

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

- 4.1 "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.
- 4.2 "ACCESSORY", when used to describe a *use, building* or *structure* means a *use, a building* or a *structure* that is customarily incidental, subordinate and exclusively devoted to a main *use, building* or *structure* and located on the same *lot* therewith.
- 4.2a "ADDITIONAL RESIDENTIAL UNIT" means a *dwelling unit* located within the principal *dwelling* on the *lot* or in a permanent detached *accessory building* on the *lot*, and which is secondary and subordinate to the principal dwelling on the *lot*. *Additional residential unit(s)* shall not include a *trailer, a mobile home, a motor home, or recreational vehicle* as defined herein."
(Added by By-Law 2023-108)
- 4.3 "ADULT ENTERTAINMENT ESTABLISHMENT", means any premises or part thereof, that offers in the pursuance of a business,
- i) goods, entertainment or services that are designed to appeal to erotic or sexual appetites or inclinations are provided in the premises or part of the premises; or
 - ii) body-rubs, including the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a person's body, are performed, offered or solicited in the premises or part of the premises, excluding premises or part of them where body-rubs performed, offered or solicited are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered to do so under a statute of Ontario.
- 4.4 "ALTER", means:
- i) 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;
 - ii) 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;

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- iii) 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*.
- 4.5 "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*.
- 4.6 "ANIMAL SHELTER", means premises used for the care of lost, abandoned or neglected animals, but shall not include a *kennel* or *veterinary clinic* defined herein.
- 4.7 "ARTERIAL ROAD", means an *arterial road* as designated on Schedule "B", to this By-Law.
- 4.8 "ASSEMBLY HALL", means a *building* or part of a *building* in which facilities are provided for such purposes as meetings for civic, educational, political, or social purposes and shall include a banquet hall and private club.
(Amended by By-Law 3646)
- 4.9 "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.
- 4.10 "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*.
- 4.11 "ATTIC", means the portion of a *building* situated wholly or in part within the roof and which is not a one-half *storey*.
- 4.12 "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;
- 4.13 "AUTOBODY REPAIR SHOP", means an 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 *automotive service station*, an impounding yard, a *public garage*, a *salvage yard* or a gas bar.

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- 4.14 "AUTOMOBILE", means a self propelled vehicle, including a passenger car or van or sport utility vehicle, a light truck and a motorcycle used for land transportation, but does not include any other type of *motor vehicle*, a bicycle, or any other device powered solely by means of human effort.
- 4.15 "AUTOMOBILE SERVICE STATION", means an establishment where the prime function is the retail sale of automotive fuels, lubricants and accessories and which may contain facilities for the repair, washing and maintenance of *motor vehicles*, excluding body and fender work and painting.
- 4.16 "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*.
- 4.17 "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 traveling or vacationing public and within which light meals may be offered to those *persons* temporarily residing at the establishment, but shall not include an *eating establishment, boarding or lodging house, group home or hotel or motel*.
- 4.18 "BOARDING OR LODGING HOUSE" - See "DWELLING, BOARDING OR LODGING HOUSE"
- 4.19 "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*.
- 4.20 "BREW YOUR OWN ESTABLISHMENT", means a commercial establishment where individuals produce beer, wine and/or cider, for personal use and consumption off the premises, and where related ingredients and materials are purchased and equipment and storage areas are used for a fee by the same individuals.
- 4.21 "BUILDING", means any *structure*, whether temporary or permanent, used or intended to be used for shelter, accommodation or enclosure of *persons*, animals or chattels, but shall not include a boundary wall or fence or a *motor vehicle*.
- 4.22 "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.
- 4.23 "BUILDING INSPECTOR/CHIEF BUILDING OFFICIAL", 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.

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- 4.24 "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/dental centre, a personal service establishment, a veterinary clinic, or an adult entertainment establishment.*
- 4.25 "BUSINESS OR PROFESSIONAL OFFICE - CONVERTED", means a *single detached or semi-detached dwelling* that has been converted for the purposes of a *business or professional office.*
- 4.26 "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.
- 4.27 "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 and Town By-Laws.

(Added by By-Law 3646)

- 4.28 "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.

(Added by By-Law 3646)

- 4.29 "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.
- 4.30 "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.*

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- 4.31 "CHURCH" – see "PLACE OF WORSHIP";
- 4.32 "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.
- 4.33 "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.
- 4.34 "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.
- 4.35 "COMMERCIAL RECREATION 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.
- 4.36 "COMMERCIAL RECREATION FACILITY - OUTDOOR", means any *lot* or part of a *lot* used to provide outdoor commercial recreational activities for a fee, such as ice skating rinks, roller skating and/or roller-blading parks, water sport facilities, commercial swimming pools, miniature golf courses and driving ranges, baseball batting cages, ski hills, lawn bowling greens or other similar uses but shall not include a go-cart track, combat games or any other use which may create a nuisance in terms of noise or odour.
- 4.37 "COMMUNICATIONS STRUCTURE", means a *structure* that is intended for transmitting or receiving television, radio, or other telecommunications.
- 4.38 "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.

- 4.39 "COMMUNITY CENTRE", means a *building* used for community activities, the control of which is vested in the *Corporation*, a local board, or trustees;
- 4.40 "CONCRETE BATCHING PLANT", See "ASPHALT OR CONCRETE BATCHING OR MIXING PLANT".
- 4.41 "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.
- 4.42 "CONTRACTOR'S SHOP OR YARD", means the use of land, *buildings* or *structures* for the purpose of storing equipment, vehicles or material used by a construction contractor or other building trade, together with any associated maintenance, assembly or shop work.
- 4.43 "CONVENIENCE STORE", means a retail food store, confectionary, delicatessen, grocery store, or groceteria having a *gross floor area* of less than **372 m²** (4004.1 ft²), where a variety of both household and grocery items are offered for sale primarily to serve the daily needs of persons and may include the rental of videos, an automated banking machine, a catalogue ordering and pick-up desk, and/or depots for such items as film, laundry or dry cleaning and may include an area devoted to food preparation for consumption on or off the premises, provided the *gross floor area* for such a use does not exceed ten percent (10%) of the *gross floor area*, to a maximum of **30 m²** (322.9 ft²).
- 4.44 "CONVERTED DWELLING", - See "DWELLING, CONVERTED".
- 4.45 "CORPORATION", means the Corporation of the Town of Tillsonburg.
- 4.46 "COUNCIL", means the Municipal Council of the Corporation of the Town of Tillsonburg.
- 4.47 "COUNTY", means the Corporation of the County of Oxford.
- 4.48 "COUNTY ROAD", means a *street* under the jurisdiction of the Corporation of the County.
- 4.49 "DAYCARE CENTRE", means a facility licensed under Provincial statute which accommodates a minimum of 7 children primarily for the purposes of providing temporary care and/or guidance for a continuous period not exceeding 24 hours.
(Deleted & Replaced by By-Law 2023-080)

- 4.50 "DAYCARE, PRIVATE HOME", means the temporary care and custody for reward or compensation of not more than 6 children under thirteen 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.
(Deleted & Replaced by By-Law 2023-080)
- 4.51 "DECK", means an unenclosed, uncovered platform *structure* which exceeds an average *height* of **0.6 m** (2 ft) above grade level, projecting from a *building* or freestanding, which is used as a private *amenity area*. A *deck* is not to be included when calculating *lot coverage*.
(Amended by By-Law 3646)
- 4.52 "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.
- 4.53 "DRIVEWAY", means a vehicle access provided between a *street* or *lane* and a *parking area*, queue space or *loading space*, or between two *parking areas*, but does not include a *parking aisle*.
- 4.53a "DONATED GOODS RETAIL STORE", means a *building* or part thereof in which goods, wares, merchandise or articles are stored, offered or kept for retail sale to the public and where those items stored or offered for sale and are procured solely and exclusively through the donations of the goods, wares, merchandise or articles.
(Added by By-Law 2021-023)
- 4.54 "DRIVE THROUGH FACILITY", means a facility or *structure* that is designed to allow drivers to remain in their vehicles before and during an activity on the site. Drive-through facilities also include facilities designed for the rapid servicing of vehicles, where the drivers may or may not remain in their vehicles, but where the drivers usually either perform the service for themselves, or wait on site for the service to be rendered. Examples include drive-up windows; menu boards; order boards or boxes; gas *pump islands*; car wash facilities; auto service facilities such as air compressor, water, and windshield washing stations; quick lube or quick-oil change facilities.
- 4.55 "DRY CLEANING ESTABLISHMENT", means a *building* where dry cleaning, dry dyeing, cleaning or pressing of articles or goods of fabric is carried on and in which only non-flammable solvents are or can be used which emit no odours or fumes, and in which no noise or vibration causes a nuisance or inconvenience within or without the premise.

- 4.56 "DRY CLEANING DEPOT", means a *building*, or any part thereof, used for the purpose of receiving articles or clothing to be subjected to the process of dry cleaning, dry dyeing or cleaning elsewhere and for the pressing and/or distribution of any such articles or goods which have been subjected to any such process.
- 4.57 "DWELLING", means a *building* occupied or capable of being occupied as the home, residence or sleeping place of one or more *persons*, but shall not include a *hotel or motel, nursing home, travel trailer, a mobile home, a motor home or a recreational vehicle*.
- 4.57.1 "APARTMENT DWELLING", means a *dwelling*, two or more *storeys* in *height*, containing four or more *dwelling units*, which share a common entrance at street level or above the first floor and the occupants of which have the right to use, in common, halls and/or stairs and/or elevators and yards.
- 4.57.2 "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.
- 4.57.3 "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.
- 4.57.4 "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.
- 4.57.5 "MOBILE DWELLING" See "MOBILE HOME".
- 4.57.6 "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 attached dwelling includes a triplex, a fourplex, a sixplex and a townhouse, but shall not include a *street fronting townhouse or apartment dwelling*.
- 4.57.7 "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 m²** (107.6 ft².), each of which has an independent entrance either directly from the outside or through a vestibule.

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- 4.57.8 "SINGLE DETACHED DWELLING", means a *building* that was designed and built to contain only one *dwelling unit*.
- 4.57.9 "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 m²** (107.6 ft²), and each of which has an independent entrance directly from the outside and fronts onto a public street.
- 4.58 "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.
- 4.59 "DWELLING UNIT AREA", means a 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) public or common halls or areas, and stairways.
- 4.60 "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* or off of the premises. Where specifically permitted by this By-Law, 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. An *eating establishment* shall not include mobile food vending.
- (Amended by By-Law 3646)
- 4.61 "ELECTRIAL DISTRIBUTION FACILITY", means a *building* or system for distributing or transmitting electricity or telecommunications and includes any *buildings, structures, or other equipment* used for such purposes, but shall not include the generation of such electricity.
- 4.62 "ELEVATION, AVERAGE", means the mean *height* above sea level, calculated along the length of a *building* or *structure*.

- 4.63 "ERECT", when used in this By-Law includes building, construction, reconstruction and relocation, and without limiting the generality of the word, also includes:
- i) any preliminary physical operation, such as excavating, filling or draining;
 - ii) *altering any existing building or structure* by an addition, enlargement, extension or other structural change; and
 - iii) any work which requires a building permit.
- 4.64 "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*.
- 4.65 "EXISTING", means *existing* on the date of passing of this By-Law.
- 4.66 "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*.
- 4.67 "FINISHED GRADE", see "GRADE, FINISHED".
- 4.68 "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 may include *accessory lounge facilities*, office space and associated retail.
- 4.69 "FRONTAGE" - See "LOT FRONTAGE".
- 4.70 "FRONT YARD" - See "YARD" "FRONT YARD"
- 4.71 "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.
- 4.72 "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*.

- 4.73 "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. A *public garage* does not include any use otherwise defined or classified herein, including an *autobody repair shop*.
- 4.74 "GARAGE OR YARD SALE", means the sale by an occupant of a *dwelling unit*, on his/her own premises, of household goods belonging to such occupant.
- 4.75 "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.
- 4.76 "GOLF COURSE", means a public or private area operated for the purpose of playing golf and may include *accessory uses* such as driving ranges, miniature courses, club houses and similar *uses* operated for commercial purposes.
- 4.77 "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.
- 4.78 "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*.
- 4.79 "GROSS LEASEABLE 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.
- 4.80 "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.
- 4.81 "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*, *veranda* or *sunroom* (unless such sunroom is habitable at all seasons of the year).

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- 4.82 "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.
- 4.83 "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.
- 4.84 "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.
- 4.85 "HABITABLE ROOM", means a room designed for living, sleeping, eating or food preparation, including a den, library, sewing room or enclosed sun room.
- 4.86 "HEIGHT", means the vertical distance between the average elevation of the finished surface of the ground at the front of the *building* and;
- i) in the case of a flat roof, the highest point of the roof surface or the parapet, whichever is the greater;
 - ii) in the case of a mansard roof, the deck roof line;
 - iii) 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
 - iv) in the case of a quonset hut, three-quarters of the distance to the top of the *structure*.

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- 4.87 "HOME-BASED ASSEMBLY / PACKAGING / STORAGE / DISTRIBUTION BUSINESS", means a business operated by a resident from the premises of his or her own home involving the packaging, storage, distribution and assembly of finished products or parts from previously prepared materials where:
- i) the use occurs within a wholly enclosed *building*;
 - ii) there is no external display or storage of goods or materials;
 - iii) the use does not change the residential character of the dwelling house or generate emissions such as noise, odour or discharge, or interfere with television or radio reception;
 - iv) there is no mechanical or other equipment used except that which is customarily used in dwellings for domestic or household purposes;
 - v) no more than 50% of the total floor area of the dwelling unit is used for the use; and
 - vi) the parking requirements of Section 5.20 shall apply.
- 4.88 "HOME OCCUPATION", means an occupation or business for gain or profit conducted entirely within a *dwelling*, but shall not include an *eating establishment* or uses specifically prohibited elsewhere within this By-Law.
- 4.89 "HOSPITAL, PUBLIC", means a *public hospital* within the meaning of the Public Hospitals Act.
- 4.90 "HOSPITAL, PRIVATE", means a *private hospital* within the meaning of the Private Hospitals Act.
- 4.91 "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.
- 4.92 "INDUSTRIAL MALL", means a *building* or group of *buildings* designed, developed, owned and managed as a unit containing at least one *building* with three or more separated spaces for lease or occupant.
- 4.93 "INFRASTRUCTURE", means physical *structures* that form the foundation for development. *Infrastructure* includes: sewage and water works, waste management systems, electric power excluding a commercial generation facility, communications, transit and transportation corridors and facilities, and oil and gas pipelines and associated facilities.

- 4.94 "INSTITUTIONAL HALL OR LODGE", 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.
- 4.95 "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.
- 4.96 "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.
- 4.97 "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*.
- 4.98 "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.
- 4.99 "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 of persons, animals, goods, wares, merchandise and raw materials.
- 4.100 "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.
- 4.100.1 "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*.

4.100.2 "INTERIOR LOT", means a *lot* other than a *corner lot* or a *through lot*.

4.100.3 "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*.

4.101 "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.

4.102 "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, *decks* and overhanging eaves which are **2.0 m** (6.56 ft) or more in *height* above *finished grade*.

(Amended by By-Law 3646)

4.103 "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*.

4.104 "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*.

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

4.105.1 "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.

- 4.105.2 "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*;
- 4.105.3 "SIDE LOT LINE", means a *lot line* other than a *front* or *rear lot line*.
- 4.105.4 "EXTERIOR SIDE LOT LINE" means a *side lot line* abutting a *street*.
- 4.106 "MAIN BUILDING", shall mean the *building* in which is carried on the principle purpose for which the *building* or *lot* is used.
- 4.107 "MAIN WALL", shall mean the exterior front, side or rear wall of a *building* and all structural members essential to the support of a fully or partly enclosed space or a roof.
- 4.108 "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, chiropodists, osteopaths, 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 *accessory* to and directly associated with the centre and shall not include accommodation for in-patient care or rooms for major surgery. The area for the *accessory* sale and display of drugs, supplements and other medical related products shall not exceed **55 m²** (592 ft²). A *medical centre* shall not include a *methadone clinic* or *methadone dispensary*.

(Amended by By-Law 3788)

"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 3788)

"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 3788)

- 4.109 "MEDICAL CENTRE, CONVERTED", means a single detached or semi-detached which has been converted for the purposes of a medical centre.

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4.109a "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.

(Added by By-Law 2021-023)

4.110 "MOBILE FOOD VENDING", means the sales of refreshment for consumption by the public that are conducted from a vehicle, cart, or other *structure* which has not been assessed as commercial and includes but is not limited to: catering vehicles, chip wagons, hot dog carts, sausage carts and ice-cream vendors, including vehicles from which pre-prepared, pre-packaged refreshments or prepared in the vehicle, or from a vehicle that transports prepared refreshments, to be sold for consumption by the public, but does not include self serve vending machines.

(Added by By-Law 3646)

4.111 "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 *travel trailer* as defined in this by-law.

4.112 "MOBILE HOME LOT", means a parcel of land within a Mobile Home Park which shall be used only for the placement of one *mobile home* and for the exclusive use of the occupants.

4.113 "MOBILE HOME PARK", means an area of land, not less than **2.0 ha** (4.9 ac.), 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.

4.114 "MOBILE VENDING UNIT", means any motorized or non-motorized vehicle, trailer, kiosk, pushcart, stand, display, blanket, tent, ground covering or other device designed to be portable and not permanently attached to the ground from which any goods, wares, or merchandise other than food are peddled, vended, sold, served, displayed, offered for sale or given away. This includes any display consisting solely of the goods, wares or merchandise being peddled, sold, served, displayed or offered for sale.

(Added by By-Law 3646)

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

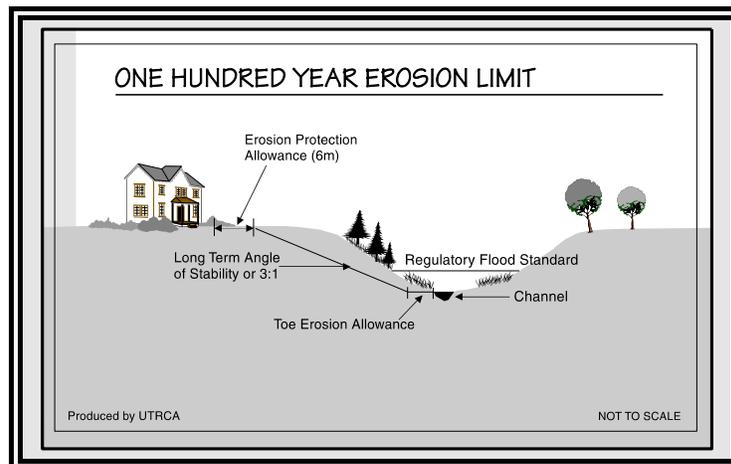
4.116 "MOTOR HOME", means a self-propelled vehicle designed for the temporary accommodation of *persons*, but does not include a *mobile home*.

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- 4.117 "MOTEL", - See "*HOTEL OR MOTEL*".
- 4.118 "MOTOR VEHICLE", means an automobile, motorcycle, motor assisted bicycle unless otherwise indicated in this Act, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a street car, or other *motor vehicles* running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine .
- 4.119 "MOTOR VEHICLE, COMMERCIAL", means a *motor vehicle* having attached thereto a truck or delivery body and includes ambulances, hearses, tow-trucks, motor buses, fire trucks and apparatus, motorized construction equipment, motorized farm vehicles or equipment (including farm tractors), and tractor trailers or any part thereof which are used for hauling purposes.
- 4.120 "MOTOR VEHICLE SALES AND SERVICE ESTABLISHMENT", means a *building* and/or *lot* where *motor vehicles* are kept for sale, lease or hire and where *motor vehicles* may be serviced and repairs may be conducted as an *accessory* use to the main function, but shall not include a *truck transport terminal*.
- 4.121 "MOTOR VEHICLE WASHING ESTABLISHMENT", means a *building* or *structure* containing facilities for the washing of *motor vehicles*.
- 4.122 "MUNICIPAL DRAIN", means a *watercourse* or sewer which carries storm surface water and drainage and does not include a *sanitary sewer* as defined herein.
- 4.123 "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*.
- 4.124 "NOISE SENSITIVE LAND USES" means residential development, seasonal residential development, institutional uses such as *hospitals, nursing homes*, retirement homes, schools and day-care centres, commercial uses with overnight accommodations such as *hotels* or *motels* and active open space and recreational uses deemed to be sensitive by the Council of the area municipality in which such open space or recreational *use* is located.
- 4.125 "NON-CONFORMING", means a use, *building, structure* or any part thereof which was lawfully occupied and/or *existed* at the date of passing of this By-Law, which does not conform with the permitted uses or provisions of the zone in which it is now located.
- 4.126 "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.

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- 4.127 "NURSING HOME", 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 rest home, a retirement home, convalescent home, or home for the aged, but does not include any other establishment otherwise defined or classified herein.
- 4.128 "NURSING HOME, CONVERTED", means a *single detached dwelling* which has been converted for the purposes of a *nursing home*.
- 4.129 "OCCUPANCY", means the use or intended use of a *building* or part thereof for the shelter or support of *persons*, animals or property.
- 4.130 "ONE HUNDRED YEAR EROSION LIMITS", for lands adjacent to ravines, river valleys and streams, 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.



- 4.131 "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*.
- 4.132 "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.
- 4.133 "OWNER", means any *person*, firm or corporation controlling the property under consideration.

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- 4.134 "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.
- 4.134.1 "PARK, PASSIVE USE", means an area of land consisting primarily of *landscaped open space*, which is used solely for recreational purposes which do not involve large concentrations of people or activity on a regular basis, such as walking trails, conservation projects, ponds and picnic areas.
- 4.134.2 "PARK, PRIVATE", means a *park* other than a *public park*.
- 4.134.3 "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.
- 4.135 "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.
- 4.136 "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*. A *parking area* may include a *private garage*.
- 4.137 "PARKING LOT", means any *parking area* whether or not such *parking area* is required pursuant to the provisions of this By-Law.
- 4.138 "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*.
- 4.139 "PERGOLA", means an arbor formed of horizontal trelliswork supported on columns or posts, over which vines or other plants are trained. For the purposes of this Zoning By-Law, *pergolas* are excluded from the calculation of *lot coverage*".
- (Deleted and Replaced by By-Law 2021-023)
- 4.140 "PERMITTED", means "permitted by this By-Law".

- 4.141 "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.
- 4.142 "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, manicurist/pedicurist, massage therapist, tailor, dressmaker and/or shoemaker, laundromat, tanning salon, pet grooming shop and formal rental shop, but does not include any establishment otherwise defined or classified herein. The sale of merchandise shall be permitted only as an *accessory use* to the personal service provided. Such a use may be subject to inspection by the Southwestern Public Health Unit.
(Deleted and Replaced by By-Law 2021-023)
- 4.143 "PLACE OF ENTERTAINMENT", means a motion picture or other theatre, amusement arcade, arena, auditorium, public hall, billiard or pool room, bingo hall, bowling alley, or dance hall; but does not include any other *place of entertainment* or amusement otherwise defined or classified herein.
- 4.144 "PLACE OF WORSHIP", means a *building* dedicated to religious worship and may include a hall, auditorium, Sunday School, convent, monastery, parish hall, day care or *accessory dwelling unit* within or directly connected to the *main building*.
- 4.145 "PORCH", means a covered wooden or concrete platform forming part of the *main building* and projecting from the face of a wall and situated on a solid foundation, which is used as outdoor living areas and can be surrounded by a railing.
- 4.146 "PROVINCIAL HIGHWAY", means a *street* under the jurisdiction of the Province of Ontario.
- 4.147 "PUBLIC LIBRARY", means a *public library* within the meaning of The Public Libraries Act.
- 4.148 "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*.
- 4.149 "RECREATIONAL TRAIL", an area used for hiking, horseback riding, cross country skiing or other similar forms of non-motorized recreational travel.

4.150 "RECREATIONAL VEHICLE", means any vehicle used for recreational purposes such as *motor homes*, camping trailers, boats, snowmobiles, or any unit designed to be towed by a motor vehicle for the purpose of transporting materials or things.

(Amended by By-Law 3646)

4.151 "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*.

4.152 "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 LPRCA is based on the 100 event, which has a frequency of 1:100 meaning that the risk of the Regulatory Event occurring in any given year is 1 %.

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

4.154 "REPAIR AND SERVICE SHOP", means a place where personal effects and household goods and appliances are repaired, but does not include the repair of durable goods such as automobiles, or heavy equipment or heavy motors. All repair or service activity shall be conducted within an enclosed *structure*, and no outside testing of power equipment or small engines shall be permitted.

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

4.155a "RETAIL PET STORE", means a *building*, or part of a *building*, in which pets and pet supplies are offered for sale. A *retail pet store* may also include a *pet grooming business*.

(Added by By-Law 2021-023)

4.155b "RISK MANAGEMENT OFFICIAL", means the County Risk Management Official appointed under Part IV of the Clean Water Act.

(Added by By-Law 2021-023)

4.156 "ROOMING UNIT", means a room or suite of rooms constituting a separate, independent occupancy in which a person sleeps and which might have either a kitchen or washroom but does not have both which is provided on a rental basis.

- 4.157 "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.
- 4.158 "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*.
- 4.159 "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.
- 4.160 "SCHOOL", means an educational establishment, including:
- 4.160.1 "PUBLIC SCHOOL", means a *school* under the jurisdiction of a public agency.
 - 4.160.2 "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.
 - 4.160.3 "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.
- 4.161 "SEMI-DETACHED DWELLING" - See "DWELLING".
- 4.162 "SERVICE SHOP", means a *building* or part of a *building* not otherwise defined or classified herein for the servicing, repairing and renting of articles, goods or materials.

4.162a "SEPTIC SYSTEM AND/OR HOLDING TANK", means a sewage system that stores and/or treats human waste on-site and is subject to approval under the Building Code Act, R.S.O. 1992, as amended, or Ontario Water Resources Act, R.S.O. 1991, as amended. These systems shall include, but are not limited to, greywater systems, cesspools, leaching bed systems and associated treatment units, and holding tanks, and shall not include sewage treatment plants.

(Added by By-Law 2021-023)

4.163 "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*.

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

4.165 "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*.

4.166 "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 (1) 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*.

(Added by By-Law 3646)

4.167 "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.

4.167a "SIGNIFICANT DRINKING WATER THREAT", means an activity that adversely affects, or has the potential to adversely affect, the quality and quantity of any water that is or may be used as a source of drinking water and according to a risk assessment, poses or has the potential to pose a significant risk (Source: Clean Water Act, 2006).

(Added by By-Law 2021-023)

4.168 "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.

- 4.169 "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*.
- 4.170 "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.
- 4.171 "STOREY, FIRST", means the *storey* with its floor closest to grade and having its ceiling more than **1.8 m** (6 ft) above grade.
- 4.172 "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.
- 4.173 "STREET", means a public highway or public road, **9 m** (29.5 ft) or more in width, 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.
- 4.174 "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.
- 4.175 "STREET LINE", means the limit of the street allowance and is the dividing line between a *lot* and a *street*.
- 4.176 "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*.
- 4.177 "STUDIO", means a *building* or part thereof used as the workplace of a sculptor, photographer, wood carver, craftsman or artist or for the instruction of art, music, dancing, languages or similar disciplines and may include the retail of related goods or items produced on site in small quantity or to special order.
- 4.178 "TOWN ROAD", means a *street* under the jurisdiction of the *Corporation*.
- 4.179 "TRAVEL 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 home* as defined herein.

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- 4.180 "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.
- 4.181 "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.
- 4.182 "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, but shall not include an outdoor *kenel*, except as permitted by this by-law.
- 4.183 "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*.
- 4.184 "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.
- 4.185 "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.
- 4.186 "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.
- 4.187 "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.
- 4.187a "WELLHEAD PROTECTION AREA", is the area around a municipal drinking water supply well where certain land use activities may have the potential to affect the quality or quantity of water that flows into that well. The location and vulnerability of Wellhead Protection Areas is identified through the Source Protection Plans approved in accordance with Clean Water Act, 2006."

(Added by By-Law 2021-023)

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- 4.188 "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.
- 4.189 "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.
- 4.189.1 "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*.
- 4.189.2 "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*.
- 4.189.3 "REAR YARD", means an area extending across the full width of the *lot* between the *rear lot line* of the *lot* and the nearest part of any excavation or *main building* on the *lot*, exclusive of the *exterior side yard*."
- (Deleted and Replaced by By-Law 2021-023)
- 4.189.4 "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*.
- 4.189.5 "SIDE YARD", means an area 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*.
- 4.189.6 "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*.
- 4.189.7 "EXTERIOR SIDE YARD", means a *side yard* immediately adjoining a public *street*.
- 4.189.8 "INTERIOR SIDE YARD", means a *side yard* other than an *exterior side yard*.

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- 4.190 "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*.
- 4.191 "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.