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DEFINITIONS

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

"ACCESSORY", means a *use*, a *building* or a *structure* which is located on the same *lot*, attached to or detached from the *main building* and normally incidental and subordinate to a main *use*, *building* or *structure*.

"ADULT ENTERTAINMENT PARLOUR", means any premises where goods, entertainment or services that are designed to appeal to erotic or sexual appetites or inclinations are provided, in pursuance of a business licensed by the *Corporation*, but does not include the exhibition of film approved under the Theatres Act."

"ALTER", when used in reference to a *building*, *structure* or part thereof, means to change any one or more of the internal or external dimensions of such *building* or to change the type of construction of the exterior walls or roof thereof. When used in reference to a *lot*, the word "alter" means to decrease the width, depth or area thereof or to decrease 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.

"AMENITY AREA", means an area or areas intended for *use* for recreation or aesthetic purposes within the boundaries of a *lot* and may include landscaped open areas, unenclosed patios, *decks*, balconies and porches, communal lounges, swimming pools, recreation facilities and any other areas which may be *used* for recreational or aesthetic purposes, but shall not include any driveway or *parking area*.

"ANIMAL SHELTER", means premises *used* for the care of lost, abandoned or neglected animals, but shall not include an *animal kennel* or a *veterinarian's clinic* as defined herein.

"ANIMAL KENNEL", means a place where dogs and other domestic animals are bred, raised or kept for sale or boarded.

"ARTERIAL ROAD", means an arterial road as designated on Schedule "B" of this By-Law.

"ASSEMBLY HALL", means a *building* or part of a *building* in which facilities are provided for such purposes as meetings for civic, educational, political, religious, or social purposes and shall include a banquet hall or private club.

"ATTIC", means the portion of a *building* situated wholly or in part within the roof and which is not a one-half storey.

"AUTOMOBILE SERVICE STATION", means a retail place of business, the primary function of which is the sale of automotive fuels and products and may include providing repair service and maintenance to motor vehicles, excluding body and fender work.

"BAR OR NIGHTCLUB", means an establishment which supplies alcoholic drinks, food and entertainment and contains a walk-up bar or counter where patrons may order, obtain and pay for food and alcoholic drinks. A bar or nightclub may contain an outdoor patio and includes a tavern, pub or drinking establishment.

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"BASEMENT", means that portion of a *building* between two floor levels which is partly underground but which has at least one half of its *height*, from finished floor to finished ceiling, above the adjacent *finished grade*.

"BED AND BREAKFAST ESTABLISHMENT", means a *dwelling* in which no more than three *guest rooms* are made available by the residents of the said *dwelling* for the temporary accommodation of travellers where assistance may be offered by one *person* not residing in the *dwelling*. This does not include a *hotel, motel, boarding or lodging house, or eating establishment*, as defined herein.

"BODY RUB", includes the kneading, manipulating, rubbing, massaging, touching or stimulating by any means, of a *person's* body or part thereof but does not include medical, therapeutic or holistic treatment given by a *person* otherwise duly qualified, licenced or registered so to do under the laws of the Province of Ontario.

(Deleted and Replaced by By-Law 9254-18)

"BODY-RUB PARLOUR", includes any premises or part thereof where a body-rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body-rubs performed are for the purpose of medical, therapeutic or holistic treatment and are performed or offered by *persons* otherwise duly qualified, licenced or registered so to do under the laws of the Province of Ontario.

(Deleted and Replaced by By-Law 9254-18)

"BOUNDARY ADJUSTMENT", means an alteration the *lot area* and/or *lot frontage* of an *existing* residential *lot* approved by the *County Land Division Committee*, the *Ontario Municipal Board* or achieved by other legal means, but shall not include the creation of a new *lot*.

"BUILDING", means any edifice *used* or intended to be *used* for shelter, accommodation or enclosure of *persons, animals, or chattels* other than a lawful boundary wall or fence or an unenclosed porch or *deck* attached to the *building*.

"BUILDING ENVELOPE", means the buildable area on a *lot*, defined by the minimum *front yard depth, rear yard depth* and *side yard width* requirements and maximum *height* requirements, within which a *building* can be *erected*.

"BUILDING, MAIN", means the *structure* in which the principal *use* of the *lot* is conducted.

"BUILDING BY-LAW", means the Ontario Building Code Act, as amended, or any By-law passed by the *Corporation* in accordance with the Ontario Building Code Act.

"BUILDING INSPECTOR", means any *person* or *persons* appointed by the *Council* of the *Corporation*, who is charged with the duty of enforcing the provisions of the *Building By-Law*.

"BUSINESS OR PROFESSIONAL OFFICE", means a *building* or part of a *building* in which one or more *persons* are employed in the management, direction or conducting of a business or where professionally qualified *persons* and their staff serve clients who seek advice, consultation or treatment, and shall include the administrative office of a non-profit or charitable organization or a *medical clinic*, but shall not include any other *use* defined herein.

(Amended by By-Law 8710-11)

November/18

DEFINITIONS

"BUSINESS SUPPORT SERVICE", means a *use* which primarily and directly supplies goods and services required by business and industry as an integral component of their day-to-day operation, and includes *uses* such as personal services, blueprinting, drafting and photocopying services, industrial cleaning supplies and janitorial services, an office supply establishment, file storage and management services, computer services and similar *uses* whose function is oriented to business and industry as opposed to the general public.

"BY-LAW ENFORCEMENT OFFICER", means a *person* or *persons* appointed by the *Council* of the *Corporation* and who is charged with the duties of enforcing the provisions of the Zoning By-Law.

"CARGO CONTAINER" means an industrial, standardized reusable vessel that was:

- a) originally, specifically or formerly designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities; and/or
- b) designed for or capable of being mounted or moved on a rail car; and/or
- c) designed for or capable of being mounted on a chassis or bogie for movement by truck trailer or loaded on a ship.

"CELLAR", means that portion of a *building* between two floor levels which is partly or wholly underground and which has more than one half of its *height*, from finished floor to finished ceiling, below adjacent *finished grade*.

"CHURCH", means a *building* dedicated to religious worship and may include a church hall, church auditorium, Sunday School, manse, convent, parish hall, or *private school*, as well as a day nursery or child care centre operated in the church *building*.

"CITY STREET", means a street under the jurisdiction of The Corporation of the City of Woodstock.

"COMMUNITY COMPLEX", means an area including *buildings* or groups of *buildings* designed, developed and managed by the *Corporation* as a multiple *use* facility for entertainment, recreational, institutional, educational, hobby, charitable, or estate purposes as well as providing facilities to support business and industry including convention facilities, meeting rooms, facilities for trade shows, professional seminars and workshops, education seminars, and similar *uses*. Auction sales, *eating establishments*, and retail sales associated with a *permitted use* shall also be permitted.

"COMMERCIAL VEHICLE", means a *tractor trailer* cab and/or trailer, tow truck, bus, construction vehicle, landscaping vehicle, farm tractor, road-building machinery or any similar vehicle and/or where such vehicle exceeds a height of 2.2 metres or a length of 6.7 metres.

"CONSERVATION LANDS", means lands *used* solely for the preservation and enhancement of the natural environment.

"CONSERVATION PROJECT", means the *use* of a *lot*, *building* or *structure* by the Federal or Provincial Government, the *County*, the *Corporation*, a conservation authority or agent thereof or and educational or non-profit group, for the purpose of preserving, managing or studying natural and/or environmental resources.

"CONTRACTOR'S YARD OR SHOP", means land or *buildings used* for the storage of building and construction equipment and materials or for the performance of shop or assembly work related to building and construction.

DEFINITIONS

“CONVENIENCE STORE”, means a *building* or part of a *building* wherein groceries, beverages and packaged foodstuffs are offered for sale in combination with the sale of any of the following accessory items: specialty foods, prepared foods, tobacco, drugs, confections, periodicals, the sale or rental of DVDs and similar items which are intended to serve the day-to-day needs primarily of the residents of the immediate neighbourhood and in no case shall these accessory items in total exceed 50% of the floor area of the store.

"CORPORATION", means The Corporation of the City of Woodstock.

“COTTAGE INDUSTRY” means a business operated by a resident from the premises of his or her own home or *accessory building* involving the packaging, storage, distribution and assembly of finished products or parts from previously prepared materials with no outside storage.

"COUNCIL", means the Municipal Council of The Corporation of the City of Woodstock.

"COUNTY", means The Corporation of the County of Oxford.

"COUNTY ROAD", means a *street* under the jurisdiction of the *County*.

"COURT", means an open uncovered space bounded on at least three sides by the *building* or *buildings* on the *lot*.

“CUSTOMER CONTACT CENTRE OFFICE” means any *building* or part of a *building* with typically five or more agent employees who, as an integral component of their daily operation and through specialized communications equipment, interact with customers in a planned, systematic and measurable way.

"DECK", means an unenclosed *structure* or part thereof, exceeding an average height of 0.3 metres above grade level.

"DENTIST", means a dentist within the meaning of The Dentistry Act.

"DEPARTMENT STORE," means a store in which various commodities are kept for retail sale and shall include a *personal service shop* and a *service shop* as defined herein, located in separate areas of the building.

"DRUGLESS PRACTITIONER", means a drugless practitioner within the meaning of The Drugless Practitioners Act.

“DRUG STORE”, means a *retail store* which dispenses prescription drugs and sells non-prescription medicine, medical devices and supplies, health and beauty products and associated sundry products and may also sell other non-medical related products, such as, but not limited to books, magazines, toys and food. A *Drug Store* may include the dispensing of methadone where the dispensing of methadone is accessory and ancillary to the principle use.

(Amended by By-Law 8824-13)

January/13

DEFINITIONS

"DRY CLEANING DISTRIBUTION STATION", means a *building* or part of a *building* used for the purpose of receiving articles of clothing, goods or fabric to be subjected to the process of dry cleaning, dyeing or laundering elsewhere and for the pressing and/or distribution of any such articles of clothing, goods or fabric which have been subjected to any such process.

"DRY CLEANING ESTABLISHMENT", means a *building* where dry cleaning, dyeing, cleaning or pressing of articles or goods of fabric is carried on and;

- a) in which only non-inflammable solvents are or can be *used* which emit no odours or fumes and,
- b) in which no noise or vibration causes a nuisance or inconvenience within or without the premises.

"DWELLING HOUSE", means a *building* occupied or capable of being occupied as the home or residence of one or more *persons*, but shall not include a travel trailer, a motor home, a group home or mobile home as defined herein.

"APARTMENT DWELLING HOUSE", means a *dwelling house* of two or more *storeys* containing three or more *dwelling units* sharing a common hall or halls and a common entrance at *street* level or above the first floor. An apartment dwelling house includes a triplex.

"BOARDING OR LODGING HOUSE", means a residential *building* which is *used* to provide lodging units for hire or gain directly or indirectly to *persons* with or without meals in which each lodger does not have access to all habitable areas of the *buildings*. A lodging house shall not include a *nursing home, hotel, motel, hostel, group home, bed and breakfast establishment* or *emergency care establishment*.

"CONVERTED DWELLING HOUSE", means a *dwelling house* which has been *altered* or converted to provide two or more *dwelling units*.

"DUPLEX DWELLING HOUSE", means the whole of a *dwelling house* that is divided horizontally into two separate *dwelling units* each of which has an independent entrance either directly from the outside or through a common vestibule.

"HORIZONTALLY ATTACHED DWELLING HOUSE", means a *dwelling house* consisting of three or more *dwelling units* that are aligned horizontally and divided vertically, which may be entered from an independent entrance directly from the outside or from an internal hall or corridor, and which have at least one direct access to an outside yard. A horizontally attached dwelling house includes a maisonette, quadruples, a row dwelling house, a link house, a back-to-back row dwelling house but shall not include a *street row dwelling house*.

"MULTIPLE ATTACHED DWELLING HOUSE", means a *dwelling house* consisting of three or more *dwelling units* which are horizontally and/or vertically attached, which may be entered from an independent entrance directly from the outside or from an internal common space or an access balcony and in which 50% or more of the *dwelling units* have direct access to grade or a roof terrace. A multiple attached dwelling house includes a double duplex, a horizontally attached duplex (i.e. fourplex, sixplex) and a stacked townhouse.

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"MULTIPLE USE APARTMENT DWELLING HOUSE", means a *building* exceeding three *storeys* in *height* and consisting of three or more *dwelling units* and which shall contain on the whole of the first *storey* a Non-Residential *use permitted* under Section 15.1.2 of this By-Law.

"SEMI-DETACHED DWELLING HOUSE", means one of a pair of two attached dwellings divided by a common interior vertical wall with minimum area above-grade of 10 square metres, each of which has an independent entrance either directly from the outside or through a vestibule which leads to two separate entrances inside the *building*.

"SINGLE-DETACHED DWELLING HOUSE", means a *building* designed and built to contain only one *dwelling unit*.

"STREET ROW DWELLING HOUSE", means a *dwelling house* consisting of three or more *dwelling units* that are aligned horizontally and divided vertically in whole or in part with common walls, each of which has an independent entrance directly from the outside, and all units front on a public *street*.

"DWELLING UNIT", means a single room or a series of rooms of complementary *use* which is located in a *building*, in which food preparation, eating, living, sleeping and sanitary facilities are provided for the exclusive *use* of the occupants thereof, which has a private entrance directly from outside the building or from a common hallway inside the building, in which all occupants have access to all of the habitable areas and facilities of the unit, and which is occupied and *used* or capable of being occupied and *used* as a single and independent housekeeping establishment by one household.

"DWELLING UNIT AREA", means the habitable area contained within the inside walls of a *dwelling unit*, excluding any *private garage*, carport, porch, verandah, unfinished attic, *cellar* or sun room (unless such sun room is habitable in all seasons of the year); and excluding public or common halls or areas, stairways and the thickness of outside walls.

"EATING ESTABLISHMENT", means a *building* or part of a *building* wherein food or refreshments are offered for sale or sold to the public for immediate consumption either within the *building* or elsewhere, including a terrace, patio or clearly delineated open area adjacent to the *building*. An eating establishment may include a catering service or a take-out service.

"ELEVATION, AVERAGE", means the mean *height* above sea level, calculated along the length of a *building* or *structure*.

"EMERGENCY CARE ESTABLISHMENT", means an institutional *use* that provides temporary accommodation and assistance for periods generally not exceeding six weeks for the majority of residents. An Emergency Care Establishment does not include a *Group Home*.

"ERECT", when *used* in this By-Law includes building, construction, reconstruction and relocation, and without limiting the generality of the word, also includes:

- a) any preliminary physical operation, such as excavating, filling or draining;

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- b) *altering any existing building or structure* by an addition, enlargement, extension or other structural change; and
- c) any work which requires a building permit under the *Building By-Law* of the Corporation.

“ERECTION” means the same as “*erect*” for the purposes of this By-law.

“ESTABLISHED BUILDING LINE”, means the average of the *setback* of existing *main buildings* from the *street* line, where at least two other *main buildings* have been *erected* on any one side of a *street* in either direction from the existing subject *main building*.

(Added by By-Law 9254-18)

"EXISTING", means existing on the date of passing of this By-Law.

"FAIRGROUND", means an area including *buildings* and *structures* intended primarily for exhibitions of farm, educational, household and manufactured products and displays and/or activities for entertainment, recreational, hobby, charitable or estate purposes; including ancillary *eating establishments*, auction and retail sales, provided that for the purposes of this definition, auctions and retail sales shall not include liquidation or similar sales operation not related to entertainment, recreational, hobby, charitable or estate purposes.

Notwithstanding the foregoing, a "Fairground" may permit: the auction of used motor vehicles, to motor vehicle dealers only, and not the general public, provided that:

- a) there is no external display or advertising;
- b) motor vehicles to be included in the auction be parked on the site not more than 24 hours in advance of the auction;
- c) motor vehicles included in the auction be removed from the site in less than 24 hours following the close of the auction;
- d) all of the auction sales occur within an enclosed building on the "fairground" property.

"FARM", means any farming or agricultural *use* and includes apiaries; aviaries; berry or bush crops; commercial greenhouses; flower gardening; muck farms; field crops; mushroom farms; nurseries; orchards; tree crops; truck gardening; wood lots; and such *uses* or enterprises as are customarily carried on in the field of general agriculture, but shall exclude any operation devoted to the raising of animals or livestock.

"FUEL STORAGE TANK", means a tank for the bulk storage of petroleum gasoline, fuel oil, gas or inflammable liquid or fluid but does not include a container for inflammable liquid or fluid legally and properly kept in a *retail store* or a tank for storage merely incidental to some other *use* of the premises where such tank is located.

"FUNERAL HOME", means a *lot, building or structure* or part thereof *used* for the preparation of deceased persons for burial or cremation and for the viewing of said deceased persons and may include *accessory* meeting rooms, chapel or the retail sale of related items.

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DEFINITIONS

"GARAGE, PRIVATE", means a detached *accessory building* or portion of a *dwelling house* which is designed or *used* for the sheltering of private motor vehicles and storage of household equipment incidental to the residential occupancy and which is fully enclosed and not open, but excludes a carport or other open shelter.

"GARAGE, PUBLIC", means a *building* or place *used* as a motor vehicle repair and service shop and may be *used* for the retail sale of automotive fuel and products and includes an *automobile service station* but does not include any use otherwise defined or classified herein.

"GARDEN SUITE", means a one-unit detached residential *structure accessory* to the main dwelling containing bathroom and kitchen facilities that is designed to be portable and temporary in nature.

"GOLF COURSE", means a public or private area operated for the purpose of playing golf and includes a par 3 golf course but does not include a driving range or miniature course.

"GRADE, FINISHED", means the *average elevation* of the finished surface of the ground at the base of a *structure* or of the main front wall of a *building* exclusive of any embankment in lieu of steps.

"GRAVEL PIT", means a place where unconsolidated gravel, stone, 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 but shall not include a stone quarry as defined herein, an excavation incidental to the *erection* of a *building* or *structure* for which a building permit has been granted by the *Corporation*, or an excavation incidental to the construction of any public works.

"GROSS FLOOR AREA", means the aggregate of the horizontal areas of each floor whether any such floor is above or below grade, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, exclusive however, of:

- a) any part of the *building* or *structure* below grade which is *used* for heating equipment, the storage or parking of motor vehicles, locker storage and laundry facilities, children's' play areas and other *accessory uses* or *used* as living quarters by the caretaker, watchman or other supervisor of the *building* or *structure* and;
- b) enclosed malls when *used* as a common area between stores.

"GROSS VEHICLE WEIGHT", means the licensed capacity of a *commercial motor vehicle* and shall include combined weight of a *commercial motor vehicle*, equipment, fuel, driver, passenger and payload.

"GROUND FLOOR AREA", means the maximum area of a *building* measured to the outside walls excluding, in the case of a *dwelling house*, any *private garage*, carport, porch, verandah or sunroom (unless such sunroom is habitable at all seasons of the year).

Mar. 30/19

DEFINITIONS

"GROUP HOME TYPE 1", means a residence licensed, supervised, approved or funded under federal or provincial statute for the accommodation of up to ten residents (excluding staff or the receiving family), living under responsible supervision in a single housekeeping unit and who, by reason of their intellectual or mental health, social or physical condition or legal status, require a group living arrangement for their well being. A Group Home Type 1 does not include an *Emergency Care Establishment* or a *Group Home Type 2*, as defined by this By-law.

"GROUP HOME TYPE 2", means a residence for up to ten persons, excluding staff which is maintained and operated primarily for persons who have been placed on probation, released on parole or otherwise admitted for correctional purposes. A Group Home Type 2 may include a Group Home Type 1.

"GUEST ROOM", means a room or suite of rooms used or maintained for the accommodation of the public but does not provide any facilities for the cooking or preparation of meals.

"HABITABLE ROOM", means a room designed for living, sleeping, eating or food preparation, including a den, library, sewing room or enclosed sun room.

"HEIGHT and HEIGHT OF BUILDING", means the vertical distance between the average elevation of the finished surface of the ground at the front of the *building* and;

- a) in the case of a flat roof, the highest point of the roof surface or the parapet, whichever is the greater;
- b) in the case of a mansard roof, the deck roof line; and
- c) in the case of a gable, hip or gambrel roof, the mean heights between the eaves and ridge, exclusive of any accessory roof construction such as a chimney, tower, solar collector, steeple or television antenna.

"HOME FOR THE AGED", means a home for the aged or a rest home within the meaning of The Homes for the Aged and Rest Homes Act.

"HOME OCCUPATION", means an occupation, personal service, profession, business or craft which is carried on as an *accessory use* entirely within a *dwelling unit* or an *accessory building* or *structure* provided that the *dwelling unit* or *accessory building* or *structure* is the principal residence of the *person* carrying on the occupation, personal service, profession, business or craft. A Home Occupation does not include a *retail store*, *eating establishment*, taxi stand, body rub parlour or an *animal kennel*.

"HOSPITAL, PRIVATE", means a private hospital within the meaning of The Private Hospitals Act.

"HOSPITAL, PUBLIC", means a public hospital within the meaning of The Public Hospitals Act.

Mar. 30/19

DEFINITIONS

"HOSTEL", means a dwelling where, for a fee, room, board and personal care, supervision and assistance with daily living activities are provided to *persons* who are otherwise unable to care fully for themselves by reason of age or mental or physical health, and, without limiting the generality of the foregoing, includes such facilities as an unlicensed nursing home or rest home, an unlicensed retirement home or retirement lodge, or an unlicensed establishment providing nursing care for chronic invalids or the elderly, but does not include:

- a) any residential facility licensed, approved or supervised under the Nursing Homes Act, the Homes for the Aged and Rest Homes Act, the Homes for Retarded Persons Act, the Homes for Special Care Act, the Private Hospitals Act, or any other Act or authority;
- b) a *boarding or lodging house*;
- c) a *Group Home Type 1 or Group Home Type 2*.

"HOTEL", means any hotel, motel, inn or lodge in one main *building* or in two or more *buildings* used mainly for the purposes of catering to the needs of the travelling public by supplying food and furnishing sleeping and includes all premises licensed under The Liquor Licence Act and permanent staff accommodation.

A hotel may also provide *uses* and activities *accessory* to the principal accommodation function including an *eating establishment*, dining room, entertainment activities, gift shop, fitness or health club, newsstand, *personal service shop* or similar facility or activity and may also provide meeting rooms and facilities to support business and industry including convention facilities, trade shows, professional seminars and workshops, educational seminars, a corporate retreat, a charitable event and for public meetings. Auction sales shall also be permitted. Retail sales *accessory* to a *permitted use* or activity will be *permitted* except that liquidation sales shall be prohibited.

"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.

"LANDSCAPED OPEN SPACE", means the open unobstructed space on a *lot*, which is suitable for the growth and maintenance of grass, flowers, bushes, trees and other landscaping and includes any surfaced walk, patio or similar area at grade but does not include any driveway or ramp, whether surfaced or not, any curb, retaining wall or *parking area*. Landscaped open space may include a rooftop patio or greenspace.

(Deleted and Replaced by By-Law 9254-18)

"LANE", means a public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.

"LAUNDRY SHOP", means a *building* in which the business of a laundry is conducted by means of one or more washers, having a capacity not exceeding 30 kilograms each, and drying, ironing, finishing and incidental equipment;

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- a) in which only water and detergents or soap are or can be *used*,
- b) which emit no odour or fumes, noise or vibration causing nuisance or inconvenience within or without the premises. This definition may include a business where only washing or ironing is done, a laundromat and a laundry receiving depot.

"LOADING SPACE", means an off-street space or berth located on the same *lot* as a *permitted use* and *used* for the parking of a vehicle involved in the receiving, shipping, loading or unloading of *persons*, animals, goods, wares, merchandise and raw materials.

"LODGING UNIT", means a room with sleeping facilities, either alone or in conjunction with another room or rooms which include either a washroom or cooking facilities but not both.

"LOT", means a parcel or tract of land:

- a) which is a whole lot as shown on a registered plan of subdivision where said plan of subdivision is not subject to a by-law passed pursuant to Section 51 of the Planning Act, R.S.O. 1990 which deems the plan to not be a plan of subdivision; and
- b) which is held under separate ownership from adjacent lands according to the registration thereof in the Registry Office or Land Titles Office.

"CORNER LOT", means a *lot* situated on the curve of a *street* or a *lot* situated at the intersection of two *streets* of which two adjacent sides abut a *street*, where the angle of intersection is 135 degrees or less. Where the said adjacent sides are curved, the angle of intersection of the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the *street lines*, drawn through the extremities of the interior *lot lines*, provided that:

- a) in the latter case, the corner of the *lot* shall be deemed to be that point on the *street line* nearest to the point of intersection of the said tangents.

(Deleted and Replaced by By-Law 9254-18)

"INTERIOR LOT", means a *lot* with only one *lot line* being contiguous with a *street*.

"THROUGH LOT", means a *lot* bounded on two opposite sides by *improved streets*, however, where a *lot* qualifies as both a through lot and a *corner lot*, as herein defined, such *lot* shall be deemed to be a *corner lot*.

"LOT AREA", means the total horizontal area within the *lot lines* of a *lot*, excluding the horizontal area of such *lot* covered by a waterbody, *watercourse* or marsh.

"LOT COVERAGE", means that percentage of the *lot area* covered by the horizontal projection of the first *storey* of all *buildings* measured at the ground, including covered decks and covered porches.

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DEFINITIONS

"LOT DEPTH", means

- a) the horizontal distance between the *front lot line* and *rear lot line*, or
- b) where the *front lot line* and *rear lot lines* are not parallel, lot depth means the length of a straight line joining the middle of the *front lot line* with the middle of the *rear lot line*; or
- c) where there is no *rear lot line*, lot depth means the length of a straight line joining the middle of the *front lot line* and the apex of the triangle formed by the *side lot lines*.

"LOT FRONTAGE", means the horizontal distance between the *side lot lines*, such distance being measured perpendicularly to the line joining the middle of the *front lot line* with either the middle of the *rear lot line* or the apex of the triangle formed by the *side lot lines* and measured at a point the minimum *front yard depth* requirement from the *front lot line*.

"LOT LINE", means any boundary of a *lot* or the vertical projection thereof.

"FRONT LOT LINE", means:

- a) in the case of an *interior lot*, the line dividing the *lot* from an *improved street*;
- b) In the case of a *corner lot*, the shorter *lot line* abutting a *street*;
- c) in the case of a *through lot*, the front lot line shall be only one of the *lot lines* abutting a *street* as designated by the *person* authorized to administer this By-law.

"REAR LOT LINE", means the *lot line* farthest from and opposite the *front lot line*.

"SIDE LOT LINE", means a *lot line* other than a *front* or *rear lot line*.

"EXTERIOR SIDE LOT LINE" OR "EXTERIOR LOT LINE", means the *lot line* abutting a *street* other than the *front lot line* of a *corner lot* or the *front* or *rear lot line* of a *through lot*, except that any portion of an exterior side lot line or exterior lot line distant more than thirty (30) metres from the corner of a *corner lot*, measured along the *street*, shall be deemed to be an *interior side yard*.

"MEDICAL CLINIC", means a *building*, or part of a *building* that is *used* solely by a *physician*, a *dentist*, a physical or mental health practitioner and/or a *drugless practioner* and their staff for the purpose of consultation, diagnosis and treatment of out-patients and may include *accessory uses* such as an administrative office, waiting room, examination room, laboratory, operating room and dispensary, but shall not include a *Methadone Clinic* or *Methadone Dispensary*.

(Amended by By-Law 8824-13)

"METHADONE CLINIC" means a *building*, or part of a *building*, which is *used* principally for the prescribing and/or dispensing of methadone and may include the provision of counselling and other support services, but shall not include a *Public Hospital*.

(Added by By-Law 8824-13)

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DEFINITIONS

"METHADONE DISPENSARY" means a business that sells or fills methadone prescriptions for customers as the primary activity of the business but excludes such business, *pharmacy* or dispensary that is accessory and ancillary to a *Public Hospital*.

(Added by By-Law 8824-13)

"MICROBREWERY", means a place used for the small scale and independent manufacturing of specialty or craft beer, wine or spirits produced for retail sale and consumption on or off site. A microbrewery may include a tied-house and may also operate in combination with a permitted *bar* or *nightclub* or an *eating establishment* and retail accessory items.

(Added by By-Law 9025-15)

(Deleted and Replaced by By-Law 9254-18)

"MOBILE HOME", means a prefabricated *building* designed to be made mobile whether the running gear is removed or not and manufactured to provide cooking, eating, living, sleeping and sanitary facilities for one or more *persons* with a minimum size as specified by the Canadian Standards Association (CSA) and which is designed to be *used* as a principal residence. A mobile home does not include a *motor home* as defined herein.

"MOBILE HOME LOT", means a parcel of land within a *mobile home park* which shall be *used* only for the placement of one single or double width *mobile home* and for the exclusive *use* of the occupants.

"MOBILE HOME PARK", means an area of land not less than two (2.0) hectares *used* exclusively for the siting of *mobile homes* together with commercial and recreational *uses* for *mobile home park* residents, including any *building*, *structure* or enclosure of such *mobile home park* and which remains under single ownership.

"MOBILE HOME STAND", means that part of an individual *mobile home lot* which is reserved for the placement of a *mobile home*.

"MONASTERY", means a *building* occupied as a common residence for *persons* of a religious order.

"MOTEL", means a *hotel* as defined herein.

"MOTOR HOME", means a self-propelled vehicle designed for temporary living, sleeping and eating accommodation of *persons* and includes a camper pickup and camper van.

"MOTOR VEHICLE DEALERSHIP", means a *building* and/or *lot* where motor vehicles are kept for sale or for hire and where vehicles may be serviced and repairs may be conducted as an accessory use to the main function of selling or leasing vehicles.

"MOTOR VEHICLE WASHING ESTABLISHMENT", means a *building* or *structure* containing facilities for the washing of motor vehicles.

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DEFINITIONS

"NON-CONFORMING", means a *use, building or structure* which legally existed at the date of passing of this By-law and which does not comply with the provisions of the By-law for the zone or zones in which such *use, building or structure* is located.

"NURSING HOME", means a nursing home within the meaning of *The Nursing Homes Act*.

"NURSERY", means the *use* of land, *buildings or structures* or portions thereof, where trees, shrubs or plants are grown for the purpose of retail or wholesale trade. A nursery may include the retail or wholesale trade of trees, shrubs or plants grown as part of the same nursery operation and further, may include the accessory sale of soil, planting materials, fertilizers, garden equipment, ornaments and similar materials.

"NURSERY SCHOOL", means a day nursery within the meaning of The Day Nurseries Act.

"OPEN STORAGE", means the storage of raw or finished goods, equipment or other materials, but not the parking or storage of motor vehicles, in an area of a *lot* which is not enclosed within a *building or structure*.

"PARK", means an area of land *used* for passive or active recreational purposes or as a conservation area, with or without related recreational *buildings, structures* or facilities including playgrounds and playfields, athletic fields, field houses, community centres, bleachers, swimming pools, wading pools, greenhouses, bandstands, skating rinks, tennis courts, bowling greens, curling rinks, refreshment rooms, arenas, tourism-related information uses or similar uses. This definition shall not include a *trailer camp or mobile home park* or any *use* otherwise identified herein.

"PARK, PRIVATE", means a *park* other than a *public park*.

"PARK, PUBLIC", means a *park* owned or controlled by the *Corporation, the County, the Province* or any Board, Commission or other Authority established under any statute of the Province.

"PASSIVE USE PARK", means an area of land in public or private ownership consisting primarily of open space which is *used* solely for recreational purposes which are oriented primarily to the enjoyment of the natural environment such as walking trails, conservation projects, ponds and picnic areas.

"PARKING AISLE", means a portion of a *parking area* which abuts on one or more sides *parking spaces* to which it provides access and which is not *used* for the parking of vehicles.

"PARKING AREA", means an area provided for the parking of motor vehicles and may include aisles, *parking spaces* and related ingress and egress lanes but shall not include any part of a public *street or lane*. A *parking area* may include a *private garage*.

"PARKING LOT", means any *parking area* whether or not such *parking area* is required pursuant to the provisions of this By-Law.

"PARKING SPACE", means an area exclusive of any aisles or ingress and egress lanes, for the temporary parking or storage of motor vehicles, and may include a *private garage*.

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DEFINITIONS

"PARKING SPACE, TANDEM", means two *parking spaces*, one behind the other, which are accessed by the same *parking aisle*.

"PERMITTED", means permitted by this By-Law.

"PERSON", means an individual, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executors or other legal representatives of a person to whom the context of this By-Law can apply according to law.

"PERSONAL SERVICE SHOP", means a barber shop, a beauty salon, a shoe repair shop, a dress making or tailor shop or any similar use.

"PHARMACY", means a *retail store* which primarily dispenses drugs by prescription, but does not include a *Methadone Dispensary*.

(Amended by By-Law 8824-13)

"PHYSICIAN", means a licensed medical practitioner.

"PLACE OF ENTERTAINMENT", means a motion picture or other theatre, auditorium, public hall, billiard or pool room, bowling alley, amusement arcade, dance hall or music hall, but does not include any place of entertainment or amusement otherwise defined or classified herein.

"PROVINCIAL HIGHWAY", means a *street* under the jurisdiction of the Province of Ontario.

"PUBLIC LIBRARY", means a public library within the meaning of The Public Libraries Act.

"PUBLIC UTILITY INSTALLATION", means a *building*, plant, works, equipment or infrastructure used by the *Corporation*, the *County*, a conservation authority or an entity operating within a regulated industry that has been given the express right and subsequent legal duty to supply the general public with a product or service such as natural gas, electricity, public transit, rail service, telephone or telecommunication service or water.

"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 and related products which includes the gas pumps, concrete base, overhead canopy and kiosk, but shall not include any part of any building for the repair or service of vehicles.

"RECREATIONAL BUILDING (INDOOR SPORTS)", means a *building* designed and intended to accommodate indoor sports and recreation and shall include an arena, tennis, squash, handball and badminton courts and roller rinks.

"RETAIL STORE", means a *building* or part of a *building* in which goods, wares, merchandise, or articles are offered or kept for sale at retail but does not include any establishment otherwise defined or classified herein.

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DEFINITIONS

"**RETIREMENT HOME**", means a residence providing accommodation primarily for *persons* of retirement age where each suite has a separate private bathroom from a common hall but where common facilities for the preparation and consumption of food are provided, and common lounge, recreation rooms and medical care facilities may also be provided.

"**SALVAGE YARD**", means an establishment where goods, wares, merchandise and articles are dismantled or processed for future use and where such goods, wares, merchandise and articles are stored wholly or partially in the open and shall include a junk yard, a scrap metal yard and an automobile wrecking yard.

"**SANITARY SEWER**", means an adequate system of underground conduits, operated by the *Corporation*, the *County* or by the Province of Ontario, which carries sewage to an adequate place of treatment.

"**SCHOOL**", means an educational establishment.

"**PUBLIC SCHOOL**", means a *school* under the jurisdiction of a public agency.

"**PRIVATE SCHOOL**", means a *school* other than a *public school* or a *commercial school* under the jurisdiction of a private board of trustees or governors, a religious organization or a charitable institution.

"**COMMERCIAL SCHOOL**", means a *school* wherein specialized instruction is given for hire or gain in subjects such as music, dance or art, business or trades, driving, language or any other such specialized instruction.

"**SERVICE SHOP**", means a *building* or part of a *building* not otherwise defined or classified herein for the servicing or repairing of articles, goods or materials.

"**SETBACK**", means the horizontal distance from the centreline of the *street* allowance, measured at right angles to such centreline to the nearest part of any *building* or *structure* on the *lot*.

"**SEWAGE TREATMENT FACILITY**", means a *building* or *structure*, approved by the Province of Ontario, where domestic and/or industrial waste is treated.

"**SHOPPING CENTRE**", means a *building* or group of *buildings* designed, developed, owned and managed as a unit containing six or more separated spaces for lease or occupancy by commercial *uses* or *business* or *professional offices*.

"**SIGHT TRIANGLE**", means the triangular space formed by the intersecting *street lines* of a *corner lot* and a line drawn from a point on one of the said *street lines* to a point on the other said *street line*, each said point being measured a specific distance from the point of intersection of the said *street lines*.

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

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DEFINITIONS

"**SOLAR COLLECTOR**", means a device or combination of devices and/or *structures* that transforms solar energy into thermal, chemical or electrical energy.

"**SOLAR ENERGY**", means radiant energy received from the sun.

"**SOLAR ENERGY SYSTEM**", means a system designed for the collection, storage and distribution of *solar energy*.

"**STONE QUARRY**", means any open excavation and/or underground mine made for the removal of any consolidated rock or mineral including limestone, sandstone or shale, in order to supply material for construction, industrial, or manufacturing purposes, but shall not include a gravel pit, an excavation incidental to the erection of a *building or structure* for which a building permit has been granted by the *Corporation* or an excavation incidental to the construction of any public works.

"**STOREY**", means the portion of a *building*, other than an *attic* or *cellar*, included between any floor level and the floor, ceiling or roof next above it.

"**STOREY, ONE-HALF**", means the portion of a *building* situated wholly or in part within the roof and in which there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.0 metres over a floor area equal to at least 50% of the area of the floor next below.

"**STORM SEWER**", means a system of underground conduits which carry storm surface water and storm drainage, but which does not carry sewage or industrial waste.

"**STREET**", means a provincial highway, *County road* or *improved street* which affords the principal means of access to abutting *lots* but does not include a *lane* or a private right-of-way.

"**STREET, IMPROVED**", means a *street* assumed by the *Corporation* which has been constructed in such a manner so as to permit its use by normal vehicular traffic and shall include a *street* under construction within a registered plan of subdivision for which a subdivision agreement has been entered into with the *Corporation*. An improved street does not include a *lane* or private right-of-way.

"**STREET LINE**", means the limit of the *street* allowance and is the dividing line between a *lot* and a *street*.

"**STRUCTURE**", means anything constructed or *erected*, the *use* of which requires location on the ground, or attached to something having location on the ground and, without limiting the generality of the foregoing, includes a vehicle as defined in The Highway Traffic Act but does not include a *parking area*.

"**STUDIO**", means the workplace of an artist or craftperson, including a painter, sculptor, photographer, woodworker, where goods or items are produced, finished, or refinished in small quantity or to special order, for sale at retail from the premises or where private instruction in the arts, hobby's, music or dance is provided on an individual or small group basis.

"**TRACTOR TRAILER**", means a trailer consisting of more than one axel designed to be pulled by a self-propelled cab for the purpose of carrying goods or materials or livestock.

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DEFINITIONS

"TRAILER CAMP", means an area of land used for tenting or camping activities by *travel trailers* or *motor homes* as defined herein provided that such *travel trailers* or *motor homes* within such trailer camps are not occupied continuously for human habitation as a year round permanent dwelling.

"TRAVEL TRAILER", means any portable unit suitable for attachment to a motor vehicle and capable of being used for temporary accommodation of *persons* and for the purposes of this By-Law shall include a tent, but shall not include a *mobile home* or a *motor home* as defined herein.

"TRUCK TERMINAL", means a *building* or place where trucks or transports are rented, leased, loaded and unloaded, kept for hire or stored or parked for remuneration or from which trucks or transports are dispatched as common carriers or where goods are stored temporarily for further shipment.

"USE", when used as a noun, means the purpose for which a *lot* or a *building* or *structure*, or any combination thereof is designed, arranged, intended, occupied or maintained and "USES" shall have a corresponding meaning. "USE", when used as a verb, or "TO USE" shall have a corresponding meaning.

"UTILITY TRAILER", means a covered or uncovered vehicle with integral wheels and without its own motive power, designed to be towed by a motor vehicle and *used* to transport animals, goods, property or equipment.

"VETERINARIAN", means a veterinarian within the meaning of The Veterinarian Act.

"VETERINARIAN'S CLINIC", means a *building* or part thereof wherein a licensed *veterinarian* practices veterinary medicine and may supply ancillary services such as boarding, grooming and sale of foods, supplies and other goods and services used by or with animals.

"WAREHOUSE", means a *building* or part thereof which is *used* primarily for the housing, storage, adapting for sale, packaging or wholesale distribution of goods, wares, merchandise, food stuff, substances, articles or things, but does not include a fuel storage tank except as an *accessory use*.

"WATERCOURSE", means a stream of water which flows along a defined channel with beds and banks for a sufficient time to give it substantial existence and may include streams that flow intermittently.

"WATER SUPPLY", means an adequate distribution system of underground piping and related storage, including pumping and purification appurtenances operated by the *Corporation*, the *County* and/or the Province of Ontario and/or any public utilities commission for public use.

"WHOLESALE OUTLET" means an establishment in which goods, wares, merchandise, substances, articles or things are offered or kept for sale in large quantities for sale to commercial and industrial users. A wholesale outlet does not include a *retail store*.

"YARD", means the space on a *lot* that is open from the ground to the sky and uncovered by *buildings* and *structures* except for such *accessory buildings*, *structures* or *uses* that are specifically *permitted* by this By-law.

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DEFINITIONS

"FRONT YARD", means a *yard* extending across the full width of the *lot* between the *front lot line* of the *lot* and the nearest part of any excavation or *main building* on the *lot*.

"FRONT YARD DEPTH", means the least horizontal dimension between the *front lot line* of the *lot* and the nearest part of any *building, structure* or excavation on the *lot* or the nearest *open storage use* on the *lot*.

"REAR YARD", means a *yard* extending across the full width of the *lot* between *side yards*, between the *rear lot line* of the *lot* and the nearest part of any excavation or *main building* on the *lot*.

"REAR YARD DEPTH", means the least horizontal dimension between the *rear lot line* of the *lot* and the nearest part of any *building, structure* or excavation on the *lot* or the nearest *open storage use* on the *lot*.

"SIDE YARD", means a *yard* extending from the *front yard* to the *rear yard* and from the *side lot line* of the *lot* to the nearest part of any excavation or *main building* on the *lot*. In the case of a *lot* which has no *rear lot line*, the side yard shall extend from the *front yard* to the opposite side yard.

"SIDE YARD WIDTH", means the least horizontal dimension between the *side lot line* of the *lot* and the nearest part of any *building, structure* or excavation on the *lot* or the nearest *open storage use* on the *lot*.

"EXTERIOR SIDE YARD", means a *side yard* immediately adjoining a public *street*.

"INTERIOR SIDE YARD", means a *side yard* other than an *exterior side yard*.

"YARD, REQUIRED", means the minimum *front yard depth, rear yard depth* or *side yard width* required by the provisions of this By-law. For the purpose of this By-law, a required *side yard* shall extend from the required *front yard* to the required *rear yard*, except that a required *exterior side yard* shall extend from the required *front yard* to the *rear lot line*.