOT means any parcel into which land is subdivided, excluding a strata lot which is located entirely within a building.	[see “parcel” definition below]
LOT LINE, FRONT means the lot line that divides a lot from a street, provided that in the case of a corner lot the shorter lot line that abuts the street shall be deemed to be the front lot line.	[see “front parcel line” definition above]
LOT LINE, REAR means the lot line opposite to and most distant from the front lot line, or where the rear portion of the lot is bounded by intersecting side lot lines, it shall be the point of such intersection.	[see “rear parcel line” definition below]
LOT LINE, SIDE EXTERIOR means a lot line other than a front or rear lot line which is adjacent to a street.	[see “exterior side parcel line” definition above]
LOT LINE, SIDE INTERIOR means a lot line other than a front or rear lot line which is not adjacent to a street.	[see “interior side parcel line” definition above]
LOT DEPTH means the mean horizontal distance between the front and rear lot lines.	[see “parcel depth” definition below]
LOT WIDTH means the mean horizontal distance between side lot lines measured at right angles to the lot depth.	[see “parcel width” definition below]
M	
MANUFACTURED HOME (also referred to as CSA A277 Factory Built Home in this Bylaw) means a dwelling unit which is factory-built according to CSA A277 standard in either one complete unit, or a number of modular units or panels, and which is assembled onsite or placed and supported by a perimeter foundation.	“manufactured home” means a <i>mobile home</i> or <i>modular home</i> normally built in an enclosed factory environment in one or more sections, intended to be occupied in a place other than that of its manufacture, but excludes travel trailers, <i>recreational vehicles</i> , park model <i>recreational vehicles</i> or campers;
	“manufactured home park” means any parcel of land, upon which three (3) or more <i>manufactured homes</i> or <i>single detached dwellings</i> are located on individual <i>manufactured home</i> sites that are occupied exclusively for <i>residential</i> purposes on a rental basis. Includes all <i>buildings</i> and <i>structures</i> used or intended to be used as part of such <i>manufactured home park</i> ;

Comparison of Definitions

Zoning Bylaw No. 1085, 1998 – Section 2	Draft Zoning Bylaw No. 1395 – Section 4.0
[see “pad” definition below]	“ manufactured home space ” means an area of land for the installation of one <i>manufactured home</i> with permissible additions and situated within a <i>manufactured home park</i> ;
	“ manufacturing ” means fabricating, processing, assembling and finishing of goods or materials as well as the processing of produce, meat or beverages but excludes the use, processing or production of hazardous wastes;
MARIHUANA OPERATION means the cultivation, growth, harvesting, processing packaging, storage, distribution, dispensing, trading, or selling of cannabis (marihuana) or its derivatives	[see “cannabis production, indoor” and “cannabis production, outdoor” definition above]
MARINA means the use of buildings, land or surface of the water for the sale and/or rental of water sports equipment, boats, docking berths, marine supplies, and may include the sale of petroleum products.	“ marina ” means a commercial or government establishment or premise, containing multi-berth docking facility where more than two (2) boats or other vessels are berthed or stored, or where any number of watercraft are serviced, constructed or kept for sale or rent. Accessory facilities for the sale of marine fuels and lubricants, eating and drinking establishment, boating accessory retail sales and wastewater pumping facilities may also be provided;
MEDIAN ISLAND means a barrier placed between lanes of traffic flowing in opposite directions.	
MEDICAL PROFESSIONAL OFFICE means the use of a building for the purpose of carrying out activities in the medical or dental professions including a doctor’s clinic, dentist office, optical office, or other offices for similar medical purposes.	[see “office” definition below]
MEDICAL MARIHUANA GROW means the cultivation, growth, storage, or distribution of OPERATION (MMGO) marihuana for medical purposes as lawfully permitted and authorized under the Federal Marihuana for Medical Purposes Regulations.	
METAL STORAGE CONTAINER means an intermodal shipping container originally constructed for shipping freight or cargo by sea, rail, or truck, which is placed on a lot and is used as an accessory structure for storage purposes only.	“ metal storage container ” means a purpose-designed metal cargo container for holding of goods, which is intended to be placed on a ship, truck or railcar;
	“ minimum parcel size ” means the minimum area of a <i>parcel</i> of land that can be created by subdivision;
MINOR REPAIR SHOP means the use of buildings and space for the carrying out of minor repairs on appliances, tools, or other mechanical or electrical devices.	
MOBILE HOME (also referred to as CSA Z240 Factory Built Home in this Bylaw) means a dwelling unit which is factory-built according to CSA Z240 standard in either “single-wide” or “double-wide” configurations and mounted on girder rails to allow towing, and which is placed onsite on a perimeter foundation, or on pylons with exterior skirting.	“ mobile home ” means a <i>manufactured home</i> which is certified as being constructed to the Canadian Standards Association Z240 Mobile Home Series Standard;
	“ mobile vendor ” means a vehicle intended to be moved from location to location, for the purpose of offering for sale food or retail products;
	“ modular home ” means a <i>manufactured home</i> which is certified as being constructed to the Canadian Standards Association A277 Standard and is designed to be moved once onto a permanent, full perimeter foundation;
[see the Foreshore and Lake Zoning Bylaw No. 1294, 2012]	“ moorage ” means the tying, fastening or securing of a boat or other watercraft to a <i>dock</i> ;
MOTEL refer to HOTEL/MOTEL.	“ motel ” means a <i>building</i> or <i>buildings</i> containing housekeeping and/or not less than six (6) <i>sleeping units</i> each with an exterior entrance and designed to provide temporary accommodation for the travelling public;
MULTIPLE FAMILY DWELLING means a minimum of three dwelling units used as residences within a building or group of buildings designed as an integrated development, which may be divided into individual strata ownership.	[see “apartment building” definition above and “townhouse” definition below]
MUNICIPALITY means the Corporation of the Town of Osoyoos.	
N	
NATURAL BOUNDARY, means the visible high water mark of Osoyoos Lake where the OSOYOOS LAKE presence and action of the water are so common and usual and so long continued, as to mark on the soil of the	“ natural boundary ” means the visible high watermark of any lake, river, stream, or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary

Comparison of Definitions

Zoning Bylaw No. 1085, 1998 – Section 2	Draft Zoning Bylaw No. 1395 – Section 4.0
bed of the body of water a character distinct from that of its banks, in vegetation and the nature of the soil.	years as to mark upon the soil of the bed of the lake, river, stream, or other body of water a character distinct from that of the banks, in vegetation, as well as in the nature of the soil itself;
NATURAL GROUND ELEVATION means the undisturbed ground elevation prior to site preparation.	
NATURAL GRADE means the average ground level recorded at the perimeter of a building or proposed building as determined by survey or referenced benchmark prior to site preparation.	
	“natural resource extraction” means the quarrying, sorting, screening, removal and off-site sale of sand, gravel, earth or mineralized rock found on or under a site and includes quarries, gravel pits, <i>gravel processing</i> and stripping of topsoil but excludes subsequent <i>manufacturing</i> operations such as concrete and <i>asphalt plants</i> ;
NEIGHBOURHOOD CONSENT means the action of obtaining consent of at least 75% of the registered property owners within a radial distance of 100 metres of a property requiring neighbourhood consent to perform an activity. The consent must be provided in writing on a form approved by the Town of Osoyoos.	[it is not proposed to carry forward the definition of “Neighbourhood Consent” as it may be an unlawful delegation of Council authority]
NEIGHBOURHOOD SERVICES means commercial services providing convenience store and service business for residents in the surrounding area.	[see “personal service establishment” definition below]
NON-CONFORMING means any building or use already existing which does not conform with all the regulations of this Bylaw, or any amendment thereto, for the zoning district in which such building or use is located.	[it is not proposed to carry forward the definition of “non-conforming” into Zoning Bylaw No. 1395 as this is otherwise addressed by Sections 528-535 of the <i>Local Government Act</i>]
NURSERY means land or greenhouses used to raise flowers, shrubs, and plants for sale.	
O	
	“off-farm products” means <i>farm products</i> that are not grown, reared, raised or produced on the farm from which they are being sold;
	“office” means a business premises or <i>building</i> , designed, intended and used for the provision of professional, management, administrative, government, consulting, or financial services in an office setting including but not limited to the offices of: lawyers, accountants, travel agents, real estate and insurance firms, planners, non-government organizations, clerical agencies, Crown corporations, municipalities and provincial or federal governments;
OFFICIAL COMMUNITY PLAN means the Town of Osoyoos Official Community Plan Bylaw No. 1230, 2007, and all amendments thereto.	
	“outdoor market” means a temporary use where groups of individual sellers offer new and used goods, crafts or produce for sale directly to the public;
	“outdoor recreation” means a facility used and equipped for the conduct of outdoor sports, leisure and entertainment activities, instructional courses and equipment rentals and may require amenities such as showers and storage, but excludes equestrian centres and <i>golf course</i> ;
OUTDOOR STORAGE means an area outside of an enclosed building where construction materials and equipment, solid fuels, lumber and new or used building materials, monuments and stone products, public service and utility equipment, or other materials, goods, products, equipment or machinery are stored, baled, placed, piled, or handled, whether as a principal or an accessory use. Outdoor storage shall not include an automobile wrecking yard or a salvage yard.	“outdoor storage” means the storage of equipment, goods, and materials in the open air where such storage of goods and materials does not involve the erection of permanent <i>structures</i> . Typical uses include but are not limited to vehicle or heavy equipment storage compounds; and the sale, rental and storage of metal shipping containers;
P	
PAD means a concrete or paved surface on which blocks, posts, runners or strip footings are placed for the purpose of supporting a mobile home or unit, or a Habitable Area.	[see “manufactured home space” definition above]
	“panhandle” means any <i>parcel</i> with any of the <i>building</i> envelope situated directly behind another <i>parcel</i> so that its frontage is a relatively narrow strip of land which is an integral part of the <i>parcel</i> ;

Comparison of Definitions

Zoning Bylaw No. 1085, 1998 – Section 2	Draft Zoning Bylaw No. 1395 – Section 4.0
PARCEL means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway.	“parcel” means any parcel, block or other area in which land is held or into which it is subdivided whether under the <i>Land Title Act</i> or the Bare Land Strata Regulations under the <i>Strata Property Act</i> or a legally recorded lease of license of occupation issued by the Province of British Columbia;
	“parcel coverage” means the total horizontal area of <i>structures</i> measured to the outside of the exterior walls of the <i>buildings</i> and <i>structures</i> on a lot including the horizontal areas of attached decks and porches, expressed as a percentage of the lot area, and for a <i>structure</i> with no defined exterior wall, measured to the drip line of the roof or, in the case of decks and porches, includes the horizontal flooring area;
[see “lot depth” definition above]	“parcel depth” means the mean horizontal distance between the <i>front parcel line</i> and <i>rear parcel line</i> of any <i>parcel</i> ;
	“parcel size” means the area of land within the boundaries of the lot but excludes an access strip associated with a <i>panhandle parcel</i> ;
[see “lot width” definition above]	“parcel width” means the mean horizontal distance between the side <i>parcel lines</i> of any <i>parcel</i> ;
	“park” means any publicly-owned, held or beneficially owned outdoor land or facility specifically designed for passive or active recreation including tot-lots, playgrounds, walkways, trails, band shells, greenbelts, buffers, nature interpretation areas, or similar land uses, including all uses permitted in Provincial Parks, and all natural and constructed landscaping, facilities, playing fields, <i>buildings</i> and <i>structures</i> consistent with the general purpose of public park land;
PARKING LOT means an area either outside or inside a building, used or intended to be used, for the temporary parking or storage of motor vehicles.	
PATIO means a level area, directly adjacent to a principal building at finished grade and not covered by a permanent roof.	
	“personal service establishment” means a commercial service intended to serve the health, grooming, financial, recreational, athletic activities or related well-being of an individual;
PORTABLE VENDING means the sale of goods including but not limited to ice cream and ice cream novelties, hot dogs, sandwiches and other similar take out food items, popcorn and non-alcoholic beverages from a portable vending unit that may or may not be self propelled.	[see “mobile vendor” definition above]
	“poultry” means domestic fowl and pigeons including any bird in captivity but excludes <i>ratites</i> ;
PRINCIPAL BUILDING means a building that contains the main use on a lot.	“principal building” means the <i>buildings</i> and <i>structures</i> intended for the <i>principal use</i> of a <i>parcel</i> , as listed under the principal permitted uses of the applicable zone;
	“principal dwelling unit” means a principal <i>residential dwelling unit</i> that is not a <i>secondary suite</i> or <i>accessory dwelling</i> .
	“principal use” means the main purpose for which a <i>parcel, building</i> or <i>structure</i> is used;
PRINTING and PUBLISHING 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.	[the “printing and publishing” use only appears under Section 2 (Definitions of Zoning Bylaw No. 1085, 1998, and no where else in the bylaw. Accordingly, it is not proposed to carry this definition forward into Zoning Bylaw No. 1395]
PRIVATE CLUB means the use of land and buildings by a group of individuals who belong as member to a club.	[see “eating and drinking establishment” and/or “indoor recreation” definitions above]
	“processed farm products” means <i>farm products</i> that have been transformed by biological or other means such as fermentation, cooking, butchering, canning, smoking or drying to increase their market value and convenience to the consumer, but excludes hot and cold food items sold for on-site consumption;
PUBLIC USE means a use providing for public functions under the auspices of a government body; including but not limited to offices,	[see “civic facility” definition above]

Comparison of Definitions

Zoning Bylaw No. 1085, 1998 – Section 2	Draft Zoning Bylaw No. 1395 – Section 4.0
public schools and colleges, public hospitals, community centres, libraries, museums, firehalls, police stations and courts of law.	
PUBLIC UTILITY means the provision of electricity, gas, water, drainage, telephone, television or telecommunication services by a government or by a company which is subject to statutory rate regulations.	[see “utility use” definition below]
R	
	“ ratites ” means a bird having small or rudimentary wings and no keel to the breastbone, includes ostriches, emus, and rheas;
[see “lot line, rear” definition above]	“ rear parcel line ” means the boundary of a <i>parcel</i> which lies the most opposite to the <i>front parcel line</i> and, where the property has only three <i>parcel</i> lines, the rear of the <i>parcel</i> is the point where of the two side <i>parcel</i> lines meet;
RECREATION COMMERCIAL means any business that provides recreational activities such as but not limited to theme parks, mini golf, billiard halls and arcades.	[see “indoor recreation” definition above]
RECREATION RENTAL means any business that involves renting out or use of non-motorized or motorized vehicles for recreation purposes, excluding motorized watercraft.	[see “vehicle sales and rentals” definition above]
RECREATIONAL VEHICLE means a vehicle capable of being used as temporary accommodation for travel or recreational purposes, including a motorhome, truck camper, fifth wheel trailer, camper trailer and tent trailer.	“ recreational vehicle ” means a vehicle designed to be towed behind a motor vehicle or self-propelled, and includes such vehicles commonly known as travel trailers, fifth wheels, camper trailers, pick-up coaches, motorized campers, motorized homes, park model trailers and other similar vehicles, including vehicles constructed to the Canadian Standards Association Z240 RV and Z241 Standards, which provide temporary recreational accommodation for the traveling public;
RECREATIONAL VEHICLE PARK means a parcel of land designed, developed, maintained, and capable of providing accommodation, on a temporary or seasonal basis, for recreational vehicles.	
RECREATIONAL VEHICLE STORAGE LOT means a parcel of land (or portion of land) designed, developed, and maintained for the purpose of storing recreational vehicles.	
RECYCLING DEPOT means land or buildings used for the collection and sorting of paper fibres, glass, metals, plastics and other materials for the purpose of recycling and reselling of such materials to wholesale and retail recycling enterprises.	“ recycling materials depot and drop-off centre ” means a <i>building</i> or <i>parcel</i> used for the collection, sorting, processing and temporary storage of recyclable materials including, but not limited to: cardboard, plastics, paper, metal, bottles and similar household goods or items returnable for deposit;
REGIONAL DISTRICT means the Regional District of Okanagan-Similkameen.	
RESIDENCE/RESIDENTIAL means the use of a dwelling unit for primarily, continuing residential purposes by one family, including any rentals with a minimum tenancy period of one month.	“ residential ” means the occupancy or use of a <i>dwelling unit</i> for the permanent domicile of a person or persons; or the occasional or seasonal occupancy of a <i>dwelling unit</i> as a dwelling by an owner who has a permanent domicile elsewhere or by non-paying guests of such an owner, but excludes <i>short-term rental accommodation</i> ;
RESORT RESIDENCE means the use of a dwelling unit for paid temporary accommodation with a minimum stay of one week.	“ resort residential building ” means an <i>apartment building</i> within which a <i>dwelling unit</i> may be used for a <i>residential</i> or <i>short-term rental accommodation</i> use, with the latter being for periods of less than one month. The resort residential building may include accessory facilities such as <i>eating and drinking establishments</i> , banquet and convention rooms, recreation facilities and <i>personal service establishments</i> for the convenience of residents and guests;
RESORT MULTIPLE FAMILY DWELLING means a minimum of four strata dwelling units used as resort residences within a building or group of buildings designed as an integrated development, operated by a business licensed strata council in accordance with an approved rental pool scheme, provincially required guest registration and payment of room taxes, and all applicable municipal Bylaws.	[see “resort residential building” definition above]
RESORT SECONDARY DWELLING means an accessory dwelling unit that must be contained within a single family dwelling and must have a separate outside entrance and may be used for resort residential use for paid temporary accommodation with a minimum stay of one-week only if it is part of strata operated by a licensed strata council in accordance with an approved rental pool scheme, provincially required guest registration	[the “resort second dwelling” use only appears under Section 2 (Definitions of Zoning Bylaw No. 1085, 1998, and no where else in the bylaw. Accordingly, it is not proposed to carry this definition forward into Zoning Bylaw No. 1395]

Comparison of Definitions

Zoning Bylaw No. 1085, 1998 – Section 2	Draft Zoning Bylaw No. 1395 – Section 4.0
and payment of room taxes at one central location, and all applicable Municipal Bylaws.	
RESORT TWO FAMILY DWELLING means a building consisting of two residential units of which either or both units may be used for resort residential use for paid temporary accommodation with minimum stay of one-week, only if it is part of strata operated by a licensed strata council in accordance with an approved rental pool scheme, provincially required guest registration and payment of room taxes at one central location, and all applicable Municipal Bylaws.	[the “resort two family dwelling” use only appears under Section 2 (Definitions of Zoning Bylaw No. 1085, 1998, and no where else in the bylaw. Accordingly, it is not proposed to carry this definition forward into Zoning Bylaw No. 1395]
RESTAURANT means an eating establishment and includes cafes and coffee shops providing for the sale of prepared foods and beverages. A restaurant may be licensed for the consumption of alcohol under the Liquor Control and Licensing Act.	[see “eating and drinking establishment” definition above]
RETAIL means the selling of goods and services directly to the consumer.	“ retail ” means premises where the sale of goods to the final consumer, but excludes gasoline, heavy agricultural or industrial equipment, or any goods stored outside;
	“ retail sales of farm products ” means <i>retail</i> activity which is accessory to a <i>farm use</i> and which may include the sale of goods produced on that farm as permitted in a given zone and which includes <i>buildings</i> and <i>structures</i> necessary for the sale and storage;
RETAIL STORE means a sales outlet providing for the retail sale and display of goods, but specifically excludes industrial uses and gasoline service stations and licensee retail store as defined and regulated by the Liquor Control and Licensing Act.	[see “retail” definition above]
	“ retaining wall ” means a <i>structure</i> or series of interdependent <i>structures</i> greater than 1.2 metres in <i>height</i> constructed to hold back, stabilize or support an earthen bank;
RIGHT-OF-WAY means an interest in land acquired for the purpose of: (a) public rights of passage with or without vehicles; or (b) laying, placing and maintaining drains, ditches, water courses, pipes, transmission lines, or wires for the conveyance, transmission, or transportation of water, gas, electric power, communication, or for the disposal of sewage; or any right-of-way of a like nature or for any purpose necessary for the operation and maintenance of the undertaking.	[this is more appropriately defined in the Town’s Subdivision and Development Servicing Bylaw]
ROADSIDE STAND means land or building used for the purpose of carrying on a small temporary, or part-time business offering for sale fruit and/or vegetables which generally have been grown on the lot in which the roadside stand is located, and may include concession food items and crafts.	[see “retail” definition above]
ROADWAY means the portion of the highway that is improved, designated or ordinarily used for vehicular traffic.	[see “highway” definition above]
S	
SALVAGE YARD means land or building used for the keeping and/or storing of used building products, rags, bottles, automobile tires, old metal, other scrap materials or salvage and where such materials are bought, sold, exchanged, disassembled or handled but not including sites specifically designated as recycling centres or depots.	“ salvage operation ” means a place where old articles, waste or discarded material including but not limited to rubber tires, metal, plastics, plastic containers, glass, papers, sacks, wire, ropes, rags, machinery, cans, any other scrap or salvage including more than two <i>derelict vehicles</i> , are stored or kept, for private or commercial purposes;
[see “landscaping” definition above]	“ screen ” means a <i>fence</i> , wall or hedge used as an enclosure and a visual barrier about all or part of a <i>parcel</i> , broken only for driveways and walkways;
SEASONAL for the purpose of this Bylaw shall mean a period of time not to exceed 6 months in any calendar year.	
SECONDARY DWELLING UNIT means an accessory dwelling unit that must be contained within a single family dwelling or two family dwelling and must have a separate outside entrance.	“ secondary suite ” means a second <i>dwelling unit</i> that is located entirely within a <i>single detached dwelling</i> and that is clearly accessory to the <i>principal dwelling unit</i> , with direct access to the open air without passage through any portion of the <i>principal dwelling unit</i> ;
SECOND HAND STORE/PAWN SHOP means a business that offers for sale used goods and may include the loaning of money on the security of personal property pledged in the keeping of the proprietor.	[see “retail” definition above]

Comparison of Definitions

Zoning Bylaw No. 1085, 1998 – Section 2	Draft Zoning Bylaw No. 1395 – Section 4.0
SELF-STORAGE WAREHOUSE means a multi-tenanted building for the indoor storage of personal or business items not including industrial or toxic materials.	“self-storage” means a self-contained <i>building</i> or group of <i>buildings</i> containing lockers available for rent for the storage of personal goods or a facility used exclusively to store bulk goods of a non-hazardous nature;
SERVICE BUSINESS means a business providing a service to persons and their pets including barber and beauty shops, tailors, shoe repair, dress makers, photographers, pet grooming, dry cleaning, optical or watch repair, florist, laundromat, and licensed professional practitioners.	[see “personal service establishment” definition above]
SERVICE CLUB means associations of persons as a registered non-profit society for the purposes of providing services and raising funds for community projects.	[see “office” definition above]
	“service industry establishment” means a business premises or <i>building</i> , where non-personal goods and services are provided, including: the repair or assembly of electronic devices, vehicles, trucks, boats or other machinery (including painting); tire sales and repair; household cleaning and repair; metal and woodworking; plumbing and heating sales; storage and repair;
[see “gas bar” definition above]	“service station” means premises used principally for the <i>retail</i> sale of motor fuels, lubricating oils, propane and motor vehicle accessories, <i>retail</i> sales by way of vending machines and the servicing of motor vehicles, but excludes other <i>retail</i> sales, wholesale sales, or motor vehicle structural body repairs and painting;
	“setback” means the horizontal minimum permitted distance measured at right angles to a <i>parcel</i> line, between the <i>parcel</i> line and a <i>building</i> or <i>structure</i> , or, in the case of <i>floodplain</i> or a <i>watercourse</i> , distance measured from the <i>natural boundary</i> , top of bank or other reference identified elsewhere in this Bylaw;
[see “yard, front” definition below]	“setback, front” as illustrated in Figure 4.3, means the minimum required <i>setback</i> area between the side <i>parcel</i> lines extending from the <i>front parcel line</i> to the nearest wall or supporting member of a <i>building</i> or <i>structure</i> ;
[see “yard, rear” definition below]	“setback, rear” as illustrated in Figure 4.3, means the area between the side <i>parcel</i> lines extending from the <i>rear parcel line</i> to the nearest wall or supporting member of a <i>building</i> or <i>structure</i> ;
[see “yard, side” definition below]	“setback, side” as illustrated in Figure 4.3, means the area of the <i>parcel</i> which extends from the front <i>setback</i> to the rear <i>setback</i> , between the side <i>parcel</i> line and the nearest wall or supporting member of a <i>building</i> or <i>structure</i> ;
SHOPPING CENTRE means a group of retail stores, or professional, medical or service businesses in one or more buildings designed as an integrated unit.	[see “retail” definition above]
[see “resort residence” definition above]	“short-term rental accommodation” means the use of a <i>residential dwelling unit</i> for the temporary commercial accommodation of paying guests for a period of less than one month, but excludes a <i>bed and breakfast operation</i> ;
SIDEWALK means a hard linear surface usually asphalt or concrete, for the purpose of a pedestrian walking corridor.	[this is more appropriately defined in the Town’s Subdivision and Development Servicing Bylaw]
	“sight triangle” means the area formed by intersecting <i>parcel</i> lines at a street corner and a line joining points on the <i>parcel</i> measured 4.5 metres from the point of intersection of the <i>parcel</i> ;
SIGN means a letter, numeral, word, picture or attention drawing device, excluding traffic control devices, displayed in such manner as to be visible from a highway.	[this is more appropriately defined in the Town’s Sign Bylaw]
SINGLE FAMILY DWELLING means the residential use of a building, including a manufactured home assembled and placed on a continuous perimeter foundation, consisting of one dwelling unit, which is occupied or intended to be occupied as the permanent home or resident of one family, and may include a secondary dwelling unit.	“single detached dwelling” means a detached <i>building</i> that contains one <i>dwelling unit</i> used for <i>residential</i> use by one <i>family</i> and may contain a <i>secondary suite</i> if permitted in the applicable zone, and includes a <i>modular home</i> but excludes a <i>mobile home</i> ;
[see “bedroom” definition above]	“sleeping unit” means one or more habitable rooms used or intended to be used for sleeping or sleeping and living purposes, but excludes <i>cooking facilities</i> ;
SOLAR ENERGY DEVICE means a device and its supporting structure that captures and converts solar energy into electricity or thermal energy.	“solar energy device” means a device designed to collect, store and distribute solar energy;

Comparison of Definitions

Zoning Bylaw No. 1085, 1998 – Section 2	Draft Zoning Bylaw No. 1395 – Section 4.0
[see “landscaping” definition above]	“solid screen” means a solid <i>fence</i> or wall used as an enclosure and a total visual barrier about all or part of a <i>parcel</i> and includes gates on all access points made of materials comparable to the <i>fence</i> or wall;
STAFF ACCOMMODATION mean residential accommodation for the employees of an agricultural or industrial enterprise and is limited to seasonal accommodation and accommodation of employees responsible for site management or security.	
	“standard dykes” means dykes built to a minimum crest elevation equal to the flood construction level, which meet standards of design and construction approved by the Province and which are maintained by an ongoing entity such as a local government body;
	“stockyard” means a <i>building</i> or enclosure with pens or sheds for housing, buying, selling and auctioning <i>livestock</i> ;
[see “warehouse” definition below]	“storage and warehouse” means the storage and distribution of goods, wares, merchandise, substances, articles or things, whether or not the storage is contained in separately occupied, secured storage areas or lockers;
STORAGE, VEHICLES means the placing of vehicle(s) that meet any three of the following conditions; located outside a principal building or structure, or obvious signs of rusting, or positioned or fixed on blocks, or dismantled, or under repair, or unlicensed.	[see “outdoor storage” definition above]
STORAGE, BOATS means the placing on land of a marine vessel(s) that meet any two of the following conditions: fixed for more than 18 months, has a current or expired commercial licence, or that is greater than 5.7m long.	[see “outdoor storage” definition above]
STOREFRONT SCHOOL means a private or public educational facility that provides learning assistance leading to grade twelve certification and adult career training.	[see “educational facility” definition above]
STREET includes all roads, squares, thoroughfares and other public ways, but does not include lanes, trails or walkways.	[see “highway” definition above]
STRUCTURE means anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground, but shall not include walkways, paved driveways, and paved parking lots.	“structure” means any construction fixed to, supported by or sunk into land or water, and includes swimming pools, <i>retaining walls</i> and <i>manufactured home spaces</i> , but excludes <i>fences</i> under 2.0 metres in <i>height</i> , landscaping, paving and signs unless otherwise noted in this bylaw;
SUBDIVISION means any change in the existing size, shape, number or arrangement of a lot or lots, whether by plan or apt descriptive words or otherwise.	
SUPPORTIVE RECOVERY means a Facility providing a supportive and structured environment for individuals recovering from drug and alcohol addiction, before they are ready to move into independent housing. Supportive Recovery specifically excludes first stage housing.	[see “community care facility” definition above]
[see the Foreshore and Lake Zoning Bylaw No. 1294, 2012]	“swimming platform” means a floating <i>structure</i> used for recreational activities, such as swimming, diving, and sun bathing, but excludes <i>moorage</i> ;
T	
THEME PARK an entertainment or amusement facility built around a theme that may be historical, architectural or cultural.	[see “outdoor recreation” definition above]
TOURIST ACCOMMODATION means a bed and breakfast, inn, lodge, motel, hotel, or other building used or capable of being used for the temporary accommodation of people, but does not include accommodation in a recreational vehicle.	“tourist accommodation” means a <i>building</i> or <i>buildings</i> providing temporary accommodation for the travelling public, such as lodges, <i>motels</i> , <i>hotels</i> , inns, or hostels, which may include common public facilities, such as an <i>eating and drinking establishment</i> , gift shop; personal services, or spa; but shall excludes <i>short-term rental accommodation</i> , <i>recreational vehicles</i> , park model trailers or <i>mobile homes</i> ;
	“tourist cabin” means a detached <i>building</i> containing a maximum of one <i>sleeping unit</i> used exclusively for <i>tourist accommodation</i> , and may include washroom facilities;
[see “multiple dwelling unit” definition above]	“townhouse” means a <i>building</i> not more than three storeys high divided into three or more <i>dwelling units</i> located side by side under one roof with

Comparison of Definitions

Zoning Bylaw No. 1085, 1998 – Section 2		Draft Zoning Bylaw No. 1395 – Section 4.0	
		private entrances to each <i>dwelling unit</i> from the exterior of the <i>building</i> and with each <i>dwelling unit</i> sharing common walls;	
TRUCK WASH means the use of land or a building specifically for the washing and cleaning of commercial vehicles including trucks and buses.			
TWO FAMILY DWELLING means the residential use of a building consisting of two dwelling units.		[see “duplex dwelling” definition above]	
U			
	[see “public utility” definition above]	“ utility use ” means the use of land for the establishment of facilities and associated appurtenances for the provision of water, sewer, electrical, natural gas, communication, fire protection and transportation; but excludes oil or gas storage tanks; power sub-stations; sewage treatment plants; <i>offices</i> ; or public storage or maintenance and works yards;	
V			
	[see “recreation rental” definition above]	“ vehicle sales and rentals ” means premises used for the sale, lease or hire of new or used vehicles, which may include accessory incidental maintenance services, storage, fueling, washing and sales of parts but may not include automobile body repair. For the purposes of this definition a “vehicle” includes automobiles, <i>recreational vehicles</i> (RV’s), boats, all-terrain vehicles (ATV’s), and motorcycles;	
VETERINARY PRACTICE means the business carried out by a professional person licensed by, and in good standing with the B.C. Veterinary Medical Association, to carry out the profession of caring for the health and welfare of animals of all species.		“ veterinary establishment ” means a use conducted for the care, treatment, or hospitalization of animals, birds and fish and may include grooming facilities and sales of accessory supplies, but excludes the keeping or boarding of animals not under care, treatment or hospitalisation;	
W			
WALKWAY means a corridor intended for pedestrian traffic only.			
WAREHOUSE means a building or structure in which goods are stored. A repository for wholesale or retail merchandise.		[see “storage and warehouse” definition above]	
	[see the Foreshore and Lake Zoning Bylaw No. 1294, 2012]	“ water-based recreation ” means the use of water for <i>outdoor recreation</i> activities such as fishing, water skiing, boating, swimming, and diving;	
WATERCOURSE means any natural or man made depression with well defined banks and a bed .06 metres or more below the surrounding land serving to give direction to a current of water at least six (6) months of the year, or having a drainage area of 2 square kilometres or more upstream of the point of consideration or as designated by the Minister of Environment.		“ watercourse ” includes any of the following: a watercourse, whether it usually contains water or not; a pond, lake, river, creek or brook, and; a ditch, spring or wetland that is connected by surface flow to a watercourse;	
WATERCRAFT means a motorized boat, vessel or any other description of a water craft that is used exclusively for pleasure, and does not carry passengers or goods for hire, reward, remuneration or any object of profit.			
		“ wet bar ” means an area within a <i>dwelling unit</i> , other than a <i>cooking facility</i> , used for the preparation of beverages. A wet bar includes one single sink, one compact refrigerator, freezer or ice maker and no more than 1.5 metres of counter and lower cabinet space, but excludes a natural gas or 220-volt connection in the same room as a wet bar;	
WHOLESALE means the sale of goods to industrial, commercial, institutional, and professional businesses and retailers.		“ wholesale business ” means an establishment acting as agents or brokers and buying merchandise for, or selling merchandise to <i>retail</i> users, industrial users, commercial users, institutional users or wholesale users; and	
		“ winery ” means the use of land, <i>buildings</i> or <i>structures</i> involved in the manufacturing, packaging, storing and sales of grape and fruit-based wines, including a wine bar, food & beverage lounge and an <i>eating and drinking establishment</i> .	
WORKS AND SERVICES means the highways, drainage, water and sewer systems, the sidewalks, boulevards, highway lighting and underground wiring or any other works to be required as a condition of subdivision or development of land under this Bylaw.		[this is more appropriately defined in the Town’s Subdivision and Development Servicing Bylaw]	
W.S.C. means Water Survey of Canada datum.		[the definition of “W.S.C.” is Zoning Bylaw No. 1085, 1998, is not a definition but simply an explanation of the acronym]	
Y			

Comparison of Definitions

Zoning Bylaw No. 1085, 1998 – Section 2		Draft Zoning Bylaw No. 1395 – Section 4.0	
YARD, FRONT means that portion of the lot extending across the full width of the lot from the front lot line to the face of the nearest exterior wall of the principal building on the lot (except in the case of a corner lot, the yard where the principal building faces may be considered front yard for the purposes of fencing).		[see “setback, front” definition above]	
YARD, REAR means that portion of the lot extending across the full width of the lot from the rear lot line to the face of the nearest exterior wall of the principal building on the lot.		[see “setback, rear” definition above]	
YARD, SIDE means that portion of the lot extending from the front yard to the rear yard and lying between the side lot line and the face of the nearest exterior wall of the principal building on the lot.		[see “setback, side” definition above]	
Z			
ZONE means a zone created by this Bylaw.			

Notes:

The information provided in this table is a summary of current and proposed zoning regulations. Please refer to the current Zoning Bylaw No. 1085 as well as the most recent version of Draft Zoning Bylaw No. 1395 for actual and proposed regulations on the Zoning Bylaw Update webpage: <https://www.osoyoos.ca/council/zoning-bylaw-update>

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