

## INDEX OF DEFINITIONS

	A	Contractor's Shop or Yard	
		Corporation	G
Abattoir		Council	
Accessory		County	Garage, Private
Adult Entertainment Establishment		County Road	Garage, Public
Alter			Garden Suite
Amenity Area		D	Golf Course
Animal Kennel		Daycare Centre	Grade, Finished
Animal Shelter		Day Care, Private Home	Gross Floor Area
Arterial Road		Deck	Gross Leasable Commercial Floor Area
Assembly Hall		Department Store	Gross Vehicle Weight
Asphalt or Concrete Batching Plant		Driveway	Ground Floor Area
Attached		Dry Cleaning Establishment	Group Home
Attic		Dwelling	Group Home, Correctional
Auction Establishment		Apartment Dwelling	Guest Room
Automobile Body Repair Shop		Boarding or Lodging	
Automobile Service Station		House	H
		Converted Dwelling	Habitable Room
	B	Duplex Dwelling	Height
Basement		Mobile Dwelling	Home Improvement Supply Store
Bed and Breakfast Establishment		Multiple Unit Dwelling	Home Occupation
Boundary Adjustment		Semi-Detached Dwelling	Hospital, Private
Building		Single Detached Dwelling	Hospital, Public
Building Envelope		Street Fronting	Hotel or Motel
Building Inspector/Chief Building Official		Townhouse Dwelling	
Building Supply Store		Dwelling Unit	
Bus Station		Dwelling Unit Area	
Business or Professional Office			E
Business Service Establishment			
	C		I
Carport		Eating Establishment	Industrial Mall
Cargo Container		Electrical Distribution Facility	Infrastructure
Cellar		Elevation Average	
Class I Industrial Facility		Erect	
Class II Industrial Facility		Established Building Line	L
Class III Industrial Facility		Existing	
Communications Structure			Landfill
Communications Establishment			Landscaped Open Space
Community Centre		F	Lane
Conservation Project		Farm	Long Term Care Facility
		Fitness Club	Lot
		Floodway	Corner Lot
		Flood Fringe	Interior Lot
		Fraternal Lodge or Institutional Hall	Through Lot
		Fuel Storage Tank	Lot Area
			Lot Coverage

Lot Depth	Parking Aisle	Studio
Lot Frontage	Parking Area	
Lot Line	Parking Lot	T
Front Lot Line	Parking Space	
Rear Lot Line	Permitted	Town Road
Side Lot Line	Person	Trailer
Exterior Side Lot Line	Personal Service Establishment	Truck Stop
	Place of Entertainment	Truck Transportation Terminal
M	Place of Worship	
Main Building	Printing Shop	U
Medical Centre	Provincial Highway	
Microbrewery	Public Library	Use
Mobile Home Park	Pump Island	
Monastery		V
Motel	R	Veterinary Clinic
Motor Home	Recreational Building	
Motor Vehicle,	(Indoor Sports)	W
Motor Vehicle,	Recreational Trail	
Commercial	Recreational Vehicle	Warehouse
Motor Vehicle Dealership	Recycling Facility	Waste Transfer Station
Motor Vehicle Washing	Regulatory Flood Plain	Watercourse
Establishment	Rendering Plant	Water Supply
Municipal Drain	Retail Store	Wayside Sand or Gravel Pit or
Municipal Yard		Stone Quarry
	S	Wholesale Outlet
N	Salvage Yard	
Noise Sensitive Land Use	Sand or Gravel Pit	Y
Non-Conforming	Sanitary Sewer	
Non-Complying	School	Yard
Nursery	Public	Front Yard
	Private	Front Yard Depth
O	Commercial	Rear Yard
Occupancy	Service Shop	Rear Yard Depth
One Hundred Year Erosion	Setback	Side Yard
Limits	Sewage Treatment Facility	Side Yard Width
Open Storage	Shopping Centre	Exterior Side Yard
Outdoor Display and Sales	Sign	Interior Side Yard
Area	Sight Triangle	Yard, Required
Owner	Soil Processing Operation	
	Special Needs Home	Z
P	Storey	
Park	Storey, First	Zoning Officer/By-Law
Passive Use	Storm Sewer	Enforcement Officer
Private	Street	
Public	Street, Improved	
	Street Line	
	Structure	

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

"ABATTOIR", means a *building* or *structure*, or portion thereof, where animals are slaughtered for the purposes of processing meat into food for human consumption and where meat products are produced, processed, handled, stored or sold.

"ACCESSORY", when used to describe a *use*, *building* or *structure* means a *use*, a *building* or a *structure* that is subordinate and exclusively devoted to a main *use*, *building* or *structure* and located on the same *lot* therewith.

"ADULT ENTERTAINMENT ESTABLISHMENT", means any premises or part thereof, that offers in the pursuance of a business as follows:

- a) goods, entertainment or services that are designed to appeal to erotic or sexual appetites or inclinations and 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 purposes 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.

"ALTER", when used in reference to a *building*, *structure* or part thereof, means to change 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. When used in reference to a *use*, to discontinue and replace a *use*, in whole or in part, with a *use* as defined herein which is distinct and different from the discontinued *use*.

"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 space*, patios, balconies, 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 KENNEL", means any *lot*, *building* or *structure*, where household pets, excluding exotic pets, are housed or are to be housed, groomed, bred, boarded, trained or sold and which may offer provisions for minor medical treatment.

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

"ARTERIAL ROAD", means an *arterial road* as designated on Schedule "B", to 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.

"ASPHALT OR CONCRETE BATCHING PLANT", means an industrial facility used for the production of asphalt or concrete used in building or construction and includes facilities for the administration and management of the business, the stockpiling of bulk materials used in the production process or of finished products manufactured on the premises and the storage and maintenance of required equipment, but does not include the retail sale of finished asphalt or concrete products.

"ATTACHED", shall mean a *building*, otherwise complete in itself, which depends for *structure* support, or complete enclosure, upon a divisional wall or walls shared in common with adjacent *building* or *buildings*.

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

"AUCTION ESTABLISHMENT", means a *building* or part thereof used for the retail sale of articles or goods to members of the public bidding the highest offer for the article or goods during the sale proceedings.

"AUTOMOBILE BODY REPAIR SHOP", means a general industrial establishment for the repair of damage to a *motor vehicle* caused by collision, accident, corrosion or age, and without limiting the generality of the foregoing, includes the reconstruction of *motor vehicles*, the painting and repainting of *motor vehicles* and the rebuilding or conversion of automobile engines or engine parts, but does not include an *automobile service station*, a *public garage*, a *salvage yard* or a gas bar.

"AUTOMOBILE SERVICE STATION", means a retail place of business, the prime function of which is the sale of automotive fuels and products and/or providing repair service, washing and maintenance to *motor vehicles*, excluding body and fender work and painting.

"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 *single detached dwelling* in which no more than three *guest rooms* are made available by the resident of the *dwelling* for the temporary accommodation of the travelling or vacationing public. Such establishments may offer light meals to those *persons* temporarily residing at the establishment. A Bed and Breakfast establishment shall not include a *hotel* or *motel* or *eating establishment*, as defined herein.

"BOARDING OR LODGING HOUSE", See "DWELLING".

"BOUNDARY ADJUSTMENT", means the alteration of the *lot area* and/or *lot frontage* of an *existing residential lot* by a decision of the Oxford County Land Division Committee, or by other legal means, but shall not include any alteration that results in the creation of a new *lot*.

"BUILDING", means any edifice, whether temporary or permanent, used or intended to be used for shelter, accommodation or enclosure of *persons*, animals or chattels other than a lawful boundary wall or fence.

"BUILDING ENVELOPE", means a 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 SUPPLY STORE", means a *building* or *structure* in which building or construction and home improvement materials are offered or kept for sale at retail, but does not include the *open storage* of such materials.

"BUS STATION", means a *building* or premises where *commercial motor vehicles* pick up and discharge paying passengers. *Accessory uses* may include ticket offices, luggage checking facilities and similar *uses*.

"BUSINESS OR PROFESSIONAL OFFICE", means a *building* or part thereof in which administrative functions are carried out or in which any technical or professional service is practiced or performed and shall include service offices such as travel, insurance and/or real estate agencies, but shall not include a *medical centre*, a *personal service establishment*, a *veterinary clinic*, an *adult entertainment establishment*, or any other *use* listed in this By-Law.

"BUSINESS SERVICE ESTABLISHMENT", means an establishment primarily engaged in providing services to business establishments on a fee or contract basis, including advertising and mailing, building maintenance, employment services, accounting services, protective services, janitorial services, file storage and management services, computer services and blueprinting or photocopying services.

"CARPORT", means a covered *structure* used for the storage of vehicles. The roof of said *structure* shall be supported by piers or columns so that 50% or more of its wall area adjacent to the *lot line* is unenclosed.

"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*.

"CHIEF BUILDING OFFICIAL/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 Ontario Building Code and Town By-Laws.

"CLASS I INDUSTRIAL FACILITY", means a place of business for a small scale, self contained plant or *building* which produces/stores a product that is contained in a package and has low probability of fugitive emissions. Outputs are infrequent, and could be point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration. There are daytime operations only, with infrequent movement of products and/or heavy trucks and no outside storage.

"CLASS II INDUSTRIAL FACILITY", means a place of business for medium scale processing and manufacturing with outdoor storage of wastes or materials (i.e. it has an open process) and/or there are periodic outputs of minor annoyance. There are occasional outputs of either point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration, and low probability of fugitive emissions. Shift operations are *permitted* and there is frequent movement of products and/or heavy trucks during daytime hours.

"CLASS III INDUSTRIAL FACILITY", means a place of business for large scale manufacturing or processing, characterized by: large physical size, outside storage of raw and finished products, large production volumes and continuous movement of products and employees during daily shift operations. It has frequent outputs of major annoyance and there is high probability of fugitive emissions.

"COMMUNICATIONS STRUCTURE", means a *structure* that is intended for transmitting or receiving television, radio, or other telecommunications, but shall not include a radio or television antennae *accessory* to a *permitted* residential *use*.

"COMMUNICATIONS ESTABLISHMENT", means any *building*, plant, works, equipment or *infrastructure* which is used for the purpose of providing a telephone or telecommunication service and associated office and administrative functions, including television and radio stations, cable companies, telephone and wireless service providers and other similar *uses*.

"COMMUNITY CENTRE", means a *building* used for community activities, the control of which is vested in the *Corporation*, a local board, or trustees.

"CONCRETE BATCHING PLANT", See "ASPHALT OR CONCRETE BATCHING PLANT".

"CONSERVATION PROJECT", shall mean 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 a educational or non-profit group, for the purpose of preserving, managing, or studying natural resources.

"CONTRACTOR'S SHOP OR YARD", means the premises of a construction company or contractor used as a depot for the storage and maintenance of equipment used by the contractor or company, and includes facilities for the administration or management of the business shop or assembly work and the stockpiling or storage of supplies used in the business.

"CONVERTED DWELLING", - See "DWELLING".

"CORPORATION", means the Corporation of the Town of Ingersoll.

"COUNCIL", means the Municipal Council of the Corporation of the Town of Ingersoll.

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

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

"DAYCARE CENTRE", means a facility licensed under Provincial statute which accommodates a minimum of 6 children for the purposes of providing temporary care for a period of time not exceeding 24 hours.

"DAY CARE, PRIVATE HOME", means the temporary care and custody for reward or compensation of not more than 5 children under ten years of age in a private residence, other than the home of a parent or legal guardian of any such child, for a continuous period not exceeding 24 hours.

"DECK", means an unenclosed, uncovered *structure* exceeding an average *height* of **0.3 m** (1 ft.) above grade level which is used as outside recreation area.

"DEPARTMENT STORE", means a *building* or part of a *building* used for the retail sale of a wide variety of goods, wares, merchandise and services, generally displayed or offered on a departmental basis and including, but not limited to, family clothing and apparel, furniture, appliances and home furnishings, sporting goods, pharmaceuticals, garden supplies and other similar goods and merchandise and may include, as *accessory uses*, an *eating establishment*, an automotive parts and service centre, offices, warehousing and outdoor sales and display areas.

"DRIVEWAY", means a vehicle access provided from a *street* to a *parking area*, queue space or loading space, or between two *parking areas*, but does not include a *parking aisle*.

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

- a) in which only non-flammable 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 premise.

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

- a) "APARTMENT DWELLING", means a *dwelling* 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.
- b) "BOARDING OR LODGING HOUSE", means a *dwelling*, containing not more than four *guest rooms* used or maintained for accommodation of the public, in which the *owner* or head lessee supplies, for hire or gain, lodgings with or without meals for three or more *persons* but does not include any other establishment otherwise defined or classified herein.
- c) "CONVERTED DWELLING", means a *single detached dwelling*, which has been altered or converted to contain not more than two *dwelling units*, unless otherwise specified in this By-law.
- d) "DUPLEX DWELLING", means the whole of a *dwelling* 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.
- e) "MOBILE DWELLING" See "MOBILE HOME".
- f) "MULTIPLE UNIT DWELLING", means a *dwelling* 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 *dwelling units* have direct access to grade or a roof terrace. A *multiple unit dwelling* includes a triplex, a fourplex, a sixplex and a townhouse, but shall not include a *street fronting townhouse* or *apartment dwelling*.
- g) "SEMI-DETACHED DWELLING", means one of a pair of two *attached dwelling units*, divided in whole or in part by a common interior vertical wall with a minimum area above grade of 10 m<sup>2</sup> (107.6 sq. ft.), each of which has an independent entrance either directly from the outside or through a vestibule.
- h) "SINGLE DETACHED DWELLING", means a *building* that was designed and built to contain only one *dwelling unit*.
- i) "STREET FRONTING TOWNHOUSE DWELLING", means a *dwelling* consisting of three or more *dwelling units* that are aligned horizontally and divided vertically in whole or in part by common walls, with a minimum area above grade of 10 m<sup>2</sup> (107.6 sq. ft.), and each of which has an independent entrance directly from the outside and fronts onto a public *street*.



"DWELLING UNIT", means a suite of two or more rooms, designed or intended to be used for human habitation and to accommodate a single household, in which sanitary conveniences and cooking facilities are provided and which has a private entrance either from the outside of the *building* or through a common hallway.

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

"EATING ESTABLISHMENT", means a *building* or part thereof, used for the preparation and/or serving of food or refreshments to the public, with the serving and consumption of food taking place within the *building*, off of the premises or within a *motor vehicle* parked in a *permitted parking space* on the premises. An *eating establishment* may include a terrace or patio or other open areas adjacent to the *building* where the serving and consumption of food and refreshments may take place on a temporary or seasonal basis as well as a drive-through window.

"ELECTRIAL DISTRIBUTION FACILITY", means a *building* or system for distributing or transmitting electricity and includes any *buildings, structures*, or other equipment used for such purposes, but shall not include the generation of such electricity.

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

"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;
- 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 from the *Corporation*.

"ESTABLISHED BUILDING LINE", means, the average *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*.

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

"FARM", means any farming or agricultural *uses* and includes apiaries; aviaries; berry or bush crops; flower gardening; muck farms; field crops; nurseries; orchards; tree crops; truck gardening; woodlots; 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 and exclude the construction of any *buildings* or *structures*.

"FINISHED GRADE", see "GRADE, FINISHED".

"FITNESS CLUB", means a *building* in which equipment, facilities and/or instruction is available so that individuals can undertake activity to obtain physical fitness and this shall include related lounge facilities, office space and associated retail items.

"FLOODWAY", means the hazardous portion of the *regulatory flood plain* where flood depths and/or velocities are considered to be such that they pose a significant threat to life and/or property. The *floodway* is that area of the *regulatory flood plain* required for the safe passage of flood flows. In all circumstances the *floodway* will be approved by the Upper Thames River Conservation Authority based on depth or a combination of depth and velocity parameters.

"FLOOD FRINGE", means the portion of the *regulatory flood plain* between the limits of the *floodway* as established by the Upper Thames River Conservation Authority and the Regulatory Flood line establishing the limits of the *regulatory flood plain*. Flood depth and velocity is generally less severe in this portion of the flood plain.

"FRATERNAL LODGE OR INSTITUTIONAL HALL", shall mean a *building*, or portion thereof, designed, used, or intended for *use* as a meeting place or *assembly hall* for the members of an organization, association, fraternal order, or similar group, not operated for profit and wherein athletic facilities, dining rooms and beverage rooms may be provided; but does not include a *place of entertainment* as defined herein.

"FRONTAGE" - See "LOT FRONTAGE".

"FRONT YARD" - See "YARD".

"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 *accessory* to some other *use* of the premises where such tank is located.

"GARAGE, PRIVATE", means a detached *accessory building* or portion of a *dwelling* 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, but excludes a *carport*.

"GARAGE, PUBLIC", means a *building* or place where *motor vehicles* are washed, cleaned, serviced, painted or otherwise repaired and/or where *motor vehicles* are leased, rented, sold or kept for hire and may include the sale of automotive products. A *public garage* does not include any *use* otherwise defined or classified herein including an *automotive body repair shop*.

"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.

"GOLF COURSE", means a public or private area operated for the purpose of playing golf and may include *accessory uses* such as driving ranges, putting greens, club house, maintenance shops and similar *uses* operated for commercial purposes.

"GRADE, FINISHED", means the average elevation of the finished surface at 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.

"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 excluding any part of the *building* or *structure* which is used for the storage or parking of *motor vehicles*.

"GROSS LEASABLE COMMERCIAL FLOOR AREA", means the area in which tenants pay rent for what are commonly referred to as 'demised premises' and which is exclusive to tenant *occupancy* including *basement*, mezzanines and upper floors, measured from the centre line of joint partitions, and from outside wall faces. It excludes common areas, private and public washrooms, boiler and electrical rooms, mechanical, and employee rest rooms.

"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*, any *private garage*, *carport*, porch, veranda or sun room (unless such sunroom is habitable at all seasons of the year).

"GROUP HOME", means a residence licensed, supervised, approved, or funded under federal or provincial statute for the accommodation of three to eight *persons*, excluding staff, living under responsible supervision in a single housekeeping unit and who, by reason of their intellectual, mental health, social or physical condition or legal status, require a group living arrangement for their well being. A Group Home may include youth on probation under provincial or federal statute.

"GROUP HOME, CORRECTIONAL", means a single housekeeping unit supervised by staff on a daily basis for *persons* who have been placed on probation, released on parole or admitted for correctional purposes. A Correctional Group Home shall be funded, licensed, approved or supervised by the Province of Ontario, for the accommodation of not less than 3 and not more than 8 residents, exclusive of staff. A Correctional Group Home may contain an office provided that the office is used only for the operation of the Correctional Group Home in which it is located. A Correctional Group Home shall not include any detention or correctional facility operated or supervised by Corrections Canada or any other Federal Government agency or by any organization on behalf of the Federal Government.

"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", 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;
- c) in the case of a gable, hip or gambrel roof, the mean *height* between the eaves and the ridge, exclusive of any *accessory* roof construction such as a chimney, tower, solar collector, steeple, television antenna or dish; and
- d) in the case of a quonset hut, three-quarters of the distance to the top of the *structure*.

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

"HOME OCCUPATION", means any occupation or business for gain or profit conducted entirely within a *dwelling*, but shall not include an *eating establishment*.

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

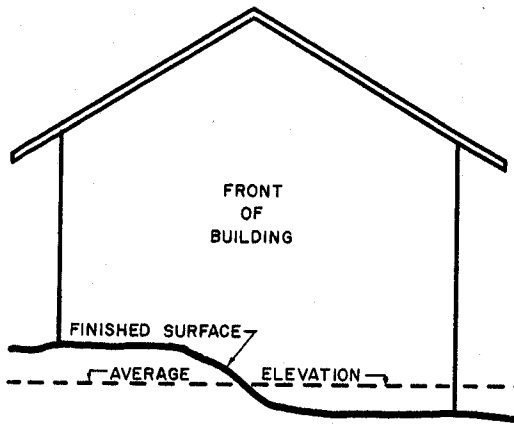
"HOSPITAL, PUBLIC", means a *public hospital* within the meaning of the Public Hospitals Act.

"HOTEL OR MOTEL", means any *hotel, motel, inn, or lodge* in one *main building* or in two or more *buildings* on the same site and used mainly for the purposes of catering to the needs of the travelling public by supplying food and furnishing sleeping accommodation of not less than four *guest rooms*, which *guest rooms* contain no provisions for cooking, and includes all premises licensed under The Liquor License Act and may include permanent staff accommodation.

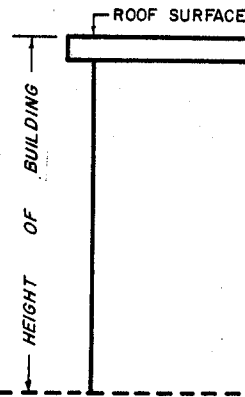
"INDUSTRIAL MALL", means a *building* or group of *buildings* designed, developed, owned and managed as a unit containing three or more separated spaces for lease or *occupancy*.

"INFRASTRUCTURE", means physical *structures* that form the foundation for development. *Infrastructure* includes: sewage and water works, waste management systems, electric power,

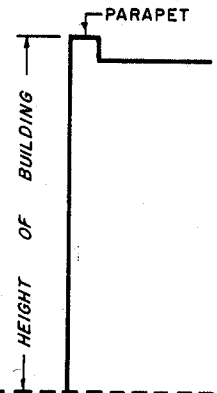
# ILLUSTRATION OF HEIGHTS OF BUILDINGS



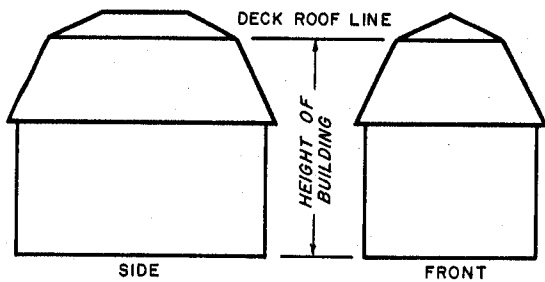
**AVERAGE ELEVATION**



**FLAT**



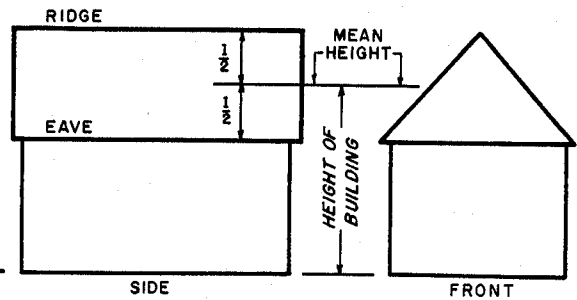
**ROOF**



**MANSARD**

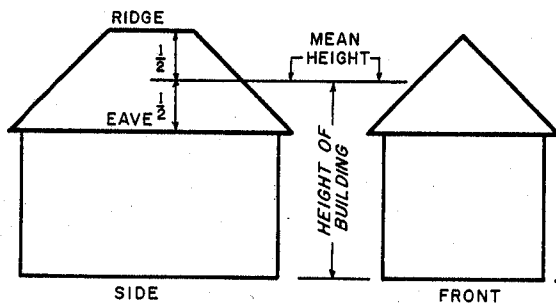
**ROOF**

AVERAGE  
ELEVATION



**GABLE**

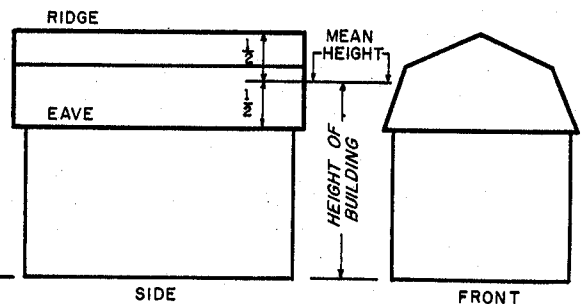
**ROOF**



**HIP**

**ROOF**

AVERAGE  
ELEVATION



**GAMBREL**

**ROOF**

THE ABOVE ILLUSTRATIONS ARE FOR  
CLARIFICATION PURPOSES ONLY AND  
DO NOT FORM PART OF THIS BY-LAW.

communications, transit and transportation corridors and facilities, and oil and gas pipelines and associated facilities.

"LANDFILL SITE", means a garbage disposal area, operated by the *County*, employing an engineering method of disposing of solid wastes and may include ancillary *uses* such as *waste transfer stations* or storage areas, *recycling facilities* and resource recovery or reuse operations.

"LANDSCAPED OPEN SPACE", means the open unobstructed space at grade on a *lot* and 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 but does not include any *driveway* or ramp, whether surfaced or not, any curb, retaining wall, *parking area* or any open space beneath or within any *building* or *structure*.

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

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

"LONG TERM CARE FACILITY", means a *building* in which the proprietor supplies for hire or gain, lodging with or without meals and, in addition, may provide nursing, medical or similar care and treatment, if required, and may include a nursing home, rest home, convalescent home, or home for the aged, but does not include any other establishment otherwise defined or classified herein.

"LOT", means a parcel or tract of land which is a whole parcel or tract as shown on a registered plan of subdivision where the said registered plan of subdivision is not subject to a deeming by-law passed pursuant to the Planning Act or, a whole parcel or tract which is held under separate ownership from adjacent lands according to the registration thereof in the Registry Office or Land Titles Office.

- a) "CORNER LOT", means a *lot* situated at the intersection of two *streets*, of which two adjacent sides, that abut the intersecting *streets*, contain an angle of not more than one hundred and thirty-five (135) degrees and where such 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:
  - i) 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; and
  - ii) any portion of a *corner lot* distant more than **30 m** (98.4 ft.) from the corner, measured along the *street line* shall be deemed to be an *interior lot*.

- b) "INTERIOR LOT", means a *lot* other than a *corner lot* or a *through lot*.
- c) "THROUGH LOT", means a *lot* bounded on two opposite sides by *streets*, provided, however, that if any *lot* qualifies as being both a *corner lot* and a *through 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 water, or marsh or between the rim of the banks of a river or watercourse.

"LOT COVERAGE", means that percentage of the *lot area* covered by the horizontal projections of the area of all *buildings*, but excluding the area covered by balconies, canopies and overhanging eaves which are two meters or more in *height* above *finished grade*.

"LOT DEPTH", means the horizontal distance between the *front* and *rear lot lines*. If the *front* 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*. When there is no *rear lot line*, "*lot depth*" means the length of a straight line joining the middle of the *front lot line* with the apex of the triangle formed by the *side lot lines*.

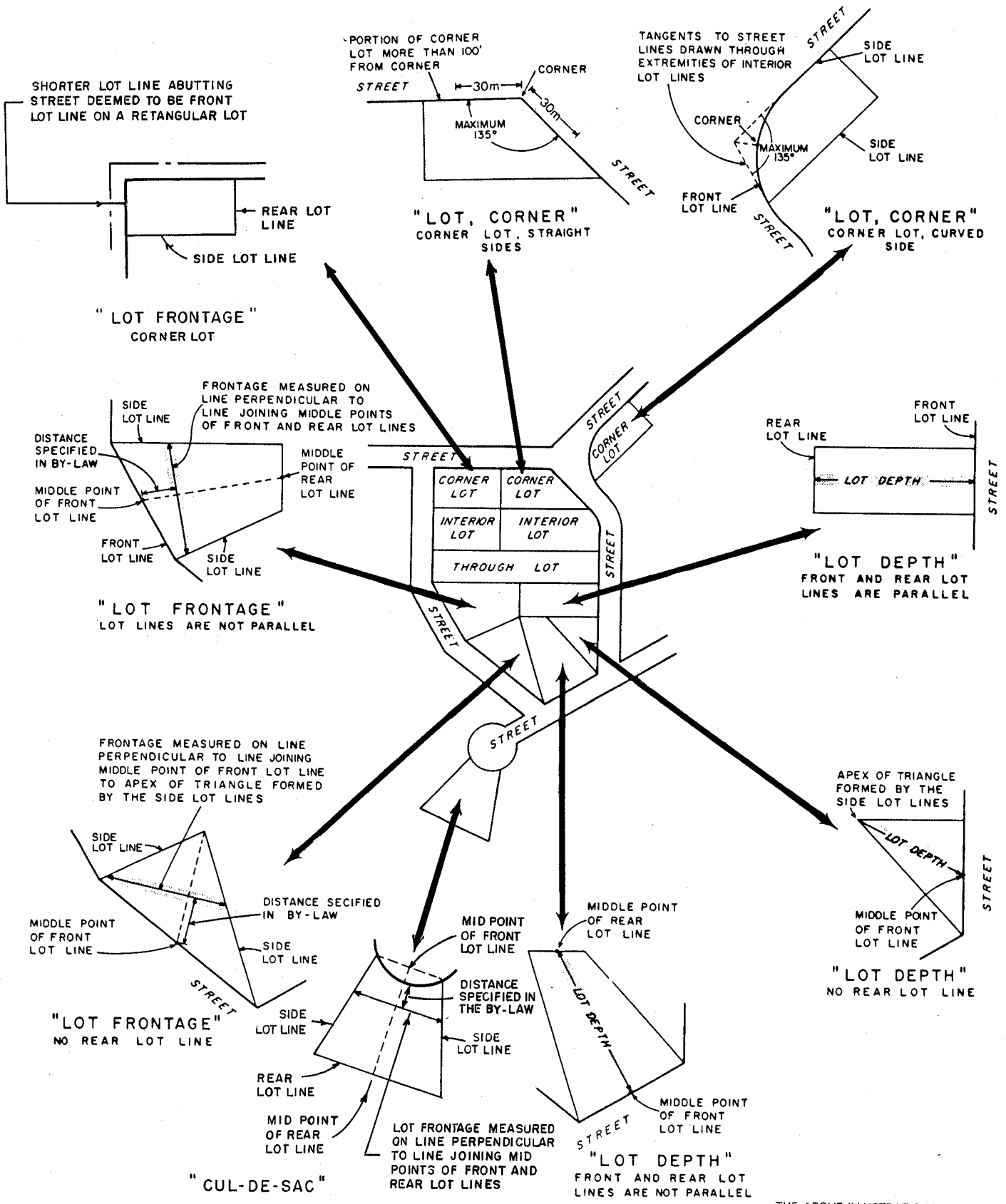
"LOT FRONTAGE", means the horizontal distance between the *side lot lines*, such distance being measured perpendicularly to the line joining the middle of the *front lot line* with either the middle of the *rear lot line* or the apex of the triangle formed by the *side lot lines* and at a point therein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

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

- a) "FRONT LOT LINE", means:
  - i) in the case of an *interior lot*, the line dividing the *lot* from the *street*;
  - ii) in the case of a *corner lot*, the shorter *lot line* abutting a *street*;
  - iii) in the case of a *through lot*, the *lot line* where the principal access to the *lot* is provided.
- b) "REAR LOT LINE", means the *lot line* farthest from and opposite to the *front lot line*, unless the *lot* has only 3 *lot lines*, in which case the *lot* shall be deemed to have no *rear lot line*;
- c) "SIDE LOT LINE", means a *lot line* other than a *front* or *rear lot line*.
- d) "EXTERIOR SIDE LOT LINE" means a *side lot line* abutting a *street*.

"MAIN BUILDING", shall mean the *building* in which is carried on the principal purpose for which the *building* or *lot* is used.

# ILLUSTRATION OF LOT DEFINITIONS



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"MEDICAL CENTRE", means a *building* or part thereof, other than a hospital, used solely for the purpose of consultation, diagnosis and treatment of human patients by one or more legally qualified physicians, dentists, optometrists, chiroprodists, chiropractors, or drugless practitioners, together with their qualified assistants, and without limiting the generality of the foregoing, the *building* may include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies and dispensaries directly associated with the centre and shall not include accommodation for in-patient care or rooms for major surgery. The area for the sale of medical related products shall not exceed 90 m<sup>2</sup> (968.8 ft<sup>2</sup>).

"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 tavern or an *eating establishment* and retail *accessory* items.

"MOBILE HOME", means a prefabricated *dwelling unit* constructed to be towed on its own chassis (notwithstanding that its running gear is or may be removed), designed and equipped for year-round *occupancy* and containing suitable sanitary facilities including a flush toilet, shower or bathtub within the unit, but does not include a *trailer* as defined in this By-Law.

"MOBILE HOME PARK", means an area of land, not less than 2.0 ha (4.9 ac.), used exclusively for the siting of *mobile dwellings*, 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.

"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 the temporary accommodation of *persons*, but does not include a *mobile dwelling*.

"MOTOR VEHICLE", includes an automobile, truck, motorized construction equipment, farm tractor, motorized farm equipment, *motor home*, or *recreational vehicle*, and also includes a *trailer* and any vehicle drawn or propelled by any kind of power.

- a) "MOTOR VEHICLE, COMMERCIAL", means a *motor vehicle* having *attached* thereto a truck or delivery body and also includes ambulances, hearses, tow-trucks, motor buses, fire apparatus, farm vehicles (including farm tractors), and tractor trailers or any part thereof which are used for hauling purposes on the highways.

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

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

"MUNICIPAL DRAIN", means a watercourse or sewer which carries storm surface water and drainage and does not include a *sanitary sewer* as defined herein.

"MUNICIPAL YARD", means any land, *buildings* or *structures* used for the purpose of storing materials, vehicles and equipment which are necessary to the daily operations of the *Corporation, County* or *Province* and includes such items as sand, salt, trucks, plows and a *fuel storage tank*.

"NOISE SENSITIVE LAND USES", means residential development, seasonal residential development and institutional *uses* such as hospitals, *long term care facilities*, retirement homes, *schools* and *daycare centres*.

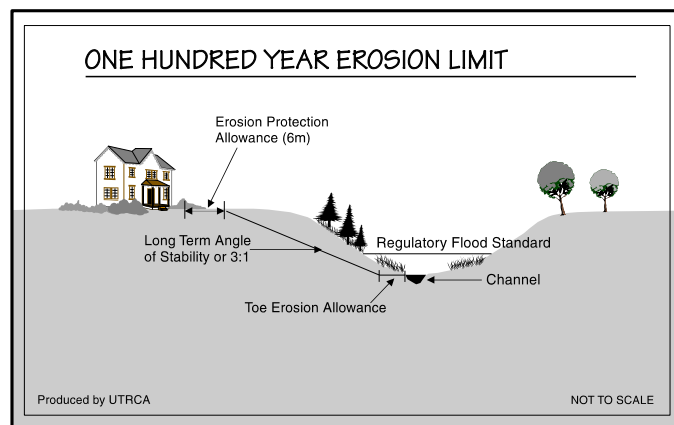
"NON-CONFORMING", means a *use, building, structure* or any part thereof which was lawfully used at the date of passing of this By-Law, but which does not conform with the *permitted uses* of the zone in which it is now located.

"NON-COMPLYING", means a *use of land, building or structure* which is *permitted* by this By-law, where the *use, building or structure* lawfully existed at the date of passing of this By-Law, but does not comply with one or more provisions of this By-law.

"NURSERY", means the *use of lands, 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 *accessory sale of soil, planting materials, fertilizers, garden equipment, ornaments and similar materials*.

"OCCUPANCY", means the *use* or intended *use* of a *building* or part thereof for the shelter or support of *persons, animals or property*.

"ONE HUNDRED YEAR EROSION LIMITS", for lands adjacent to ravines, river valleys and watercourses, the approved standards involving the combined influence of stable slope, 100 times the average annual recession rate, and an erosion allowance to define the erosion limits for regulatory purposes.



"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*.

"OUTDOOR DISPLAY AND SALES AREA" means an area set aside out of doors, covered or uncovered, to be used in conjunction with an established *use* or business located in adjacent permanent premises for the display or sale of fresh produce and new goods or merchandise.

"OWNER", means any *person*, firm or company controlling the property under consideration.

"PARK", means an area of land, consisting primarily of *landscaped open space*, used for active or passive recreational purposes or as a conservation area, with or without related recreational *buildings, structures* or facilities which may include a playground, a play area, a refreshment room, a *community centre*, a field house, a bandstand, bleachers, a skating rink, a horticultural greenhouse, a bowling green, a tennis or badminton court, a sports field, a running track, a swimming area, a wading pool, a boating pond or lake, or a picnic area, but not a *mobile home park* or any other *use* separately defined or listed herein.

- a) "PARK, PASSIVE USE", means an area of land consisting primarily of *landscaped open space*, which is used solely for recreational purposes not involving large concentrations of people or activity on a regular basis, such as walking trails, *conservation projects*, ponds and picnic areas.
- b) "PARK, PRIVATE", means a *park* other than a *public park*.
- c) "PARK, PUBLIC", means a *park* owned or controlled by the *Corporation*, the *County*, the Province, or by any Board, Commission or other Authority established under any statute of the Province of Ontario.

"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 *motor vehicles*.

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

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

"PERSON", means any human being, 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 ESTABLISHMENT", means a *building*, or part thereof, in which *persons* are employed in providing services and otherwise administering to the individual and personal needs of *persons*, including but not necessarily restricted to a barber, hairdresser, aesthetician, massage therapist, tailor, dressmaker and shoemaker, *dry cleaning establishment*, sun tanning shop and formal rental shop. The sale of merchandise shall be *permitted* only as an *accessory use* to the personal service provided. The inspection of such a *use* may be subject to the inspection of the Oxford County Board of Health.

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

"PLACE OF WORSHIP", means a *building* dedicated to religious worship and may include a hall, auditorium, Sunday School, convent, *monastery*, parish hall, *daycare* or *accessory dwelling unit* within or directly connected to the *main building*.

"PRINTING SHOP", means a *retail store* that provides duplicating services using photocopy, blueprint, and off-set printing equipment, including collating of booklets and a letter-shop.

"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.

"PUMP ISLAND", means that portion of an *automobile service station*, *public garage* or portion of non-residential *use* for the retail sale of gasoline, 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 *motor vehicles*.

"RECREATIONAL BUILDING (INDOOR SPORTS)", means a *building* designed and intended to accommodate various forms of indoor sports and recreation and shall include an arena, gymnasium, fitness centre, ice rink or curling facility, tennis, squash, handball and badminton courts and roller rinks.

"RECREATIONAL TRAIL", an area used for hiking, horseback riding, cross country skiing or other similar forms of non-motorized recreational travel.

"RECREATIONAL VEHICLE", means a registered vehicle which is one of the following; a snowmobile, a boat, a *motor home*, a *trailer* as defined herein or any unit designed to be towed by a *motor vehicle* for the purpose of transporting goods, materials or things.

"RECYCLING FACILITY", means a facility where used or scrap materials are separated into recoverable resources for reuse, but shall not include a *salvage yard* or a *waste transfer station*.

"REGULATORY FLOOD PLAIN", means the standard used by the Conservation Authority having jurisdiction to define the limit of the flood plain for regulatory purposes. The approved Regulatory Flood Plain Standard for the UTRCA is based on the 1937 Observed Event and this flood event has a frequency of 1:250 meaning that the risk of the Regulatory Event occurring in any given year is 0.4 %.

"RENDERING PLANT", means a premises at which dead animals are processed into hides, meat, bone, meal, meat meal or inedible fats.

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

"SALVAGE YARD", means an establishment where goods, wares, merchandise, and articles are dismantled or recycled for further *use* and where such goods, wares, merchandise and articles are stored and kept for sale wholly or partly in the open and shall be restricted to a junk yard, a scrap metal yard, and an automobile wrecking yard, and may include an *accessory building*. Such goods, wares, merchandise, and articles shall not include hazardous waste, except compounds such as fuel, oil, and freon, which are necessarily collected as part of the dismantling or recycling operation, provided that the handling of such compounds is in accordance with all applicable Federal and Provincial environmental requirements.

"SAND OR GRAVEL PIT", means any pit or excavation made for the removal of any soil, sand or gravel for commercial and/or municipal purposes, but shall not include a *stone quarry* or a topsoil or peat extraction operation, an excavation incidental to the erection of a *building* or *structure* for which a building permit has been granted by the *Corporation*, an excavation incidental to the construction of any public works, or a *soil processing operation*.

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

"SCHOOL", means an educational establishment, including:

- a) "PUBLIC SCHOOL", means a *school* under the jurisdiction of a public agency.
- b) "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.
- c) "COMMERCIAL SCHOOL", means a *school* where instruction is given for hire or gain and includes the *studio* of a dance or music teacher, an art, business or trade *school*, and any other such specialized *school* conducted for hire or gain.

"SEMI-DETACHED DWELLING" - See "DWELLING".

"SERVICE SHOP", means a *building* or part of a *building* not otherwise defined or classified herein used for the servicing, repairing and renting 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 Ministry of the Environment, 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 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.

"SOIL PROCESSING OPERATION", means the *use* of any land, *building* or *structure* for the purpose of storing, mixing, composting and packaging any soil, soil conditioning agents, wood chips and related materials, compost or manure.

"SPECIAL NEEDS HOME", means a residence in which 24-hour non-medical care of *persons* in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual. A *special needs home* may include a hostel, temporary shelter or emergency shelter, but shall not include a *group home*.

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

"STOREY, FIRST", means the *storey* with its floor closest to grade and having its ceiling more than **1.8 m** (6 ft) above average grade.

"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 public highway or public road which affords the principal means of access to abutting *lots* but does not include a *lane* or a private right-of-way. "PROVINCIAL HIGHWAY", "COUNTY ROAD" and "TOWN ROAD" mean a *Provincial Highway*, *County Road* and *Town Road* as defined herein.

- a) "STREET, IMPROVED", means a *street* assumed by the Corporation, the *County* or the Province of Ontario which is maintained year round at a reasonable standard of construction 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*. The definition shall 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 a *building* or part thereof used as the work place of a photographer, craftsman or artist or for the instruction of art, music, dancing, languages or similar disciplines.

"TOWN ROAD", means a *street* under the jurisdiction of the *Corporation*.

"TRAILER", means any portable unit so constructed as to be suitable for attachment to a *motor vehicle* and capable of being used for the temporary accommodation of *persons*, but does not include a *mobile dwelling*, as defined herein.

"TRUCK STOP", means any land, *buildings* or *structures* used for the purposes of conducting or rendering a business, service or industry involving the maintenance, servicing or repair of *commercial motor vehicles*, the parking or storing of *commercial motor vehicles*, the dispensing of motor fuel or petroleum products directly into *motor vehicles* and/or the sale of accessories or equipment for *commercial motor vehicles* and an *eating establishment*. A *truck stop* may also include a *motor vehicle washing establishment* and a *hotel or motel*.

"TRUCK TRANSPORTATION TERMINAL", shall mean the *use* of land, *buildings*, or *structures* where trucks and/or transports are loaded or unloaded, stored, serviced, rented, leased, kept for hire, or parked for remuneration or from which trucks and/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.

"VETERINARY CLINIC", means a *building* or part thereof, wherein animals of all kinds may be treated or kept for treatment by a registered veterinarian and his or her assistants and where such animals may be temporarily boarded.

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

"WASTE TRANSFER STATION", means a *building* or *buildings* for the temporary storage and sorting of non-hazardous domestic or industrial waste pending removal to an authorized disposal site. All outside storage, including storage of waste, and all outside processing and manufacturing is prohibited.

"WATERCOURSE", is a stream of water, which flows along a defined channel, with beds and banks, for a sufficient time to give it substantial existence. This may include streams that dry up periodically.

"WATER SUPPLY", means a 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.

"WAYSIDE SAND OR GRAVEL PIT OR STONE QUARRY", means a temporary *sand or gravel pit* or stone quarry opened and used by a public road authority solely for the purpose of a road construction project and not located on the road right-of-way.

"WHOLESALE OUTLET", means a *building* or part of a *building* in which goods, wares, merchandise or articles are offered or kept for sale to *persons* for resale purposes and/or to industrial or commercial user resale.

"YARD", means an area adjacent to a *building, structure* or excavation, located on the same *lot* as the *building, structure* or excavation, and which area is open, uncovered and unoccupied from the ground to the sky, except for such *accessory buildings, structures* or *uses* as are specifically *permitted* elsewhere in this By-Law.

- a) "FRONT YARD", means an area 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*.
- b) "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*.
- c) "REAR YARD", means an area extending from the required *interior side yard* to the required *exterior side yard* between the *rear lot line* of the *lot* and the nearest part of any excavation or *main building* on the *lot*.
- d) "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*.



- e) "SIDE YARD", means an area extending from the *front yard* to the *rear lot line* 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*.
- f) "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*.
- g) "EXTERIOR SIDE YARD", means a *side yard* immediately adjoining a public *street* that shall extend from the required *front yard* to the *rear lot line*.
- h) "INTERIOR SIDE YARD", means a *side yard* other than an *exterior side yard*.

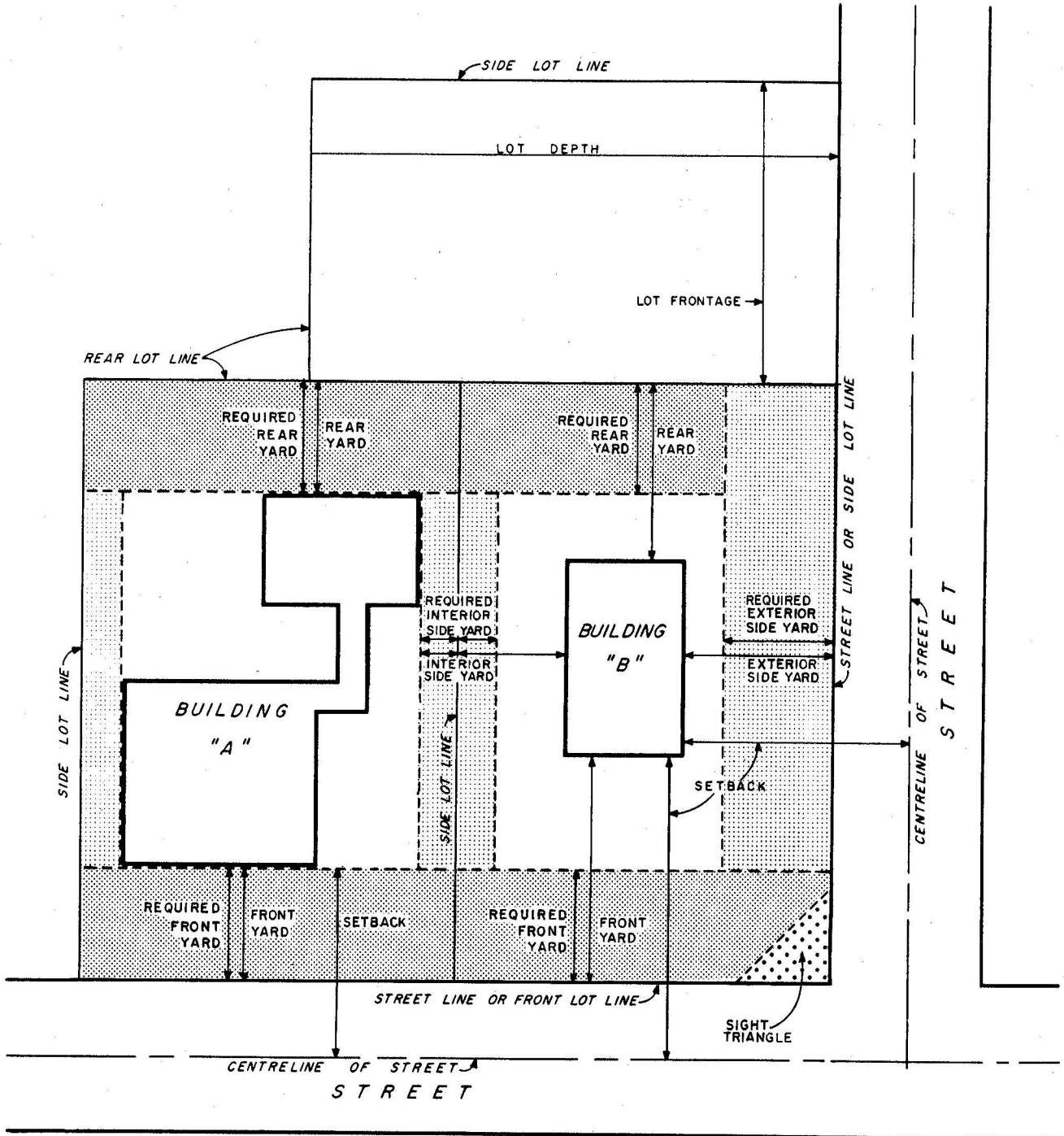
"YARD, REQUIRED", means the minimum *front yard depth, rear yard depth* or *side yard width* required by the provisions of this By-Law. A required *side yard* shall extend from the required *front yard* to the required *rear yard*.

"ZONING OFFICER/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.

(Entire section amended by By-Law 17-4949)

June/17

# ILLUSTRATION OF YARD DEFINITIONS



BUILDING "B" VOLUNTARILY INCREASED  
FRONT YARD, SIDE YARDS, REAR YARD  
AND SETBACK ON CORNER LOT

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