

Section 3
Definitions**SECTION 3 – DEFINITIONS**

For the purpose of this By-law, the definitions that are provided in this Section shall govern unless specifically indicated otherwise in other parts of this By-law:

Amended by By-law No. Z130-2018

Accessory Apartment ~~means a separate dwelling unit, which is located within and subordinate to a single-detached, a semi-detached, or row or townhouse dwelling.~~
means a self-contained **dwelling unit** located within the same **building**, or on the same **lot**, as an existing **dwelling unit**. Self-contained means that it has its own kitchen and washroom facilities, and a separate entrance. For the purposes of this Zoning By-law, an **Accessory Apartment** shall include an Additional Residential Unit as defined under the *Planning Act*.

Amended by By-law No. Z153-2022

Accessory Building or Structure means a **building** or **structure** that is normally incidental, subordinate, and exclusively devoted to the principal **use**, **building**, or **structure**, which is separate (detached) from the **main building** or **structure** and which is located on the same **lot** therewith. No **accessory building** or **structure** shall be **used** as a **home occupation** or for human habitation unless permitted in accordance with Section 5.1.2 or any other applicable sections of this By-law.

Accessory Use means a **use** that is normally incidental, subordinate, and exclusively devoted to the main **use** of the **lot** and which is located on the same **lot** therewith.

Adult Day Service Facility means a facility that provides day programs and care services for adults.

Amended by By-law No. Z107-2014

Adult Entertainment Parlour means any premises or any part of them is an adult entertainment establishment if, in the pursuance of a **business**,

- (a) goods, entertainment or services that are designed to appeal to erotic or sexual appetites or inclinations are provided in the premises or part of the premises;
or
- (b) body-rubs, including the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a **person's** body, are performed, offered or solicited in the premises or part of the premises, excluding premises or part of them where body-rubs performed, offered or solicited are for the purpose of medical or therapeutic treatment and are performed or offered by **persons** otherwise duly qualified, licensed or registered to do so under a statute of Ontario.

Agricultural Animal Clinic means premises where animals associated with normal farm practices are given on-site medical or surgical treatment and may include overnight or long-term medical treatment but shall not include a **kenel**. Accessory **office uses**, laboratory and/or mobile veterinary services are also permitted.

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Agricultural Products Processing Establishment means premises used for the processing of products derived from **agricultural uses** including seed, grain, feed, and forage processing, storage, and transport; fruit and vegetable storage and treatment.

Agricultural Research and Training Facility means premises for the study and research of agriculture and training activities and may include related activities and **uses** accessory to agricultural research.

Agriculture-Related Use means those farm-related commercial and farm-related **industrial uses** that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

Agricultural Use

- (a) means a **use** of land, **building**, or **structure** for the purpose of animal husbandry, beekeeping, dairying, fallow, field crops, forestry, fruit farming, horticulture, pasturage, poultry-keeping, or any other farming **use**; and
- (b) includes the growing, raising, packing, treating, storing, and sale of produce produced on the premises.

Agricultural Use, Value Added means any activity or process that is completed by the farm operator, which alters the original agricultural product or commodity grown or raised on site and may be supplemented by off-farm inputs, and may include bagging, packaging, grain drying and milling, bio-product production, bundling, pre-cutting, cooking, baking and marketing activities.

Agri-tourism Use means farm-related tourism **uses** that promote the enjoyment, education or activities related to the principal farm operation on a **lot** such as farm machinery and equipment exhibitions (on a temporary basis), farm tours, petting zoos, hay rides and sleigh rides, processing demonstrations, pick-your-own produce operations, small-scale farm theme playgrounds and small-scale educational establishments that focus on farming instruction, and may include accessory small-scale vendors associated with the **Agri-tourism use**.

Alter when used in reference to a **building**, **structure**, or part thereof, means a change in **use**, or to change any one or more of the external dimensions of such **building** or **structure** or to change the type of construction of the exterior walls or roof thereof, or a change from one type of occupancy to another, or a structural **alteration** or change thereto.

When used in reference to a **lot**, the word "**alter**" means a change in **use**, or a decrease or increase in the width, depth, or area thereof or to decrease or increase the width, depth, or area of any required **yard**, setback, **landscaped open space**, or **parking area** or to change the location of any boundary of such **lot** with respect to a **street** or **lane**, whether such **alteration** is made by conveyance or alienation of any portion of said **lot**, or otherwise.

The words "**altered**", and "**alteration**" shall have corresponding meanings.

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Amenity Area means that area of the lot or block not occupied by buildings, parking and driveway areas which may include patios and landscaped areas on the site, swimming pools and other outdoor areas which can be used for recreational purposes, the area devoted to the private outdoor balconies and the floor area devoted to the indoor entertainment, social and/or recreational common rooms within an Apartment Dwelling, Row or Townhouse – Stacked Dwelling, or Row or Townhouse - Back-to-Back Dwelling. The types of amenity areas include:

Private Amenity Area means an amenity area, excluding a common amenity area, which is accessory to and not in the enclosed portions of a dwelling unit, can be at grade or above-grade, and is for the exclusive use and only accessible by occupants of the dwelling unit.

Common Amenity Area means an amenity area which is accessible to and available for the use and enjoyment of the residents and guests of a residential development in common.

Amended by By-law No. Z107-2014

~~**Amenity Space** means the total area or areas within a lot provided for the use of the residents of a residential building or a commercial building containing residential units located on the lot for the purpose of personal recreation space or shared recreation space.~~

Animal Unit means the number of a particular kind of **livestock** that would produce 68 to 77 kilograms of nitrogen in their manure on an annual basis. The **animal unit** system equates **livestock** numbers to the nitrogen content of the manure produced while the animals are on the farm.

Amended by By-law No. Z107-2014

Antique Store means a **retail store** primarily selling any old and authentic objects of personal property which were made, fabricated or manufactured sixty or more years earlier and which have a unique appeal and enhanced value mainly because of its age, and, in addition, may include the sale of any article of personal property which was made, fabricated or manufactured twenty or more years earlier and because of public demand had attained a value in a recognized commercial market which is in excess of its original value.

Amended by By-law No. Z107-2014

Artisan's Establishment means an establishment used for the study or instruction of a performing or visual art such as dancing, music or painting or other similar **uses** or the workplace of an artisan such as a painter, sculptor, photographer, dressmaker or tailor together with the accessory retailing of paintings, sculpture, photography or handcrafts or other similar uses.

Amended by By-law No. Z153-2022

Assembly Hall means a **building** or part thereof, in which facilities are provided for such purposes as meetings for civic, educational, political, religious or social purposes and may include a **banquet hall** or **private club**. An **Assembly Hall** does not include a **Conference or Banquet Facility**.

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Assisted living unit means a place of residence with one or more habitable rooms containing separate bathroom facilities for private use as a single housekeeping unit and where personal support services may be provided.

Amended by By-law No. Z107-2014

Attached when used in reference to a **building**, means a **building** otherwise complete in itself which depends for structural support or for complete enclosure upon a division wall or division walls shared in common with adjacent **building** or **buildings**.

Amended by By-law No. Z153-2022

Attached duplex shall mean a **duplex dwelling**, as defined, attached to another **duplex dwelling**, thereby accommodating four **dwelling units** in total in one **building**, but has been divided vertically.

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

Auction Establishment means a **building** or part thereof **used** for the sale of articles or goods to members of the public bidding the highest offer for the article during the selling proceedings.

Amended by By-law No. Z107-2014

Automobile Parts Supply Store means a **building** or part thereof used for the sale and delivery of **motor vehicle** parts, and equipment and devices to an **automobile repair establishment** or the sale of same directly to the public over a counter.

Automobile Rental Establishment means the **use** of land, or **buildings**, or **structures** or parts thereof where **motor vehicles** are offered for daily or short-term lease or let and may include minor cleaning or polishing but shall not include servicing or repairing.

Automobile Repair Establishment means a **building** or other **structure** where the repairing, rebuilding, or reconditioning of **motor vehicles** or parts thereof, including body and fender work, painting, and steam cleaning, is carried on but does not include an **automobile service station** or an **automobile wrecking yard**.

Automobile Sales and Service Establishment means a **building** and/or **lot used** for the display and sale of new and/or used **motor vehicles** and the servicing, repairing, cleaning, polishing, and greasing of **motor vehicles**, the sale of automotive accessories and related products, and the leasing or renting of **motor vehicles**.

Automobile Service Station means a **building** designed, intended, or **used** for the sale of automotive fuels and lubricants and/or providing minor repairs essential to the running of a **motor vehicle**, and/or the washing of **motor vehicles**.

Amended by By-law No. Z153-2022

Automobile Washing Establishment means a building or structure containing facilities used

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or intended to be used primarily for washing vehicles by the use of mechanical devices or by hand.

~~In either of the above cases, a minimum of 4 spaces shall be made available for the queuing of automobiles.~~

Automotive Gas Bar means the **use** of land, **buildings**, or **structures** where **vehicle** fuel, or lubricants, are offered for sale but where no provision is made for the repair or maintenance of **motor vehicles**. For the purpose of this definition, the sale of associated sundry items and the sale of prepared foods for consumption off the premises may be **permitted** in conjunction therewith provided the **gross floor area** devoted to the sale of such sundry items and prepared foods does not exceed 10.0 square metres.

Bakery means a **building used** for producing, mixing, compounding or baking bread, biscuits, cakes or other baked products. The sale of goods produced on the premises shall be **permitted** as an **accessory use**.

Amended by By-law No. Z107-2014

Bank or Financial Institution means an establishment chartered by the Federal Government or regulated by the Provincial Government as a Trust Company or Credit Union where money is deposited, kept, exchanged and lent and where monetary and fiscal advice and other financial services may be offered.

Banquet Hall means a **building** or part thereof, **used** for the gathering of groups of **persons** for specific functions including the consumption of food and drink. Full kitchen facilities shall be provided on the premises.

Amended by By-law No. Z107-2014

Barber Shop or Hair Dresser Shop means an establishment providing personal service to individuals by cutting, styling, colouring, shampooing, shaving, or treating of hair and may include manicures, pedicures or facial treatments, and the application of cosmetic products and the ancillary sale of products used in the delivery of the personal service.

Barn, Livestock means a **building** or **structure used** or designed for the raising and/or housing of **livestock**.

Basement ~~means a storey or stories of a building located below the storey, having a ceiling height of 1.8 metres or more and having more than 50 per cent of the wall area above finished grade level.~~ means a **storey** or **storeys** of a **building** located below the first **storey**, having a ceiling height of 1.8 metres or more and having more than 50 per cent of the wall area above **finished grade level**.

Batching Plant, Asphalt or Cement means an industrial facility used for the production of asphalt or cement, or asphalt or cement products, used in **building** or construction, and includes facilities for the administration or management of the **business**, the stockpiling of bulk materials used in the production process or of finished products manufactured on the

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premises and the storage and maintenance of required equipment, but does not include the retail sale of finished asphalt or cement products.

Bed and Breakfast Establishment means a **single-detached dwelling** where guest rooms are made available within the said **dwelling** for the temporary accommodation of the traveling or vacationing public and within which breakfast may be provided to those **persons** temporarily residing therein. A **bed and breakfast establishment use** must be clearly secondary to the main residential **use** of the **dwelling**.

Amended by By-law No. Z107-2014

Beer Parlour or Cocktail Bar or Tavern means an establishment licensed by the Provincial Government in which alcoholic beverages are offered for sale and consumed on the premises and may include amenities such as televisions, pool tables and video games and or similar machines and where music (whether performed live or recorded), dancing or other forms of entertainment shall be **permitted**.

Amended by By-law No. Z107-2014

Berm means a landscaped mound of earth having a minimum base: height slope ratio of 2:1 and a maximum base: height slope ratio of 3:1.

Building means any **structure**, whether temporary or permanent, fixed to or supported by the soil and which is designed, **used**, or intended to be **used** for the accommodation, storage, or shelter of **persons**, animals, or chattels. A **building** shall not include a boundary wall, **fence**, retaining wall, light standard, headstone, or **sign**.

Building Height ~~means the vertical distance measured from the finished grade level of the building to:~~

- ~~(a) in the case of a flat roof, the highest point of the roof surface or parapet, whichever is greater;~~
- ~~(b) in the case of a mansard roof, the roof deck line;~~
- ~~(c) in the case of a gable, hip, gambrel, or other roof type, the mean height between the eaves and the ridge;~~
- ~~(d) in the case of a **building** not having a roof, the top part of any **building**.~~

~~The **building height** definition shall not apply to any ornamental projection, ornamental dome, elevating device, tower, cupola, steeple, **church** spire, chimney, smoke stack, silos, ventilating device, air conditioning duct, skylight, aerial which rises above roof level, transmission reception tower provided same is attached to the **building**, and **satellite dishes** when located on the roof of a non-residential **building**.~~

~~when used in reference to a **building** or **structure**, means the vertical distance measured from lowest point on finished grade around the **structure** to the peak, except:~~

- ~~(a) In the case of a flat or shed roof, the highest point of the roof's surface;~~
- ~~(b) In the case of a **structure** not having a roof, the uppermost part of such **structure**;~~
~~or~~
- ~~(c) Where an exterior wall other than a required fire wall extends above the top of the roof of a **building**, the topmost part of such exterior wall.~~

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The **building height** definition shall not apply to any ornamental projection, ornamental dome, elevating device, tower, cupola, steeple, **church** spire, chimney, smoke stack, silos, ventilating device, air conditioning duct, skylight, aerial which rises above roof level, transmission reception tower provided same is attached to the **building**, and **satellite dishes** when located on the roof of a non-residential **building**.

Building, Main means the **building** or **buildings** designed and/or intended to accommodate the principal **use** on a **lot** as **permitted** by this By-law.

Building Official, Chief (Building Inspector) means the **Chief Building Official** or other employee of the **Corporation** being charged with the duty of enforcing the provisions of the Building By-law and the Ontario Building Code, or any other by-law of the **Corporation** from time to time in force for the purpose of regulating the **erection**, **alteration**, or repair of **buildings** pursuant to the Ontario Building Code Act.

Amended by By-law No. Z153-2022

Building Supply Outlet means premises where building supply products such as millwork, cement, siding, roofing, plumbing or electrical supplies, heating, cooling or ventilating construction supplies, fireplaces, windows, paints, wall coverings, and floor coverings are stored for the purpose of wholesale or retail trade.

Amended by By-law No. Z153-2022

Building Supply Store: premises where building supply products such as millwork, cement, siding, roofing, plumbing or electrical supplies, heating, cooling or ventilating construction supplies, fireplaces, windows, paints, wall coverings, and floor coverings are stored for the purpose of wholesale or retail trade.

Business or Professional Office means any **building** or part of a **building** in which professionally qualified **persons**, technical assistants and clerical staff are employed and where clients or patients go for advice, consultation, or treatment. A **business or professional office** shall include, but is not limited to, an accountant, advertising agent, architect, auditor, chiropractor, dentist, engineer, insurance agent, lawyer, optometrist, physician, real estate agent, or surveyor.

Carport means a **building** or **structure attached** to a residential **dwelling/building**, of which at least 40 per cent of the area of the perimeter faces is open and unobstructed by any wall, door, post, pier, and:

- (a) which is **used** for the temporary parking of private passenger **motor vehicles**; and
- (b) wherein neither the servicing nor repairing of **motor vehicles** is carried on for remuneration or for **commercial use**.

For the purpose of determining **front yard**, **rear yard**, and **side yard** setbacks, an **attached carport** shall be considered as part of the **main building**.

Amended by By-law No. Z107-2014

Caterer's Establishment means an establishment in which food and beverages are prepared for consumption off the premises and are not served to customers on the premises or to take

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out, but does not include an **eating establishment**.

Cellar means a **storey** or **storeys** of a **building** located below the first **storey**, having a ceiling height of 1.8 metres or more and having less than 50 per cent of the wall area above **finished grade level**.

Cemetery means land set aside to be **used** for the interment of human remains and includes a mausoleum, columbarium or other **structure** intended for the interment of human remains.

Amended by By-law No. Z153-2022

Child Care Centre means a premises operated by a person licensed under the Child Care and Early Years Act to operate a child care centre at the premises.

Clinic, Animal means the premises of a veterinary surgeon where domestic pets or birds, or other small animals are treated and/or kept. **Animal clinic** does not include a **kenel**.

Clinic, Medical means a **building** or part of a **building** where members of the medical profession such as physicians, dentists, chiropractors, drugless practitioners, or occupational therapists and their staff provide diagnosis and treatment to the general public without overnight accommodation. Without limiting the generality of the foregoing, a **medical clinic** may include administrative offices, reception areas, examining and treatment rooms, x-ray facilities, and a dispensary provided that such are part of or **accessory** to the **medical clinic** and provided that the only access to such is from the interior of the **building**.

Church Place of Worship means a **building** dedicated to religious worship.

Club, Commercial means a **building** or part thereof where facilities are provided for recreational/ athletic activities **used** by an association of **persons** united by some common recreational/athletic interest or membership.

Club, Private means a **building** or part of a **building used** as a meeting place for members of an organization and includes a lodge, fraternity or sorority house, labour union hall, and country club.

Amended by By-law No. Z107-2014

Community Garden means an unilluminated parcel of land where plants are grown and tended by a group of individuals from the public. Community gardens may produce food for individual consumption or food or plants for sale, may be designed for beautification of the community, and/or may be used for educational purposes.

Commercial Use means the **use** of land, **buildings**, or **structures** for the purpose of buying and selling commodities, and/or supplying of services, but does not include **industrial uses**.

Community Centre means a **building** or **structure** owned and operated entirely by the **Corporation** or by the **Corporation** in conjunction with neighbouring municipalities and which provides social, recreational, or other facilities for use by the general public.

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Committee of Adjustment means a group of **persons** appointed by the **Council** pursuant to the Planning Act, R.S.O. 1990, as amended.

Communications Facility means an installation which transmits, receives and/or relays communications such as a microwave relay tower, telephone or telegraph line, cellular telephone tower, radio or television broadcast tower, fibre optic communication infrastructure or similar facility.

Complying when used to describe a **use**, **building**, or **structure**, means a **use**, **building**, or **structure** which complies to all of the **zone** requirements set out in this By-law for the **zone** category in which such **use**, **building**, or **structure** is located.

Amended by By-law No. Z107-2014

Condominium means a **building** or **buildings** in which each individual unit is held in separate private ownership and all floor space, facilities and outdoor areas used in common by all tenants are owned, administered and maintained by a corporation created pursuant to the provisions of the Condominium Act.

Amended by By-law No. Z153-2022

Conference or Banquet Facility: means a building or part thereof, used for the gathering of groups of persons for specific functions including the consumption of food and drink, Full kitchen facilities shall be provided on the premises.

Conforming when used to describe a **use**, **building**, or **structure**, means a **use**, **building**, or **structure** which falls within the **uses permitted** in this By-law for the **zone** category in which such **use**, **building**, or **structure** is located.

Amended by By-law No. Z107-2014

Conservation Lands means lands used solely for the preservation and enhancement of the natural environment.

Amended by By-law No. Z107-2014

Conservation Works means facilities constructed or works undertaken solely for the purpose of preserving and/or enhancing the natural environment.

Conservation Use means activities and **uses** associated with land and water conservation management including fisheries management, flood and erosion control measures, wetland management, wildlife habitat areas management, and forestry management.

Amended by By-law No. Z107-2014

Continuum-of-Care facility means a facility which may include a Senior Citizens Apartment Building, a **nursing home long term care home** and/or a Retirement Lodge and may include facilities associated with, and designed specifically to serve, the Senior Citizens Apartment Building, **nursing home long term care home** and/or Retirement Lodge such as **hospitals**, **clinics**, **recreation centres**, cafeterias and personal service establishments and may also include independent Senior's accommodation in separate **structures**/living units that share in services, such as meals, medical care services, or recreation that are provided by the

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facility.

Contractor's Yard or Shop means the **use** of land, **buildings**, or **structures** for the purpose of:

- (a) storing equipment, **vehicles**, or material associated with the landscaping, construction, and building trades; and/or
- (b) performing shop work or assembly work by any building trade or other construction contractor.

Amended by By-law No. Z107-2014

Convenience Business Service Establishment means a commercial premise where communications and postal services are provided to both businesses and the public such as printing, photocopying, laminating, binding, fax machines, mailboxes, internet links, desktop publishing, and/or package shipping and receiving.

Amended by By-law No. Z107-2014

Convenience or Variety Store means a retail outlet serving the day-to-day, non-comparison shopping needs of a consumer including, for example, a **variety store**, bake shop, or small food/grocery store, and shall not include any retail outlet having its main product line involving hardware, housewares, apparel, footwear or fashion accessories.

Corporation means the **Corporation** of the Town of St. Marys.

Council means the Municipal **Council** of the **Corporation**.

Data Processing Facility means a **building**, **structure**, or series of **structures** on a property, used to house computer systems and associated components of a group of networked servers typically used for remote storage, processing, or distribution of data, and includes **accessory structures** and infrastructure necessary to support the **use**.

Daylight Triangle or Sight Triangle means an area free of **buildings** and **structures** formed by measuring from the point of intersection of **lot lines** abutting a **street** on a **corner lot**, the distance required by this By-law along each such **lot line** abutting the **street** and joining such points with a straight line. The triangular-shaped land area between the intersecting **lot lines** abutting a **street** and the straight line joining the points the required distance along said **lot lines** is the **daylight or sight triangle**.

Amended by By-law No. Z107-2014

Density means the ratio between the number of **dwelling** units located or proposed to be located on a **lot** to one (1) hectare of **lot area**.

Amended by By-law No. Z107-2014

Department Store means a **building** or part thereof used for the retail sale of a great variety of merchandise usually organized by sections such as hardware, men's and women's apparel, groceries, and home furnishings.

Development ~~means the construction, erection, or placing of one or more buildings or~~

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~~**structures** on land or the making of an addition or **alteration** to a **building** or **structure** that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a **commercial parking lot**.~~

means the creation of a new **lot**, a change in land **use**, or the construction of **buildings** or **structures** requiring approval under the Planning Act, but does not include:

- (a) Activities that create or maintain infrastructure authorized under an environmental assessment process or identified in provincial standards;
- (b) Works carried out under the Drainage Act; or
- (c) Underground or surface mining of minerals, or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as under the Mining Act.

Amended by By-law No. Z107-2014

Dressmaking or Tailor Shop means an establishment wherein the individual custom sewing or **alterations** of clothing and apparel are completed but does not include the large-scale manufacturing of clothing or apparel.

Drainage Works means a **building** or **structure**, including a dam, embankment, wall, protective works or any combination thereof, constructed for the purpose of improving a natural **watercourse**. This includes works necessary to regulate the water table or water level within or on any lands or to regulate the level of the waters of a drain, reservoir, lake, or pond.

Driveway means an area of land **used** for access to a **parking area**.

Dry Cleaning Outlet means a **building** or part of a **building used** for the purpose of collection and distribution of articles or goods of fabric to be subjected to the processes of dry cleaning, dry dyeing, cleaning, spot and stain removal, and for the pressing of such articles or goods which have been subjected to any of the above noted processes elsewhere at a **laundry plant**.

Dwelling means a **building** or part thereof containing one or more **dwelling unit**. For the purpose of this By-law, **permitted dwelling** types are classified as follows:

Dwelling, Accessory means a **dwelling** which is **accessory** to a **use** as specifically **permitted** in this By-law.

Dwelling, Apartment means a **dwelling** containing 5 or more **dwelling units**, each of which has an independent entrance from a common corridor within the **building**.

Dwelling, Boarding or Lodging House means a **dwelling** in which the proprietor resides and supplies lodging from 3 to 8 tenants, with or without meals, for monetary gain, but which is not open to the general public. It does not include a **motel**, **hotel**, **apartment dwelling**, ~~**nursing home long term care home**~~, or **group home dwelling**.

~~**Dwelling, Converted** means an **existing dwelling** which because of its design and size,~~

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~~has been altered or converted to provide two or more dwelling units.~~

Dwelling, Duplex means a separate **building** of two or more **stories** divided horizontally into not more than two (2) **dwelling units**, each of which is completely on a separate **storey(s)** with an independent entrance either directly from the outside or through a common vestibule.

Dwelling, Fourplex means a separate **building** containing only four **dwelling units** which are divided into four parts with each **dwelling unit** having an independent entrance, either directly or through a common vestibule.

Dwelling, Garden Suite means a one-unit detached residential **structure** containing bathroom and kitchen facilities that is ancillary to an **existing** residential **structure** and that is designed to be portable.

Dwelling, Group Home means a residential **dwelling** for **persons** recovering from social, mental, or physical problems operated as a single housekeeping unit in a residential area in which 3 to 10 residents, excluding staff or receiving family, live as a family under responsible supervision consistent with the requirements of its residents provided that the **group home dwelling**:

- (a) is required to meet a local need;
- (b) is licensed by the Province of Ontario;
- (c) is registered by the Municipality;
- (d) meets all of the requirements of this By-law; and
- (e) is fully detached and entirely **used** by the group home occupants.

Amended by By-law No. Z107-2014

Dwelling, Modular means a prefabricated **single detached dwelling** designed to be transported only once to a final location and is constructed so as the shortest side of such **dwelling** is not less than 6.0 metres in width.

Amended by By-Law No. Z17-2000

Dwelling, Retirement Home means a residence providing accommodation primarily for senior **persons** or couples where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation of food are provided, common lounges, recreation rooms, and medical care facilities may also be provided.

Dwelling, Row or Townhouse means a separate **building** that has been divided vertically into three (3) or more **dwelling units** each of which has a separate and independent entrance and which are separated from the adjoining unit or units by a common unpierced wall with no interior access between the units.

Dwelling, Row or Townhouse – Back-to-Back means a separate **building** that has been divided vertically into four (4) or more **dwelling units** each of which has a separate and independent entrance and which are separated from the adjoining unit or units by a common wall, including a common rear wall with no interior access between the units.

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Dwelling, Row or Townhouse - Stacked means a **building** containing three (3) or more **dwelling units**, with each **dwelling unit** may be separated either or both vertically and horizontally, and may have a private independent entrance from a **yard** or a shared entrance from a common corridor, vestibule, or landing.

Dwelling, Row or Townhouse – Street means a **Row or Townhouse Dwelling**, except for a **Row or Townhouse Dwelling – Back-to-Back** or **Row or Townhouse - Stacked Dwelling** in which each **dwelling unit** fronts onto a public road and has a private independent entrance directly from a **yard**.

Dwelling, Semi-Detached means a separate **building** containing two (2) **dwelling units** that are divided vertically by a common unpierced wall with no interior access between the units and where each unit has a separate independent entrance directly from the outside.

Dwelling, Semi-Detached Link means a separate **building** containing two (2) **dwelling units attached** below grade by means of a common masonry wall with no interior access between the two units and where each unit has a separate independent entrance directly from the outside.

Dwelling, Senior Citizens means a **dwelling used** for the purpose of providing accommodation and related facilities for **persons** of retirement age, and which is owned and operated by a private or government authority, but does not include a **nursing-home long term care home** or a **home for the aged**.

Dwelling, Single-Detached means a separate **building** which contains one (1) **dwelling unit** in which entrance is gained only by a private entrance directly from outside. **Single-detached dwelling** shall not include a **mobile home**.

Dwelling, Triplex means a separate **building** divided horizontally into three (3) **dwelling units**, each of which has a separate entrance either directly from the outside or through a common vestibule.

Amended by By-Law No. Z17-2000

Dwelling Unit ~~means a suite operated as a housekeeping unit, used or intended to be used as a domicile by 1 or more persons and usually containing cooking, eating, living, sleeping, and sanitary facilities.~~

means a unit that,

(a) consists of a self-contained set of rooms located in a **building** or **structure**,

(b) is used or intended for **use** as residential premises, and

(c) contains kitchen and bathroom facilities that are intended for the **use** of the unit only.

Amended by By-Law No. Z17-2000

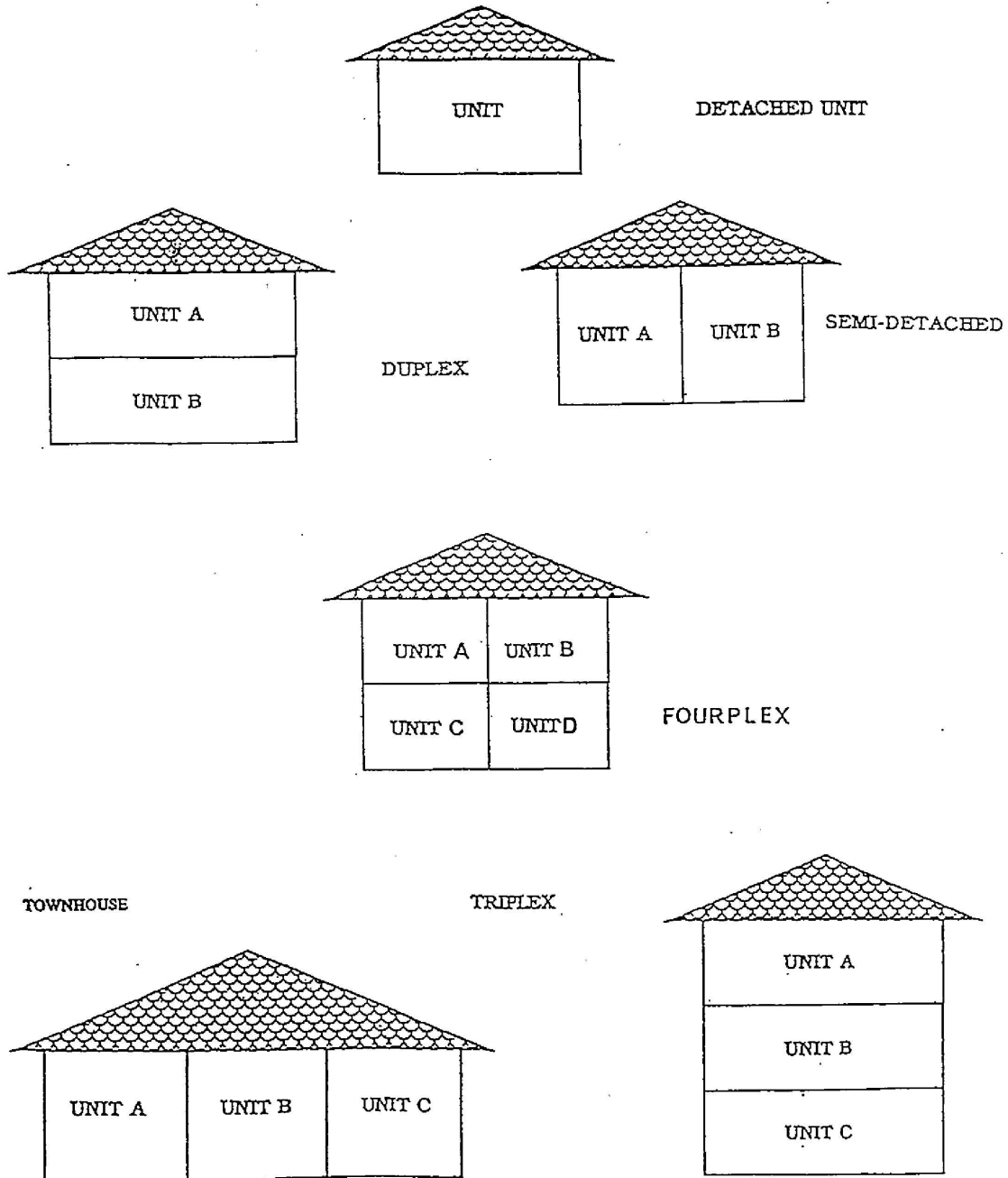
Dwelling Unit Area means the habitable area contained within the inside walls of a **dwelling unit**, excluding any private **garage**, **carport**, unfinished **attic**, cellar, sunrooms, unenclosed **porches** and verandas, (unless such sunroom is habitable in all seasons of the year). The

Section 3
Definitions

area of any common or public halls, and stairways, and thickness of the outside walls shall not be considered as **dwelling unit area**.

Eating Establishment, Restaurant means a **building** or part thereof where food and/or refreshments are prepared and offered or sold to the public for consumption at tables and/or counters either inside or outside the **building**, with the preparation and serving of the food and/or refreshments taking place on the premises.

Eating Establishment, Take-Out means a **building** or part thereof where food is offered for sale or sold to the public from a counter area and/or through a delivery or pick-up window within the **building** for consumption off of the premises of the establishment.

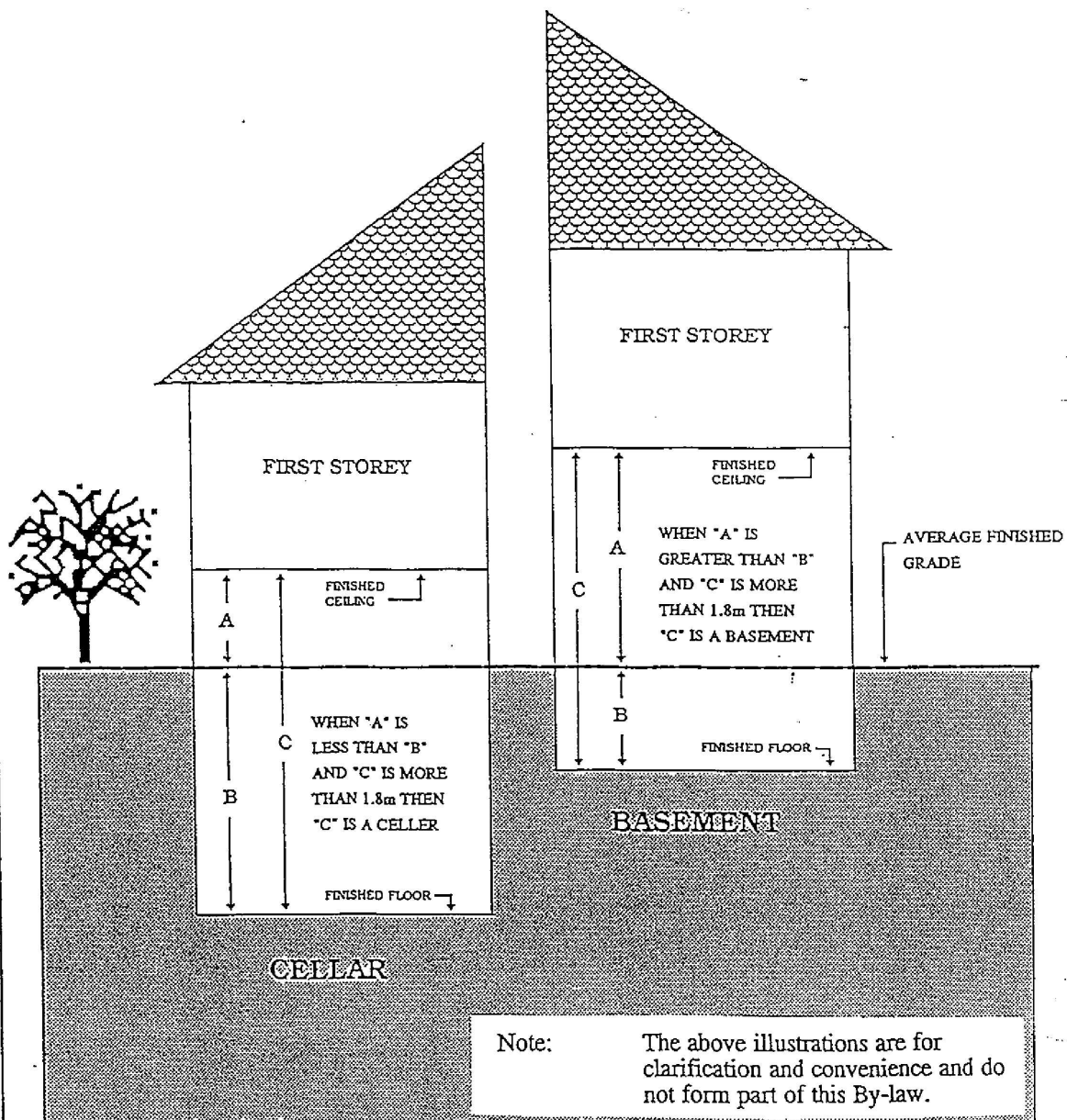
Section 3
DefinitionsILLUSTRATIONS OF DWELLING
TYPES

Note:

The above illustrations are for clarification and convenience and do not form part of this By-law.

Section 3
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BASEMENT AND CELLAR DEFINITIONS



**Section 3
Definitions****Amended by By-law No. Z107-2014**

Ecological Buffer means a combination of native trees, shrubs, grass or other plants, which are intended to provide protection to wetlands, stream corridors and other important natural features or functions. Within the **ecological buffer**, **existing** vegetation which is desirable, as identified in an approved environmental study, will be maintained. Horticultural activities and the placement or removal of fill shall not be **permitted**, except where it has been recommended in an approved environmental study.

Emergency Service Facility means fire, emergency, police and ambulance facilities and distress centre.

Equipment Sales and Rental Business means a premise where machinery and construction equipment are offered or kept for sale, rent, lease or hire under agreement for compensation.

Erect when **used** in this By-law includes building, constructing, and reconstructing, and without limiting the generality of the foregoing, also includes the following:

- (a) any preliminary physical operation such as excavating, filling, or draining preparatory to commencing the work of **erecting**;
- (b) **altering** any **existing building** or **structure** by an addition, enlargement, extension, or other structural change;
- (c) the moving of any **building** or **structure** from one location to another;
- (d) any work which requires a building permit under the Building By-law of the **Corporation**.

Erosion Hazard means the loss of land, due to human or natural processes, that poses a threat to life and property. The **erosion hazard** limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Existing means lawfully **existing** on or prior to the date of the passing of this By-law.

Amended by By-law No. Z107-2014

Factory Outlet shall mean a **building** or part thereof accessory to, and clearly secondary to, an **industrial use** or a service trade, wherein products manufactured, produced, processed or stored on the premises are kept or displayed for wholesale or retail sale, or wherein orders are taken for the delivery of such products.

Farm Equipment Repair Shop means the repair and sale of farm implements and agricultural equipment including the sale of fuel, lubricants and related items for agricultural equipment.

Amended by By-law No. Z153-2022

Farm implement sales and service establishment: ~~lands, buildings, or structures used for the purpose of the sale, maintenance or repair of farm implements and related equipment, parts and supplies.~~ means a **building** or part of a **building** or place where machinery or

**Section 3
Definitions**

equipment for **use** in agriculture, agricultural or **commercial vehicles**, and other similar goods are kept for sale at retail or wholesale.

~~**Farm Market** means the **use** of land, **buildings**, or **structures** or part thereof for the purpose of selling fruit and vegetables to the general public. The fruit and vegetables sold in a **farm market** must be grown exclusively by the operator on property owned by the operator of the said **farm market**.~~

~~**Farmer's Market** means an establishment or premises where the farm products of the local farming community are sold at retail from areas designated for individual retailers.~~

Farm Stand means a **structure** that is accessory to an agriculture **use** and is used for the display and sale of produce, flowers, or other related agriculture products, but where all products shall originate and be sourced from the same **lot** as the principal **use**.

Amended by By-law No. Z153-2022

Feed Mill means a building erected, used or intended for use for the preparation, processing, preserving, grading or storing of agricultural products for eventual consumption by livestock or domestic pets, and may include the retail and wholesale sale of such products.

Amended by By-law No. Z107-2014

Fence means an assembly of approved materials including a wall (other than the wall of a **building**), gate or other barrier which separates or purports to separate lands and which is continuous throughout the entire length.

Amended by By-law No. Z107-2014

Finished Grade Level means the average elevation of the finished surface of the ground adjoining the base of a **building** or **structure**. In the case where the setback needs to be determined on one side of a **building** or **structure**, the elevation at the point of intersection of the **building** or **structure** with the ground at each corner of the side shall be used for and the average of the two shall be used to determine the elevation.

~~**Flood Fringe** means that area of the flood plain which is situated between the 1:100-year flood elevation and the Regulatory flood elevation. for river, stream and small inland lake systems, means the outer portion of the flood plain between the **floodway** and the flooding hazard limit. Depths and velocities of flooding are generally less severe in the **flood fringe** than those experienced in the **floodway**.~~

~~**Floodway** means that area of the flood plain required to pass the deep, fast flowing flood water which is situated below the 1:100-year flood elevation. for river, stream and small inland lake systems, means the portion of the flood plain where **development** and site alteration would cause a danger to public health and safety or property damage.~~

(a) Where the one **zone** concept is applied, the **floodway** is the entire contiguous flood plain.

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(b) Where the two **zone** concept is applied, the **floodway** is the contiguous inner portion of the flood plain, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two **zone** concept applies, the outer portion of the flood plain is called the **flood fringe**.

Floor Area, Gross means the sum total of the gross horizontal areas of the several **stories** of a **building** or other **structures** on a **lot** measured from the exterior faces of the exterior walls of the **building** or **structure** at the floor level of each **storey** or from the centre line of a common wall separating two **buildings** or other **structures**, and includes **basement** floor area but excludes the floor area of the cellar or areas **used** for parking and loading within the **building** or **structure**.

Amended by By-law No. Z107-2014

Floor Area Ratio means the **gross floor area** divided by the area of the **lot** expressed in a ratio of **gross floor area** to one square metre of **lot area**. The **floor area ratio** in each **zone** shall be deemed to apply only to that portion of such **lot** which is located within that **zone**.

Amended by By-law No. Z107-2014

Florist Shop means a **retail store** that arranges flowers and plants for retail sale and may include ancillary items such as vases, balloons, cards and other ceremonial ornaments.

Amended by By-law No. Z153-2022

Food Processing Plant means a building in which agricultural products are prepared, processed, preserved, graded or stored for eventual human consumption.

Forestry Use means the **use** of land for the growing, management, harvesting, and removal of trees, and may include activities undertaken to maintain forest health, wildlife habitat, and environmental functions.

Amended by By-law No. Z107-2014

Fuel Pump Island means that portion of an **automobile service station**, public garage or portion of a non-residential **use** for the retail sale of automotive fuels, that includes the fuel pumps, concrete base, overhead canopy and kiosk, but shall not include any part of any **building** for the repair or service of **vehicles**.

Fuel Storage and/or Supply Business means a premises for the bulk storage of petroleum, petroleum products, chemicals, gases or similar substances. This definition shall not include an **automotive gas bar** or a storage tank which is accessory to another **use** on the **lot** where such tank is located.

Amended by By-law No. Z107-2014

Funeral Home means a **building** or part thereof wherein a licensed undertaker prepares corpses for interment and may include an area for memorial services and receptions.

Garage, Attached means a private garage located on the same **lot** as a **dwelling**, **attached** to that **dwelling** by a common wall and/or common roof **structure**, and which is designed for the sheltering of private passenger **motor vehicles** of the occupants of the **dwelling** and

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the storage of household equipment. An **attached garage** does not include a **carport**. No facilities for the repairing or servicing of **motor vehicles** for remuneration or for **commercial use** shall be **permitted** in an **attached garage**. For the purpose of determining **front yard**, **rear yard**, and **side yard** setbacks, an **attached garage** shall be considered as part of the **main building**.

Garage, Detached means a private garage which is **accessory** to a **permitted dwelling**, located on the same **lot** as the **dwelling**, is a separate **building** that is fully enclosed, and which is designed for the sheltering of private passenger **motor vehicles** of the occupants of the **dwelling** and the storage of household equipment. A **detached garage** does not include a detached **carport**. No facilities for the repairing or servicing of **motor vehicles** for remuneration or for **commercial use** shall be **permitted** in a **detached garage**.

Garage, Public Works means the Town or provincial facility **used** for the storage and servicing of **road** construction and maintenance equipment and materials.

Amended by By-law No. Z153-2022

Garden Centre: an establishment used primarily for the display and sales of plants, gardening and landscaping supplies and equipment. An **outdoor display and sales area** is considered a permitted **accessory use**

Golf Course means an area for the purpose of playing golf and includes a driving range, and associated **recreational uses** such as a club house and tennis courts.

Golf Course, Miniature means an area for the purpose of playing miniature golf, and associated facilities such as equipment rental **building** and refreshment stand.

Amended by By-law No. Z107-2014

Government Administrative Office means a **building** or part thereof used in which the managerial functions of the Town, County, Province, Government of Canada, or their agencies, brokers, or organizations are carried out and includes a service **offices**, **support offices**, financial or general **offices**.

Grain Elevator means a **building**, container, **structure** or receptacle in which grain is received for storage,

Greenhouse, Commercial means a **building** or **structure used** for the growing of flowers, plants, shrubs, trees, and similar vegetation which are not necessarily transplanted outdoors on the same **lot** containing such greenhouse, but are sold directly from such **lot** at wholesale or retail.

Amended by By-Law No. Z113-2015

Gross Floor Area means the sum of the areas of each **storey** of a **building** above average grade, measured from the exterior of the outside walls, including an **attached garage** or any part of the **building** used for **motor vehicle** parking. In the case where a **building** has a "walk-out" lower level, 25% of the **gross floor area** of the lower level shall be applied when determining the **gross floor area ratio**. The areas of **accessory buildings and structures**

**Section 3
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shall not be included when determining the **gross floor area ratio** of a lot.

Amended by By-Law No. Z113-2015

Gross Floor Area Ratio means the mathematical relationship between the **gross floor area** of a **building** and **lot area**, determined by dividing the **gross floor area** of a **building** on a **lot** by the area of said **lot**, expressed as a percentage.

Amended by By-Law No. Z17-2000

Habitable Room means any room within a **dwelling unit used** or capable of being **used** for living, eating, and sleeping, but, excluding a bathroom, serving or storage pantry, laundry area, and corridor.

Hazardous Land means land that could be unsafe for **development** because of naturally occurring processes associated with flooding, erosion, dynamic beaches or unstable soil or bedrock.

Amended by By-law No. Z107-2014

Hiking Trail means the part of a park or open space that has been blazed for the purpose of walking by the public, and is not used for **motor vehicles**, bicycles, in-line skates, and motorized snow or all-terrain **vehicles**.

Amended by By-law No. Z107-2014

Home Decorating Store means a **retail store** devoted to the sale of goods and materials required for decorating the interior of a home or **office**, including floor, wall and window coverings, lighting fixtures, bathroom or kitchen fixtures and accessories.

Amended by By-law No. Z107-2014

Home Improvement Store means a **retail store** devoted to the sale of goods or materials required for the construction or **alteration** of **buildings**, including such merchandise as wall paneling, wood products, sheet glass products, windows and mirrors, floor, wall and ceiling tiles, paint and wallpaper, bathroom and kitchen cupboards and fixtures, landscaping materials and similar goods. **Open storage** may be **permitted** as an **accessory use**.

Home Occupation means an occupation and/or a profession conducted entirely within a **dwelling unit** in a **single-detached dwelling** or a **semi-detached dwelling** by a **person** residing permanently in the **single-detached dwelling** or a **semi-detached dwelling**. A home occupation does not include **remote work**, **private home daycare**, or **bed and breakfast establishment**.

Amended by By-law No. Z153-2022

Hospital means any institution, **building** or other premises or place established for the purposes of patients and that is approved under the Public Hospitals Act as a public **hospital**.

Amended by By-Law No. Z17-2000 and By-law No. Z153-2022

Hotel means any **hotel**, **tavern**, inn, or public house in a **building** or **buildings** which is **used** principally for the purpose of catering to the needs of the public by supplying food and furnishing sleeping accommodation of 4 or more bedrooms, but does not include a **boarding**

**Section 3
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house dwelling or a **motel**.

Industrial Mall means a **building** or group of **buildings** designed, developed, owned, and managed as a unit containing three or more separated spaces for lease or occupancy by **industrial uses** as **permitted** by this By-law.

Industrial Use means the **use** of any land, **buildings**, or **structures** designed, **used**, or intended for the purpose of manufacturing, assembling, processing, constructing, preparing, finishing, treating, repairing, shipping, wholesaling, storing, or warehousing any goods, substances, articles, or things.

Institutional Use means the **use** of any land, **buildings**, or **structures** for some public purpose and may include any governmental, religious, educational, charitable, **hospital**, or other similar **uses**, but shall not include any **commercial** or **industrial use** or any **use** conducted for profit.

Amended by By-law No. Z107-2014

Kennel ~~means a place, **building**, or confine where purebred dogs are bred and raised and registered in the register for the Canadian Kennel Club Incorporated.~~ means a place, **building**, or confine where dogs are bred and raised and registered in accordance with the *Animal Pedigree Act*.

Laboratory or Research Facility means a **building** used for scientific and technological research and **development** including laboratories, plants used to test manufacturing processes for **use** in production, software **development**, and engineering services and includes an agricultural research station.

Landscaped Open Space means open space comprised of lawn and/or ornamental shrubs, flowers, and trees and may include space occupied by paths, walks, courts, and **patios**, but shall not include any **parking area**, traffic aisles, **driveways**, or ramps.

Landfill means a site used for the final disposal of waste by deposition or burial in or on land, typically operated under engineered and regulated conditions.

Amended by By-law No. Z107-2014

Landscape Supply Outlet means the **use** of land, **buildings** or **structures** or part thereof where soil and other similar landscape materials are offered for sale on a retail or wholesale basis.

Amended by By-law No. Z153-2022

Landscaping Business and/or Garden Centre means an establishment used primarily for the display and sales of plants, gardening and landscaping supplies and equipment. An **outdoor display and sales area** is considered a permitted **accessory use**.

Amended by By-law No. Z107-2014

Lane means a walkway, emergency access or any other passageway or right-of-way, open from ground to sky, not constituting a **street** but laid down and dedicated to public use, as a

Section 3
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right-of-way for **use** in common by adjacent landowners.

Laundromat means a **building** or **structure** where coin-operated laundry machines, using only water, detergents, and additives, are made available to the public for the purpose of laundry cleaning.

Laundry Plant means a **building** or **structure** in which the business of washing, starching, ironing etc. is conducted in which only water, detergent, and additives are used, and where the drying and finishing of such goods is conducted.

Amended by By-law No. Z107-2014

Library means a **building** or part thereof used to provide open access to information and literature in a variety of lending formats including paper and digital and where literacy, lifelong learning, and recreational reading is encouraged through programs offered for all ages, which is governed by a **Council** appointed Board.

Amended by By-law No. Z107-2014

Liquor, Beer and Wine Store ~~means a retail store devoted to the sale of spirits, beer and/or wine.~~ means a **retail store** devoted to the sale of spirits, beer, ciders, wine and/or other alcoholic beverages and licensed under the *Liquor License and Control Act*, as amended.

Livestock means chickens, turkeys, poultry, cattle, hogs, horses, mink, rabbits, sheep, goats, or any other domestic animal used or intended for consumption or breeding, but does not include domestic pets.

Loading Space means an off-street space for the temporary parking of a **commercial motor vehicle** while loading and unloading merchandise or materials.

Amended by By-law No. Z153-2022

Long Term Care Home means a building consisting of assisted living dwelling units, where a broad range of personal care, support and health services are provided for elderly, disabled or chronically ill occupants in a supervised setting licensed pursuant to Provincial legislation, and may include one or more accessory uses, such as common dining, lounging, kitchen, recreational or medical offices.

Lot means:

- (a) a parcel of land or contiguous parcels of land under one ownership, having frontage on a **public street** and which is described in a deed or other document legally capable of conveying an interest in land and which is on record in the Land Registry Office No. 44; or
- (b) a parcel of land shown as a whole **lot** or block on a registered plan of subdivision within the meaning of the Planning Act, having access on a **public street**, but a registered plan of subdivision for the purpose of this paragraph does not include a registered plan of subdivision which has been deemed not to be a registered plan of subdivision under a by-law passed by the **Council** pursuant to the Planning Act.

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For the purpose of this definition, no parcel or tract of land ceases to be a **lot** by reason only of the fact that a part or parts of it has or had been conveyed to or acquired by the **Corporation**, Her Majesty in Right of Ontario, or Her Majesty in Right of Canada.

Lot Area means the total horizontal area within the boundary lines of a **lot**.

Lot, Corner means:

- (a) a **lot** situated at the intersection of two or more **streets**, or a **lot** abutting on one or more parts of the same **street**, in which an interior angle of less than 135 degrees is contained, between the **front** and **side lot lines** abutted by the said **street** or **streets**; or
- (b) a **lot** located on the curve of a **street** where the angle of intersection of the projection of the tangents of the **street line** does not exceed 135 degrees and for which the corner of the **lot** shall be deemed to be the corner point of that part of the arc of the **street line** upon which the **lot** abuts.

Amended by By-Law Nos. Z17-2000, Z107-2014 and Z113-2015

Lot Coverage means the area of a **lot** covered by **buildings** and **structures**, excluding overhanging **structures** which do not project more than 1.0 metre from the **main wall**, and excluding:

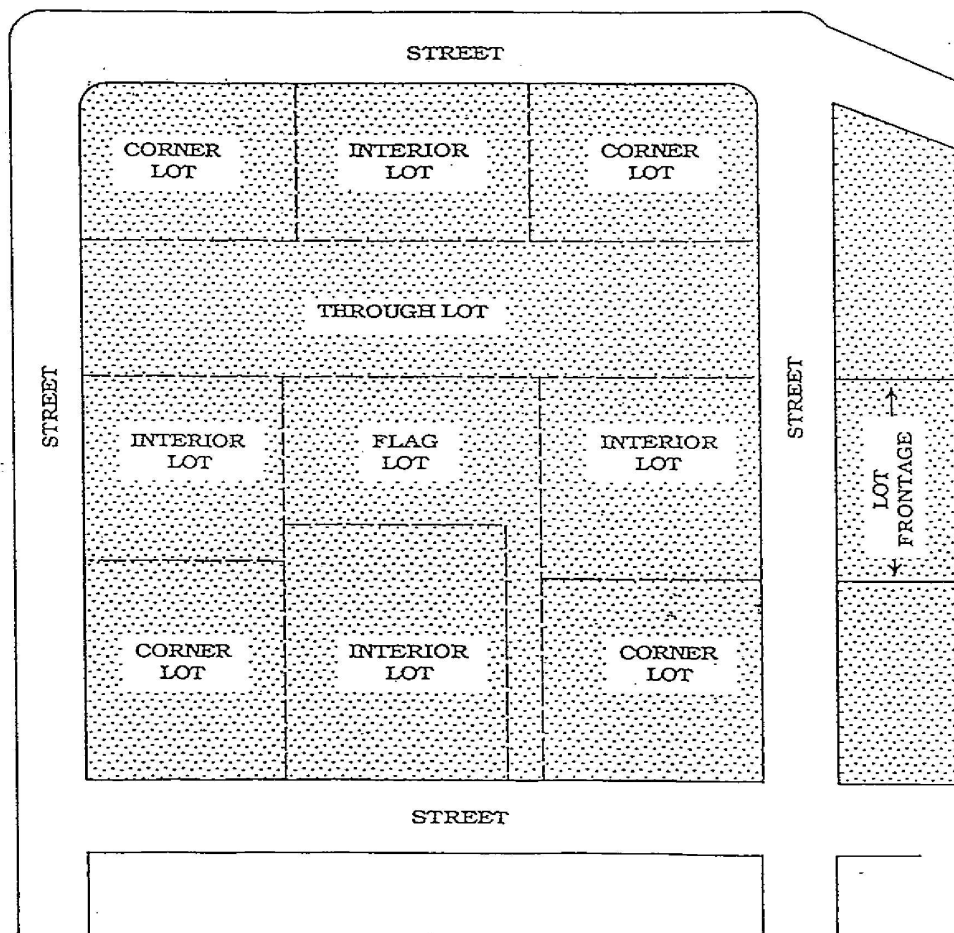
- (a) uncovered **swimming pools**;
- (b) decks which are 0.2 metres or less above the **finished grade level**;
- (c) the first 20 square metres of deck area which is located more than 0.2 metres above the **finished grade level**; and
- (d) not more than two **accessory buildings** which are less than 10 square metres. Where more than two **accessory buildings** which are less than 10 square metres are located on a **lot** or are proposed to be located on a lot, the two largest **accessory buildings** shall be excluded from the **Lot Coverage** calculation and all other **accessory buildings** shall be included in the **Lot Coverage** calculation.

Lot Depth means the horizontal distance between the **front** and **rear lot lines** of a **lot**. Where these lines are not parallel, the **lot depth** shall be determined by calculating the length of a straight line joining the midpoints of the **front** and **rear lot lines**. Where there is no **rear lot line**, the **lot depth** shall be determined by calculating the length of a straight line joining the midpoint of the **front lot line** with the apex of the triangle formed by the intersection of the **side lot lines**.

Amended by By-Law No. Z17-2000

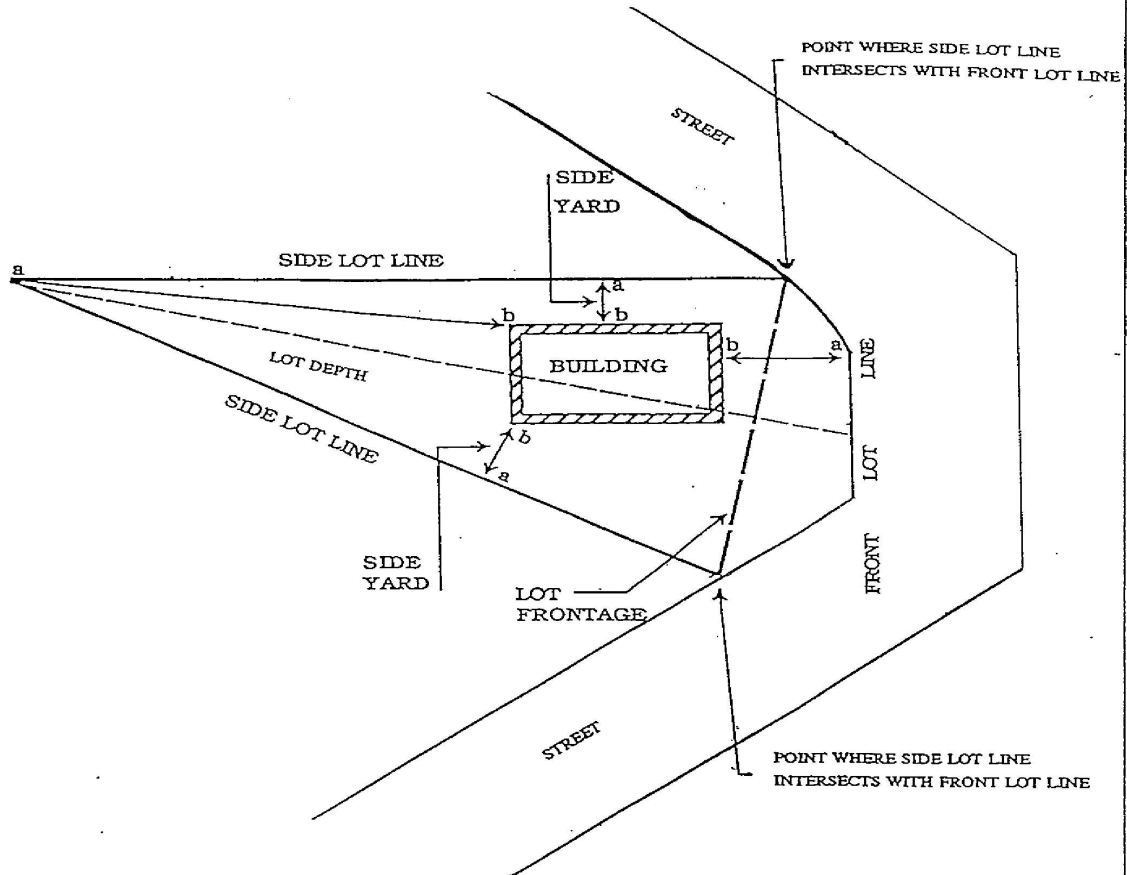
Lot Frontage means the horizontal distance between the **side lot lines** of a **lot** measured along the **front lot line** of said **lot**. Where the **front lot line** is not a straight line or where the **side lot lines** are not parallel, the **lot frontage** is to be determined by measuring the length of a line that is parallel to and located back the required **front yard** distance of the **zone** classification from the chord of the **lot frontage** established by joining the two points where the **side lot lines** intersect the **front lot line**.

Lot, Interior means a **lot** other than a **corner lot**.

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OF LOTS

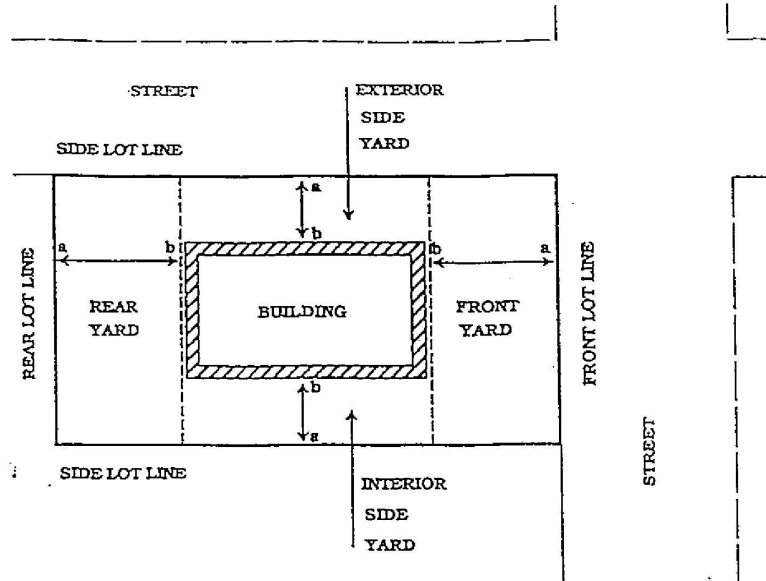
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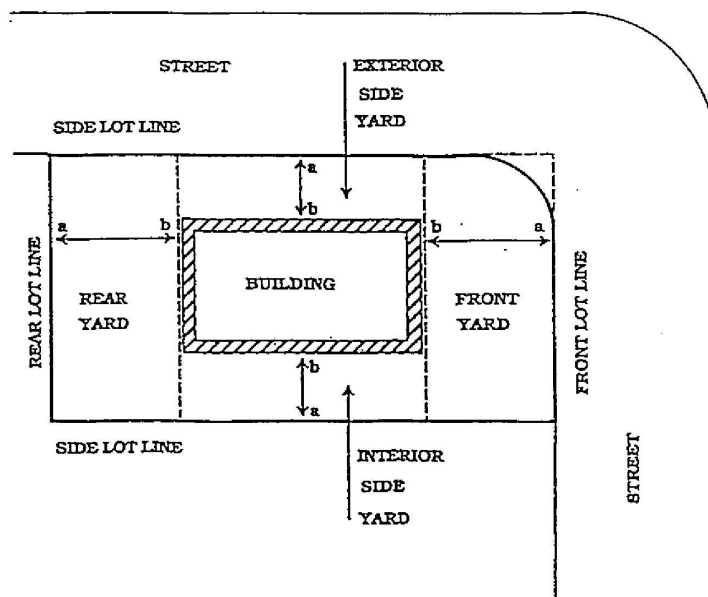
Section 3
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NO REAR LOT LINE
YARD DEFINITIONS

CORD OF LOT FRONTAGE
ESTABLISHED BY JOINING THE
TWO POINTS WHERE SIDE LOT LINE
INTERSECTS THE FRONT LOT LINE

Note: The above illustrations are for clarification and convenience and do not form part of this Bv-law.

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PARALLEL LOT LINES
YARD DEFINITIONS

DISTANCE ab REPRESENTS THE DEPTH OF THE REQUIRED YARD MEASURED AS LEAST HORIZONTAL DIMENSION BETWEEN LOT LINE AND NEAREST PART OF MAIN BUILDING. DISTANCE ab MUST BE THE MINIMUM DISTANCE SPECIFIED IN BY-LAW.

CORNER LOT
CURVED LOT LINE
YARD DEFINITIONS

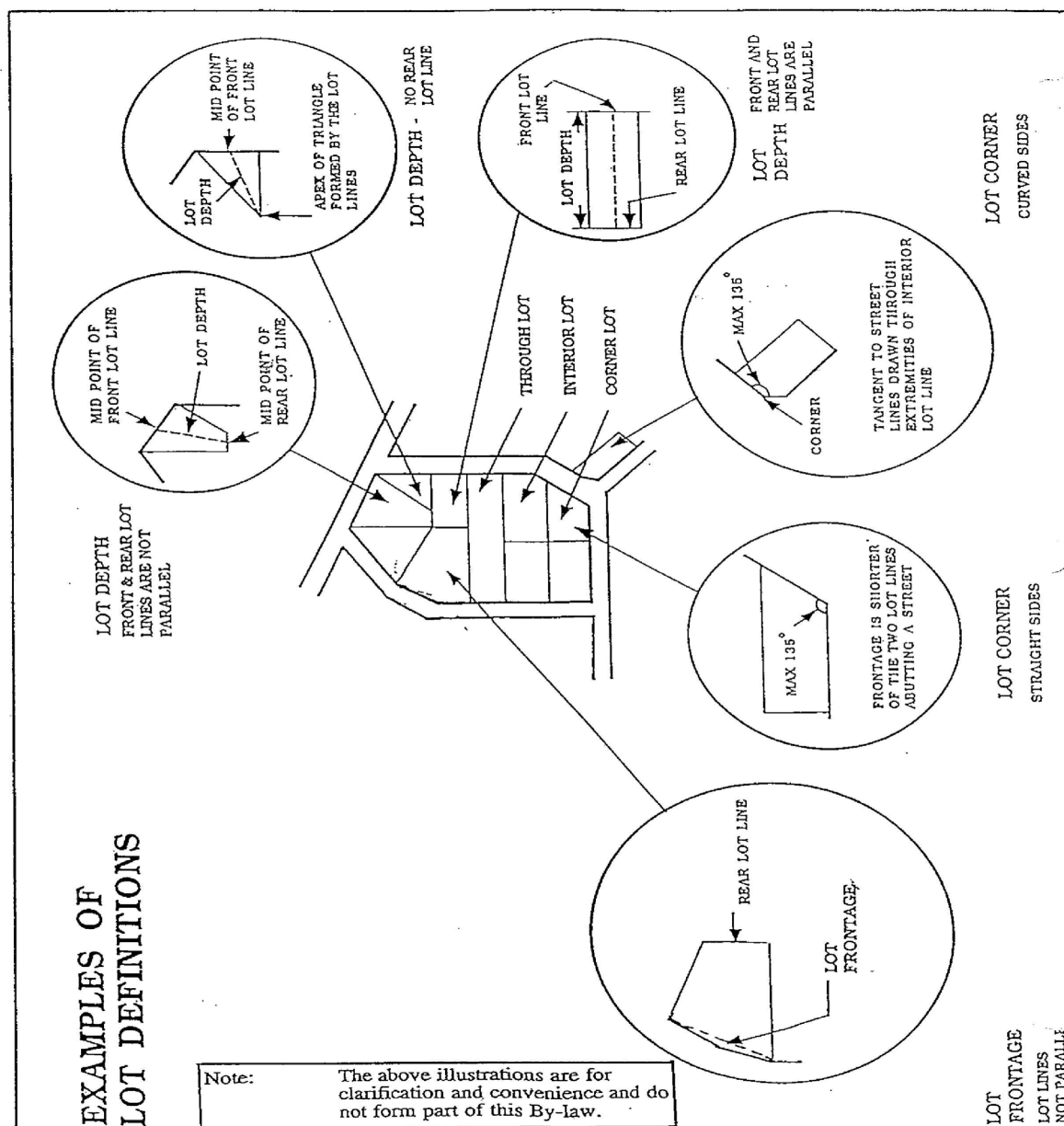
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DISTANCE ab REPRESENTS THE DEPTH OF THE REQUIRED YARD MEASURED AS LEAST HORIZONTAL DIMENSION BETWEEN LOT LINE AND NEAREST PART OF MAIN BUILDING. DISTANCE ab MUST BE THE MINIMUM DISTANCE SPECIFIED IN BY-LAW.

EXAMPLES OF LOT DEFINITIONS

Note:	The above illustrations are for clarification and convenience and do not form part of this By-law.
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Section 3
Definitions**Amended by By-law No. Z107-2014**

Lot Line means any boundary of a **lot** or the vertical projection thereof. Internal **lot lines** created by:

- (a) a registration of a plan of **condominium**; or
- (b) a plan or plans of **condominium** registered on all or a portion of a **lot** which is part of a comprehensively planned **development** subject to a Development Agreement pursuant to Section 41 of the Planning Act;
- (c) shall not be construed to be **lot lines** for the purposes of zoning regulations provided that all applicable regulations of this by-law relative to the whole **lot** and its external **lot lines**, **existing** prior to any **condominium** plan registration are strictly observed.

Lot Line, Front means in the case of:

- (a) an **interior lot**, the **lot line** that abuts the **street**;
- (b) a **corner lot**, the shorter **lot line** abutting the **street** shall be the **front lot line** while the longer **lot line** shall be deemed to be the **exterior lot line**:
 - (i) where the **lot lines** abutting the **street** are of equal length, the **lot line** that abuts the **street** governed by the government with the higher jurisdiction shall be the **front lot line** while the other **lot line** shall be deemed to be the **exterior side lot line**;
 - (ii) where the **lot lines** abutting the **street** are of equal length and the abutting **streets** are under the same jurisdiction, the **lot line** over which the principal means of access to the **lot** is obtained shall be the **front lot line** while the other **lot line** shall be deemed to be the **exterior side lot line**;
- (c) in the case of a **through lot**, the shorter **lot line** abutting a **street** shall be deemed to be the **front line** while the longer of the **lot lines** abutting a **street** shall be deemed to be the **rear lot line**:
 - (i) where the **lot lines** abutting the **street** are of equal length, the **lot line** that abuts the **street** governed by the government with the higher jurisdiction shall be the **front lot line** while the other **lot line** abutting a **street** shall be deemed to be the **rear lot line**;
 - (ii) where the **lot lines** abutting the **street** are of equal length and are under the same jurisdiction, the **front lot line** shall be deemed to be the **front lot line** as established in the block by prior construction while the other **lot line** abutting a **street** shall be deemed to be the **rear lot line**.

Lot Line, Rear means the **lot line** farthest from and opposite to the **front lot line**.

Lot Line, Side means a **lot line** other than a **front** or **rear lot line**. For the purpose of this By-law, there shall be two types of **side lot lines** which are classified as follows:

Lot Line, Exterior Side means a **side lot line** that abuts a **street** in the case of a **corner lot**.

**Section 3
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Lot Line, Interior Side means a **side lot line** that abuts a neighbouring **lot**, block, or parcel of land.

Lot of Record means a **lot** or parcel of land that can legally be conveyed and which was legally created prior to the passing of this By-law. For the purpose of this By-law, it shall include only the following:

- (a) a **lot** or block shown on a registered plan of subdivision;
- (b) a **lot** or parcel of land created by consent in accordance with the provisions of the Planning Act or;
- (c) any other separate and distinct land holding, the deed to which is registered in the Land Registry Office No. 44.

For the purpose of this definition, **lots of record** shall not include those **lots** on a registered plan of subdivision which has been deemed not to be a registered plan of subdivision in a by-law passed by the municipal **Council** of the **Corporation** pursuant to the Planning Act.

Lot, Through means a **lot** bounded on two opposite sides by **streets**. Where a **lot** qualifies as being both a **corner lot** and a **through lot** such **lot** shall be conclusively deemed to be a **corner lot**.

Lumber Yard means a **lot** and **accessory buildings** where the primary **use** is the storage of construction grade wood and **building** supplies for sale at retail or wholesale.

Amended by By-law No. Z153-2022

Machine Shop means a building erected, used, or intended for the servicing or repair of equipment and machinery and/or small engines.

Amended by By-law No. Z107-2014

Manufacturing and Assembly Industry means a **building** or part thereof used for any number of manufacturing, fabricating and assembly activities, including processing ancillary to the **permitted** manufacturing and assembly **uses** and includes household waste **recycling depots**, but excludes primary paper products industries, primary metals industries, waste treatment industries, armaments, munitions and explosive manufacturing industries, and any obnoxious use.

Amended by By-law No. Z153-2022

Mechanical penthouse means a room or enclosure on the roof of a **building** exclusively used for mechanical equipment, a stair or elevator tower, elevator equipment, or any combination thereof.

Amended by By-law No. Z153-2022

~~**Mini-storage Facility** means a building containing individual storage units accessible by the user and used for the storage of goods, wares, merchandise, non-perishable foodstuffs, substances, articles or things but shall not include the storage of fuels, solvents, paints or other inflammable substances.~~

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Minimum Distance Separation Formulae means formulae and guidelines developed by the Province, as amended from time to time, to separate **uses** so as to reduce incompatibility concerns about odour from **livestock** facilities.

Amended by By-law No. Z107-2014

Mobile Home ~~means a prefabricated dwelling unit designed and intended to be transported or portable for movement from site to site and the frame of such dwelling unit in is integral to its structure.~~ means a prefabricated **dwelling unit** designed and intended to be transported or portable for movement from site to site, notwithstanding that its running gear is or may be removed, and the frame of such **dwelling unit** in is integral to its **structure**, according to specifications from the Canadian Standards Association (CSA).

Mobile Home Park means a **lot**, cared for, and managed by a park operator, where individual sites for locating **mobile homes** are rented or leased and where ownership and responsibility for the maintenance and **development** of the site facilities, including underground services (e.g. water supply, sanitary sewers, storm sewers), access **roads**, communal areas and **buildings**, together with general park management (e.g. snow clearing and removal, garbage or waste collection), rests with the **mobile home park** owner(s).

Mobile Home Site means an area of land described on a reference plan located within a **mobile home park** used for the placement of a **mobile home**.

Amended by By-law No. Z107-2014

Model Home means a **dwelling** which is not occupied for human habitation but is used for the purpose of display to the public and where a portion of this **dwelling** may be used as a sales **office** for the **dwelling** units to be constructed on **lots** within a plan of subdivision/**condominium**.

Motel means a **building** or group of two or more detached **buildings** designed and **used** for the purpose of catering to the traveling public by furnishing sleeping accommodation of not less than four (4) bedroom units and may include living accommodation for permanent staff, dining, dancing, convention, and other public rooms licensed under the Liquor License Act, as amended from time to time, parking facilities, and recreational facilities. Each bedroom unit must be capable of being entered directly from the exterior of the **building**. A **motel** shall not include a **boarding** or **lodging house dwelling** or a **hotel**.

~~**Motor Home/Travel Trailer** means a self-propelled vehicle or any unit suitable for attachment to a motor vehicle for towing and capable of being used for temporary living, sleeping, and eating accommodation, and shall not include a mobile home.~~

Motor Vehicle means an automobile, truck, motorcycle, motorized snow **vehicle**, and motorized all-terrain **vehicle**, but does not include cars or engines running on railway tracks, farm tractor, or self-propelled farm machinery or **road** building equipment.

~~**Motor Vehicle Commercial** means any motor vehicle having permanently attached thereto a truck or delivery body and without limiting the generality of the foregoing includes hearses, buses, farm tractors and/or trailers used for hauling, and delivery trucks, but~~

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~~excludes motor home/travel trailers.~~ means any **motor vehicle** having permanently attached thereto a truck or delivery body and without limiting the generality of the foregoing includes catering trucks, ambulances, hearses, buses, farm tractors and/or **trailers** used for hauling, and delivery trucks, but excludes recreational **vehicles**.

Amended by By-law No. Z107-2014

Multi-Use Pathways means that part of a park that has been improved with a hard surface and intended for a variety of **uses** including pedestrians, in-line skating, bicycles, mobility scooters and similar **vehicles**, excluding **motor vehicles**, horses and horse drawn conveyances of any sort and motorized snow or all-terrain **vehicles**.

Municipal Drain means a **watercourse** or sewer which carries storm surface water and drainage and includes a storm sewer, but does not include a sanitary sewer.

Amended by By-law No. Z153-2022

Museum means a building erected, used or intended for use as a repository for historical artifacts, relics or documents which may be periodically placed on display for public viewing.

Amended by By-law No. Z107-2014

Mutual Driveway means an ingress or egress that is common to two or more owners of abutting lands as a right-of-way registered against the title of the lands.

Non-Complying Building or Structure means a **building** or **structure permitted** by the **permitted use** provisions of this By-law for the **zone** in which such **building** or **structure** is located, but which does not meet one or more of the **zone** provisions with respect to **lot area**, **lot frontage**, **lot depth**, **yards**, parking, or other provisions of this By-law applicable to such **zone**.

Non-Complying, Use means a **use permitted** by the **permitted use** provisions of this By-law for the **zone** in which such **use** is located, but which does not meet one or more of the **zone** provisions with respect to **lot area**, **lot frontage**, **lot depth**, **yards**, parking, or other provisions of this By-law applicable to such **zone**.

Non-Conforming Use, Legal means the **use** of a **building**, or **structure** which was lawfully established prior to the adoption of this By-law which is no longer **permitted** by the **permitted use** provisions of this By-law for the **zone** in which such **use** is located.

Amended by By-Law No. Z17-2000

Non-Conforming, Legal means a **building** or **structure** lawfully established for a purpose not **permitted** by the **permitted use** provisions of this By-law for the **zone** in which such **building** or **structure** is located. For the purposes of this By-law, any **building** or **structure** erected prior to March 9, 1976 shall be deemed to be lawfully established.

~~**Nursery School** means a **child care centre** within the meaning of the Day Nurseries Act.~~

~~**Nursing Home** means any premises maintained and operated for **persons** requiring nursing care or in which such care is provided to two or more unrelated **persons**, but does not include~~

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~~any premises falling under the jurisdiction of,~~
~~(a) the Charitable Institutions Act;~~
~~(b) the Child and Family Services Act;~~
~~(c) the Homes for the Aged and Rest Homes Act;~~
~~(d) the Mental Hospitals Act;~~
~~(e) the Private Hospitals Act; or~~
~~(f) the Public Hospitals Act.~~

Amended by By-law No. Z107-2014

Office means a **building**, or part thereof, containing one or more **offices** including professional or service **offices** and all other forms of **offices** except **medical/dental offices**.

Amended by By-law No. Z107-2014

Office, Business means a **building** or part thereof in which one or more **persons** is employed in the management, direction or conducting the administrative functions of agencies, foundations, brokers or labour organizations are carried out and includes a service **office**, but does not include **medical/dental offices**, **professional offices**, **support offices**, financial or general offices.

Amended by By-law No. Z107-2014

Office, Medical/Dental means an **office** or **offices** in which the practice of the professions of medicine, psychiatry, dentistry or optometry is carried on or in which the treatment by osteopathy or chiropractic is carried out.

Amended by By-law No. Z107-2014

Office, Support means a **building** or part thereof in which technical or professional consulting services are performed to serve industrial manufacturing, assembly, processing or repair establishments, and includes the **offices** of an architect, a surveyor, an engineer, a business machine servicing establishment and an industrial training facility for manufacturing, assembly, processing or repair skills, but does not include a personal service establishment, a lawyer's office, a chartered accountant's office, a **clinic**, a **medical/dental office** or an animal **hospital**.

On-Farm Diversified Use means **uses** that are secondary to the principal **agricultural use** of the property, and are limited in area. **On-farm diversified uses** include, but are not limited to, **home occupations**, home industries, **agri-tourism uses**, **uses** that produce value-added agricultural products, and electricity generation facilities and transmission systems, and energy storage systems.

On-Farm Shop or Café means a small-scale café or shop that is an **on-farm diversified use**, and may include the sale of antiques and a tack shop, that is accessory to the permitted **agricultural uses** on the **lot** and shall primarily include the sale of value-added products produced by the farm.

Amended by By-law No. Z153-2022

Openings means any window on a **building** façade which provides clear, unobstructed visibility to goods, exhibits, or the interior spaces of a **building** through the use of transparent

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glazing; or any public entrance on a **building** façade which provides clear access from the outside to the interior spaces of a building, but does not include entrances to any stairwell, boiler room, maintenance room, mechanical or electrical or utility room.

Amended by By-law No. Z107-2014

Open Space, Common means an outdoor space within a development, at grade level or otherwise, which is designed and intended for the common **use** or enjoyment of the occupants or users of the **development**, and may include a terrace, tot lot, **swimming pool**, garden, games area, sitting area, arcade or other similar facility or area, and **landscaped open space** areas having no dimension less than 3.0 metres.

Open Storage means the uncovered storage of goods, material, merchandise, or equipment in the open air and in unenclosed portions of **buildings** which are open to the air on more than one side.

Outdoor Display and Sales Area means an area set aside outside of a **building** or **structure**, **used** in conjunction with an established **use** located within a **building** or **structure** on the same property, for the display or sale of produce, goods or merchandise.

Parcel of Urban Residential Land means a parcel of land located within a designated settlement area where residential **use**, other than accessory residential **use** including an additional **dwelling unit**, is permitted and which is serviced by municipal sewage works and a municipal drinking water system.

Amended by By-law No. Z107-2014

Park, Dog means an unlit outdoor enclosed recreational environment open to the general public where dogs may exercise and play off-leash while supervised by their owners.

Park, Public means a recreational area owned and controlled by the **Corporation** or by any board, commission or other authority established under any statute of the Province of Ontario, or any religious, charitable, or philanthropic organizations or local service club(s).

Amended by By-law No. Z107-2014

Parking Area means an area or areas of land or a **building** or **structure** or part thereof which is provided and maintained for the purpose of temporary parking or storing of **motor vehicles** accessory to a **permitted** use.

Amended by By-law No. Z107-2014

Parking Lot, Accessory means a parking lot which is an open area, other than a **street**, used for the temporary parking of two or more **vehicles** which is customarily incidental, subordinate and exclusively devoted to the main **use** and carried on with such main **use** on the same lot.

Parking Lot, Commercial means a privately owned **parking area** located on a **lot** which exists as a non-accessory **use**, for profit or gain, separate and distinct from any **building** or **structure** for which the provision of **parking spaces** is required.

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Parking Space means an area on a **lot** on which a licensed **motor vehicle** may be parked, which:

- (a) is provided for the temporary parking or storage of one **motor vehicle** other than for the purpose of offering commodities or goods for sale or display;
- (b) is adequate for the temporary parking or storage of one **motor vehicle** and may be located within a private **garage, building, carport**, or covered area;
- (c) has adequate access to permit ingress and egress of a **motor vehicle** from a **street** by means of **driveways**, aisles, maneuvering areas or similar areas, no part of which access is to be **used** as **parking space** as defined herein; and
- (d) shall have a minimum width of 2.7 metres, a minimum length of 5.5 metres, and a minimum height of 2.4 metres. **Parking spaces** for **persons** with disabilities shall have a minimum width of 4.25 metres, a minimum length of 5.5 metres, and a minimum height of 2.4 metres.

Amended by By-law No. Z107-2014

Parking Space, Angled means the orientation of a **parking space** in such a manner that the side of the **vehicle** when parked is at an angle to the aisle or ramp, **lane** or **street**.

Amended by By-law No. Z107-2014

Parking Space, Parallel means the orientation of a **parking space** in such a manner that the side of the **vehicle** when parked is parallel to the aisle, ramp, **lane** or **street** which gives direct access to such **parking space**.

Amended by By-law No. Z107-2014

Parking, Tandem means the arrangement of two **parking spaces** such that it is necessary to traverse one space to gain vehicular access to the other from a public **lane** or **street**.

Amended by By-law No. Z107-2014

Passive Recreational Use means enjoyment of the natural environment through non-intensive activities that cause minimal impact on the natural features and functions of an area including trails, nature study, birdwatching, outdoor education and associated facilities, but do not include recreational **buildings**, sports fields or **golf courses**.

Amended by By-law No. Z107-2014

Patio means an area or areas of land located out of doors, covered or uncovered where the earth has been covered with a hard surface such as stone or brick situated no more than 20 centimetres above grade level used as an accessory amenity area. For the purposes of this by-law a **patio** as described herein shall be considered landscaping and shall not contribute to **lot coverage**.

Permitted means **permitted** in accordance with the provisions of this By-law.

Pet Shop means a shop or place where animals or birds for **use** as pets are sold, kept for sale or groomed, where pet supplies and pet foods are sold but does not include a **kennel**.

Person means an individual, association, firm, partnership, incorporated company, corporation, agent, trustee, and the heirs, executors, or other legal representatives of a

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person to whom the context of this By-law can apply according to law.

Personal Service Shop means a **building** or part thereof in which **persons** are employed for the purpose of providing service and otherwise administering to the individual and personal needs of **persons** and shall include such **uses** as a **barber shop**, a hair dressing shop, a beauty parlour, a **dressmaking or tailor shop**, a shoe **repair shop**, a watch and jewelry **repair shop**, a sun tanning shop, or other similar **uses**. General retail is not **permitted** and any sale of merchandise from a **personal service shop** must be **accessory** to and associated with the personal services provided in that shop.

Amended by By-law No. Z107-2014

Pet Hotel ~~means an establishment where the care of not more than 50 domestic animals, not including livestock, is provided for gain and includes such activities as boarding, grooming, and walking, where the stay must include overnight accommodations, and where breeding is prohibited.~~ means an establishment where the care of not more than 25 domestic animals, not including **livestock**, is provided for gain and includes such activities as boarding, grooming, and walking, where the stay may include both day care or overnight accommodation, and where breeding is prohibited.

Amended by By-law No. Z107-2014

Pharmacy means a **retail store** that dispenses prescription drugs and which sells, among other things, non-prescription medicines, health and beauty products, and associated sundry items.

Pit means a place where unconsolidated gravel, sand, earth, clay, fill, mineral, or other material is being or has been removed by means of an open excavation to supply material for construction, industry, or manufacturing, but does not include a **wayside pit** as defined in this By-law or the removal of material associated with excavation necessary for the **erection of buildings or structures** or associated with excavation necessary for the construction of **roads**.

Pit, Wayside means a temporary **pit** opened and **used** by a public **road** authority for the purpose of a particular project or contract of **street** construction.

Amended by By-law No. Z107-2014

Place of Entertainment means a **building**, or part thereof, used for the general purpose of providing entertainment and includes cinemas, theatres, art galleries, commercial recreation establishments, auditoriums and all other places of amusement, but excludes amusement game establishments.

Planing Mill or Saw Mill means a **building** or facility used for the processing of wood, including the cutting of logs into lumber and/or the planing, shaping, or finishing of wood products, and may include a **lumber yard**.

Planting Strip means an opaque visual barrier formed by a row of trees or a continuous unpierced hedgerow of evergreens or shrubs having a minimum width of 1.5 metres.

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Definitions**Amended by By-law No. Z107-2014**

Pool Mechanical Equipment means the mechanical/operational components of a **swimming pool** which includes but shall not be limited to the pump, heater/furnace and filter.

Amended by By-law No. Z107-2014

Porch shall mean a roofed open gallery or unenclosed portico **attached** to the exterior of a **building**.

Amended by By-law No. Z153-2022

~~**Postal Outlet**~~ **Postal Outlet**: premises for the provision of postal and courier pick-up and drop-off services for letters and small parcels, but does not include a postal or courier distribution or terminal facility.

Production Studio means premises used for producing live broadcasts, motion pictures, or audio or video recordings or transmissions. The mass reproduction of film or recordings is not a **production studio**.

Public Building means a **building** or **structure** owned or leased and occupied by the **Corporation**, the Province of Ontario, or the Government of Canada.

Public Library means a **public library** within the meaning of the Public Libraries Act.

Public Sidewalk means any municipal walkway, or that portion of a Road between the **street curb** line or the lateral line of a Public Street, Road or Highway and the adjacent property line, primarily intended for the use of pedestrians.

Public Works and Utility Facilities means a **building** or **structure** used by the **Corporation**, Conservation Authority, or other authorized provided by the **Corporation** for the production, treatment, storage, transmission, distribution, collection, operation, maintenance, or management of water, wastewater, stormwater, electricity, natural gas, telecommunications, or district energy.

Pump Island means that portion of a **commercial** or **industrial use** which is **used** for the dispensing of automotive fuels, which include the fuel pumps, concrete base, overhead canopy, and kiosk.

Private Home Daycare means the **accessory use** of a **dwelling unit** by a resident of the **dwelling unit** for the temporary care of five (5) or fewer children who are under ten years of age, in exchange for reward or compensation and where such care is provided in a private residence, other than the home of a parent or guardian of any such child, for a continuous period not exceeding twenty-four hours.

Quarry means a place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industry, or manufacturing, but does not include a wayside **quarry** or open **pit** metal mine.

Amended by By-law No. Z107-2014

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Railway Line means an area of land, a portion of which is covered by a system of tracks, that provides for the movement and making up of trains and includes ancillary **structures** such as stations, **offices**, wheelhouses, towers, repair and storage **buildings**.

Amended by By-law No. Z107-2014

Recreation or Community Centre means a **public building** used for recreation or social activities, meetings or other leisure activities.

Recreational Use means the **use** of land or **buildings** for such **uses** as **public parks**, playgrounds, playfields, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, **golf courses**, trails for snowmobiles or all-terrain **vehicles**, picnic areas, **swimming pools**, wading pools, day camps, bleachers, bandstands, skiing, fishing, and similar **uses**, together with any **accessory buildings** and **structures**, but does not include hunting or a track for the racing of animals, **motor vehicles**, snowmobiles, all-terrain **vehicles**, or motorcycles.

Recreational Use, Commercial means the **commercial use** of land, **buildings** or **structures** for the purpose of recreation or entertainment and shall include a cinema, bowling alley, fitness or health club, or other similar **uses**, and shall not include a video and/or amusement arcade.

Recreation Vehicle means a **vehicle** which provides sleeping and other facilities, while traveling or vacationing, designed to be towed behind a **motor vehicle**, or self-propelled, and includes such **vehicles** commonly known as **motor home/travel trailers**, camper **trailers**, pick-up coaches, motorized campers, motorized homes or other similar **vehicles**.

Recycling Depot means land, **buildings**, or **structures used** for the collecting, sorting and/or storing of materials such as cardboard, newspaper, fine paper, glass bottles, cans, and plastic containers for recycling purposes.

Regulatory Flood Plain for river, stream and small inland lake systems, means the area, usually low lands adjoining a **watercourse**, which has been or may be subject to flooding hazards. The limits of the Regulatory Flood Plain shall be established by the applicable Conservation Authority.

Remote Work means the **accessory use** of a **dwelling unit** by a resident of the **dwelling unit** for conducting employment-related work, including administrative, professional, clerical, or similar work, and where the use does not involve the provision of goods or services to clients, customers, or members of the public at the dwelling.

Amended by By-law No. Z107-2014

Renovation means the restoration or reconstruction of **buildings**, **structures** or parts thereof to current building standards without the removal of the **building** or **structures** from the lot.

Amended by By-law No. Z107-2014

Rental Shop means a **business** where residential, commercial, and industrial equipment is kept for rental to the general public and includes such things as lawn and garden tools, floor

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cleaning equipment, masonry tools, painting and decorating equipment, moving tools, plumbing tools, and power tools.

Repair Shop means a **business** engaged in maintaining and repairing articles, machinery and equipment for household or personal **use** such as appliances, air conditioners, clocks, watches, jewelry, and furniture.

Reserve means a parcel of land, usually one foot in width (0.3 metres), located between a **lot line** and the **street line**, **used** to restrict access to the **street** from the **lot**.

Amended by By-law No. Z107-2014

Resource Extraction Operation ~~means a place where gravel, rock, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, and includes a pit or wayside pit as the main uses and may include an aggregate storage area, asphalt batching plant, portable asphalt plant, concrete batching plant or crushing plant.~~
means:

- (a) lands under license or permit, other than for **wayside pits** and **quarries**, issued in accordance with the *Aggregate Resources Act*;
- (b) for lands not designated under the *Aggregate Resources Act*, established **pits** and **quarries** that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- (c) associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.

Retail Store means a **building** or part thereof in which goods, merchandise, products, wares, articles or things are offered or kept for sale directly to the public, but does not include any manufacturing, processing, assembly, or construction **use**.

Amended by By-law No. Z153-2022

Retirement home means a **building** or part thereof designed exclusively to accommodate seniors or other special needs users with central kitchen and dining facilities, common indoor and outdoor amenity areas, consisting of either **dwelling units** or **assisted living units** or both.

Salvage or Wrecking Yard means a **lot**, **building**, and/or **structures used** for storing, handling, salvaging, dismantling, reclaiming, and/or selling of scrap or used materials, and without limiting the generality of the foregoing, shall include waste paper, rags, wood, bottles, **vehicles**, tires, metal, and/or other scrap material and it shall include establishments such as a junk yard, a scrap metal yard, and an automotive **salvage yard**.

Satellite Dish means a parabolic or spherical antenna which receives television or microwave transmissions or other signals.

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School means,

- (a) the body of public **school** pupils or separate **school** pupils or secondary **school** pupils that is organized as a unit for educational purposes under the jurisdiction of the appropriate board; or
- (b) the body of pupils enrolled in any of the elementary or secondary **school** courses of study in an educational institution operated by the Government of Ontario, and includes the teachers and other staff members associated with such unit or institution and the lands and premises **used** in connection therewith.

School, Private means an institution at which instruction is provided at any time between the hours of 8 a.m. and 4 p.m. on any **school** day for five or more pupils who are of or over compulsory **school** age in any of the subjects of the elementary or secondary **school** courses of study and that is not a **school** as defined in this section.

School, Commercial means a **school** other than an academic **school** where instruction is given for hire or gain and, without limiting the generality of the foregoing, may include the studio of a dance teacher, an art **school**, **business** or trade **school**.

Amended by By-law No. Z107-2014

Self-Storage Establishment means a **building** or **buildings** consisting of individual storage units accessible by the user, used for the storage of goods, wares, merchandise, foodstuffs, substances, articles or things, but does not include a fuel storage tank except as an **accessory use**.

Amended by By-law No. Z107-2014

Service Commercial Centre means a **building** or **buildings** containing two or more different **permitted commercial uses**, which is designed and which functions as a unit in relation to its siting, vehicular access and off-street parking, but not having more than 30 percent (30%) of its **gross floor area** devoted to all restaurant uses.

Amended by By-law No. Z153-2022

Service Trade means an establishment, other than an automotive use, that provides a non-personal service or craft to the public, including, but not necessarily restricted to, the shop of a printer, a plumber, a painter, a carpenter, an electrician, a welder, a furrier, an upholster, a custom engraver, a monument engraver, a merchandise service shop, a battery storage and recharging shop, a small engine repair shop, a workshop for the physically challenged, a catering establishment, a tool or small equipment rental establishment.

Sewage Treatment Facility means a sewage works that treats or disposes of sewage but does not collect or transmit sewage, but does not include an individual on-site septic system.

Shopping Centre means a group of commercial establishments designed, developed, owned, and managed as a unit containing three or more physically separated spaces for lease or occupancy by **commercial uses** or **business or professional offices**, providing **common open spaces**, common enclosed non-commercial **amenity areas** **amenity spaces**, on-site **parking areas**, **loading spaces**, **driveways**, and other shared facilities, and

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which may be held in a single ownership or by participants in a condominium corporation.

Shopping Plaza means a group of commercial establishments designed, developed, owned, and managed as a unit containing three or more physically separated spaces for lease or occupancy by **commercial uses** or **business or professional offices**, providing **common open spaces**, on-site **parking areas**, loading areas, **driveways**, and other shared facilities, and which may be held in a single ownership or by participants in a condominium corporation and in which each commercial establishment has an independent entrance from the outside.

Sign means a name, identification description, device, display, or illustration which is affixed to, or represented directly upon a **building, structure**, or **lot** and which directs attention to an object, product, place, activity, **person**, institution, organization, or **business**.

~~**Site Plan** means a scaled drawing showing the relationship between the **lot lines** and the **uses, buildings, and structures** existing or proposed on a **lot**; including such details as **building areas, parking areas, parking spaces, driveways**, aisles, walkways, sidewalks, **landscaped open space, minimum required yards, building heights**, waste collection facilities, **outdoor storage areas**, storm water drainage facilities. Depending upon the circumstances, grading information and **building cross-sectional information** may also be required as a part of a **site plan**.~~

means a scaled drawing showing the relationship between the **lot lines** and the **uses, buildings, and structures** existing or proposed on a **lot**; including such details as **building areas, parking areas, parking spaces, driveways**, aisles, walkways, sidewalks, **landscaped open space**, minimum required **yards, building heights**, waste collection facilities, outdoor storage areas, storm water drainage facilities, and hazard lands and regulated areas. Depending upon the circumstances, grading information and **building cross-sectional information** may also be required as a part of a **site plan**.

~~**Special Policy Area** means an area of the flood plain below the regulatory flood elevation where specific **development** policies apply to **development** or redevelopment.~~

means an area of the flood plain below the regulatory flood elevation where specific **development** policies apply to **development** or redevelopment, as approved by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry.

Amended by By-law No. Z107-2014

Species, Endangered means any native species that, on the basis of the best available scientific evidence, is at risk of extinction or extirpation throughout all or a significant portion of its (Ontario) range.

Amended by By-law No. Z107-2014

Species, Threatened means any native species that, on the basis of the best available scientific evidence, is at risk of becoming endangered throughout all of a significant portion of its (Ontario) range.

Amended by By-law No. Z107-2014

Species, Vulnerable or Species at Risk means any native species that, on the basis of the best available scientific evidence, is a species of special concern (in Ontario), but is not a

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threatened or endangered species.

Amended by By-law No. Z153-2022

Stacking Lane means a continuous on-site queuing lane that includes stacking spaces for motor vehicles, which is separated from other vehicular traffic and pedestrian circulation by barriers, markings, or signs;

Amended by By-law No. Z153-2022

Stacking Space means a rectangular space that may be provided in succession and is designed to be used for the temporary queuing of motor vehicles in a stacking lane.

Amended by By-law No. Z113-2015

Standby Generator means a unit, situated on a concrete pad, which uses an external fuel supply to provide backup electricity to a **building** or **structure** during periods of temporary power outages.

Storey means that portion of a **building**, other than an **attic**, **basement**, or cellar, which is situated between any floor and the ceiling or roof next above it.

Storey, First means the **storey** with its floor closest to the **finished grade level** and having its next floor level 2.0 metres or more above the **finished grade level**.

Street Curb includes the edge of the traveled portion of a Public Street, Road or Highway.

Street, Road or Highway (Private) means a **street**, **road** or **highway** which has not been assumed by the **Corporation**, or the Province and shall include the principle means of access to any **mobile home or modular home site**.

Amended by By-law No. Z107-2014

Street, Road, or Highway (Private Communal) means a private right-of-way over private property that is a commonly owned and/or shared access to abutting lots that is privately maintained and is not a **public highway** as defined by the Municipal Act.

Street, Road or Highway (Public) means a **street**, **road** or **highway** which has been assumed by the **Corporation**, the County, or the Ministry of Transportation and shall include such **public road**, **street**, or **highway** as affords the principal means of access to any **lots** that abut thereon, but does not include a **lane** or private right-of-way.

Street Line means the limit of the **street** allowance and the **lot line** that divides the **lot** from the **street**.

Structure means any **erection**, permanent or temporary, fixed to or supported by the soil or an attachment to something having a location on the ground, but does not include a boundary wall, **fence**, retaining wall, light standard, **sign**, **patio**, weigh scale or tombstone.

Studio means a premise used by one or more **persons** engaged in the production, creation, teaching or practice of an art form, craft, or skill, including but not limited to visual arts,

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performing arts, photography, film, audio recording, or personal fitness, and may include an **accessory use** the display or retail sale of goods or services produced on the premises.

Amended by By-law No. Z107-2014

Supermarket means a **retail store** primarily devoted to the sale of food and may include the sale of other items including household wares, clothing, lawn and garden items and landscaping plants and materials.

Amended by By-Law No. Z17-2000

Swimming Pool means any body of water with a depth greater than 0.45 metres located outdoors which is contained by artificial means, and **used** and maintained for the purpose of swimming, wading, or diving. For the purposes of this By-law, a **swimming pool** shall be considered a **structure**.

Amended by By-law No. Z107-2014

Taxi Stand and Office means a property, site or **building** used as a dispatch **office** or an area, site or location intended for the parking of taxis and/or limousines when not engaged in transporting **persons** or goods.

Amended by By-law No. Z107-2014

Temporary Use By-law means a **use** that is authorized by By-law passed under the provisions of Section 38 of the Planning Act, R.S.O. 1990.

Amended by By-law No. Z153-2022

Theatre: premises intended for the production and viewing of the performing arts or the screening and viewing of motion pictures, and consisting of an auditorium with permanently fixed seats intended solely for a viewing audience.

Top-of-Bank means the point closest to a watercourse where an abrupt break in slope occurs from steeper and poorly vegetated in the channel transitioning into flatter and generally more vegetated in the surrounding landscape.

Trailer means a **trailer** within the meaning of the Highway Traffic Act. A **trailer** shall not be considered to include a **mobile home**.

Transportation Terminal means a **building, structure**, or place where licensed buses, licensed trucks, and/or licensed tractor **trailers** are rented, leased, repaired, loaded or unloaded, kept for hire or stored or parked for remuneration or from which licensed buses, licensed trucks, and/or licensed tractor **trailers** are dispatched as common carriers or where goods are stored temporarily for further shipment.

Transit Station means premises used for the temporary parking of transit buses, railcars or other transit **vehicles** which are engaged in the pickup and drop-off of passengers and transferring of passengers.

Amended by By-law No. Z107-2014

Unit In A Vacant Land Condominium means a parcel of land within a vacant land

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condominium for the purpose of constructing a **single detached dwelling**.

Use means the purpose for which a **lot**, **building**, or **structure**, or combination thereof, is designed, built, arranged, or occupied. The words "**uses**", "**to use**", and "**used**" shall have corresponding meanings.

Valley Top of Slope means the highest point at the top of a valley wall, where there is a break in slope or grade which distinguishes the valley corridor landform from its surrounding landscape.

Amended by By-law No. Z107-2014

Vehicle means an automobile, truck or other **motor vehicle**, including motorized construction equipment or farm equipment, a **motor home**, a motorcycle, a snowmobile, a boat, **recreational vehicles**, and also including a **trailer** or farm implement or any other device which is capable of being driven, propelled or drawn by any kind of power, but does not include a bicycle or any other device powered solely by means of human effort.

Amended by By-law No. Z107-2014

Vehicle, Commercial means a **motor vehicle** having permanently **attached** thereto a truck, or delivery body and includes ambulances, hearses, fire trucks, buses, and tractors used for hauling purposes on the **highways**.

Amended by By-law No. Z107-2014

Vehicle, Recreational means a **vehicle** which provides sleeping and other facilities for short periods of time, while travelling or vacationing, designed to be towed behind a **motor vehicle**, or self-propelled, and includes such **vehicles** commonly known as **travel trailers**, camper **trailers**, pick-up coaches, motorized campers, motorized homes or other similar **vehicles** and shall include a recreational **trailer** as defined herein.

Wall, Main means the exterior front, side, or rear wall of a **building**, and all structural members that are essential to the support of a roof or fully enclosed space.

Warehouse means a **building** or part thereof **used** or intended to be **used** for bulk storage of goods, merchandise, and material for resale or business **use**.

Waste Disposal Facility means a **building** or site used for the handling, transfer, processing, treatment, or disposal of waste, including **landfill** sites, transfer stations, and recycling or composting facilities.

Watercourse ~~means a natural or altered lake, pond, river, creek, or stream, but shall not include a farm pond.~~ means a defined channel, having a bed and **banks** or sides, in which a flow of water regularly or continuously occurs.

Winery means premises used on a farm for the making of beers, spirits, ciders and wines from grains, hops, crops, and/or fruit grown primarily as part of the principal **agricultural use** and may include an accessory tasting and hospitality area and commercial **patio**, and retail sales of the products produced on-site.

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Wholesale Establishment means a **building** or part thereof used for the selling of goods for delivery from the premises to an industrial, commercial or institutional establishment or organization and may include a showroom and/or display area open to the general public which does not exceed 25% of the premises.

Yard means a space appurtenant to a **building** or **structure**, located on the same **lot** as such **building** or **structure**, and which is open, uncovered, and unoccupied from the ground to the sky except as **permitted** otherwise by this By-law.

Yard, Front means a **yard** extending across the full width of a **lot** between the **front lot line** and the nearest **main wall** or supporting member of any **main building** or **structure** on the **lot**.

Yard, Minimum Front means the minimum depth of a **front yard** between the **front lot line** and the nearest **main wall** or supporting member of any **main building** or **structure** on the **lot**.

Yard, Rear means a **yard** extending across the full width of a **lot** between the **rear lot line** and the nearest **main wall** or supporting member of any **main building** or **structure** on the **lot**.

Yard, Minimum Rear means the minimum depth of a **rear yard** between the **rear lot line** and the nearest **main wall** or supporting member of any **main building**, or **structure**, on the **lot**.

Yard, Side means a **yard** extending from the **front yard** to the **rear yard** of a **lot** and from the **side lot line** of the **lot** to the nearest **main wall** or supporting member of any **main building** or **structure**, on the **lot**.

Yard, Exterior Side means a **side yard** immediately abutting a **street**.

Yard, Interior Side means a **side yard** other than an **exterior side yard**.

Yard, Minimum Side means the minimum width of a **side yard** between the **side lot line** of a **lot** and the nearest **main wall** or supporting member of any **main building** or **structure** of the **lot**.

Amended by By-law No. Z107-2014

Yard Sale, Residential means a **street-side** unenclosed event in which used household items and things, which are surplus to the residents of the **dwelling**, are offered for sale to the general public by the residents of the **dwelling** hosting the event.

Amended by By-law No. Z107-2014

Yard Waste Composting Facility means a facility for the composting of **yard** materials such as garden trimmings, grass, brush and leaves but does not include food waste.

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Zone means any classification established in Section 4 of this By-law which applies to the area(s) delineated on the attached Zoning Map or Zoning Map Schedules for such classification and to which specific provisions as established by this By-law shall apply.

Zone Boundary means the limit or extent of a designated area of land **use** shown on Schedule "A" attached hereto.

Zoning Administrator means an officer or employee of the **Corporation** charged with the duty of administering and enforcing the provisions of this By-law.