

PART ONE
DEFINITIONS

1. DEFINITIONS

1. DEFINITIONS

For the purpose of this By-law, the definitions and interpretations given in this Section shall govern.

1.1 ACCESSORY BUILDING OR STRUCTURE

Shall mean a detached building or structure that is not used for human habitation and the use of which is customarily incidental and subordinate to a main or principal use, building or structure located on the same lot.

1.2 ACCESSORY USE

Shall mean a use customarily incidental and subordinate to, and exclusively devoted to the main or principal use or activity of the lot, building structure or excavation and located on the same lot as such main or principal use, building, structure or excavation.

1.3 AGRICULTURAL CODE OF PRACTICE

Shall mean the code of practice as prepared by the Ministry of Agriculture and Food, the Ministry of the Environment and the Ministry of Housing, as amended, replaced or re-enacted from time to time.

1.4 AGRICULTURAL PRODUCE WAREHOUSE

Shall mean a building or part of a building used for the storage of agricultural produce and may include facilities for wholesale distribution or an accessory retail commercial outlet for the sale of such agricultural produce to the general public.

1.5 ALTER

Shall mean, when used in reference to a building or part thereof, to change any one or more of the internal or external dimensions of such building, or to change the type of construction of the exterior walls or roof thereof. When used in reference to a lot, the word after shall mean to decrease the width, depth or area thereof or to decrease the width, depth or area of any boundary of such a lot with respect to a public highway or laneway, whether such alteration is made by conveyance or alteration of any portion of said lot, or otherwise. The words altered and alteration shall have a corresponding meaning.

1.6 ASSEMBLY HALL

Shall mean 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 may include a banquet hall, private club or fraternal organization.

1.7 ATTACHED BUILDING

Shall mean a building otherwise complete in itself, which depends for structural support or complete enclosure upon a division wall or a wall shared in common with an adjacent building or buildings.

1.8 ATTIC

Shall mean the portion of a building situated wholly or in part within the roof and which is not a one-half storey.

1. DEFINITIONS

1.9 AUDITORIUM

Shall mean a building, or part of a building, in which facilities are provided for athletic, civic, educational, political, religious or social purposes and shall include an arena, gymnasium, or other similar facility or use.

1.9 a. BARN

(B/L No.
90-152)

Shall mean a building or structure, located on a farm and comprising an integral part thereof, for the storage and keeping of agricultural products, poultry, livestock, animals and farm implements, machinery and tools.

1.10 BASEMENT

Shall mean 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 the undersides of the floor joists of the next storey, above the finished grade adjacent to the exterior walls of the building.

1.11 BASEMENT, WALKOUT

Shall mean that portion of a building which is partly underground, but which has more than fifty per cent of the finished floor area not greater than 0.6 metres below the finished grade level adjacent to the exterior walls of the building, and which has a door at or above the adjacent finished grade, for entrance and exit directly to the outside.

1.12 BLOCK

Shall mean the smallest unit of land, the boundaries of which consist entirely of public streets, rivers, railway lines, public parks or any combination thereof.

1.13 BOARDING OR LODGING HOUSE

Shall mean a dwelling house in which the proprietor supplies lodging, with or without meals, in return for remuneration, to more than 3 persons but not more than 6 persons, exclusive of the proprietor and his family. For the purposes of this By-law a boarding or rooming house shall not include a motel, motor hotel, hotel, group home, hospital or any other similar commercial or institutional use.

1.14 BOAT HOUSE, PRIVATE

Shall mean a detached accessory building or structure, which is designed or used for the sheltering of a boat or other form of water transportation incidental to the residential use of the lot on which it is located and may include storage of household equipment incidental to the residential use permitted on the lot.

1.15 BUILDING

Shall mean a structure having a roof, supported by columns or walls or supported directly on the foundation and used for the shelter or accommodation of persons, animals or goods.

1.16 BUILDING BY-LAW

(B/L No.
87-72)

Shall mean The Ontario Building Code Act, R.S.O., 1980, c.5 1, as amended, and the Regulations promulgated thereunder, as may be amended, replaced or re-enacted from time to time.

1. DEFINITIONS

1.17 BUILDING PERMIT

(B/L No.
87-72)

Shall mean a building permit issued by the Chief Building Official of the Corporation of the Township of Uxbridge under the Building By-law and The Building Code Act, R.S.O., 1980, c. 5 1, as amended.

1.18 BUILDING SUPPLY AND LUMBER OUTLET

(B/L No.
2016-001)

Shall mean a building or structure in which building or construction and home improvement materials are offered or kept for sale at retail and may include the fabrication of certain materials related to home improvements but does not include any use or activity otherwise defined or classified herein and such a use shall be considered a Retail Commercial Establishment.

1.19 BULK PROPANE STORAGE DEPOT

Shall mean a propane transfer facility that has an aggregate propane storage capacity in excess of 45,000 litres and from which the retail sale of propane fuel to the public is or may be effected.

1.20 BULK STORAGE TANK

(B/L No.
2018-168)

Shall mean a tank for the bulk storage of petroleum, gasoline, diesel and other fuels, oil, gas or flammable liquid or fluid but does not include a container for flammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use on the lot where such tank is located.

1.21 BUSINESS, PROFESSIONAL OR ADMINISTRATIVE OFFICE

Shall mean a building or part of a building in which one or more persons are employed in the management, direction or conducting of a business or where professionally qualified persons and their staff serve clients or patients who seek advice, consultation or treatment and for the purposes of this By-law may include the administrative offices of a non-profit or charitable organization.

1.22 BY-LAW

(B/L No.
87-72)

Shall mean this Zoning By-law passed by the Township under the authority of Section 34 of The Planning Act, S.O., 1983, c. 1, as amended, or a predecessor thereof.

1.23 BY-LAW ENFORCEMENT OFFICER

Shall mean an officer or employee of the Township for the time being charged with the duty of enforcing the provisions of this By-law or any other By-law of the Township.

1.24 CAMPING ESTABLISHMENT

Shall mean a tourist establishment comprising land used or maintained as grounds for the camping or temporary parking of at least five (5) trailers, motorized mobile homes, truck campers, campers or tents, but does not include parks or camping grounds maintained by:

- a. any Ministry or Department of the Government of Ontario or of Canada; or
- b. any Crown corporation, commission or board.

1.25 CARPORT

Shall mean a portion of a dwelling house which is a roofed enclosure designed for the storage or parking of a motor vehicle with at least 40 per cent of the total

1. DEFINITIONS

perimeter, which shall include the main wall of the dwelling house to which such carport is attached, open and unobstructed.

1.26 CARTAGE OR TRANSPORT DEPOT AND YARD

Shall mean a building, structure or place where trucks or tractor trailers are rented, leased, kept for hire, or stored or parked for remuneration, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers, and which may include a bonded or sufferance warehouse.

1.27 CELLAR

(B/L No.
82-27)

Shall mean 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 the underside of the floor joists of the storey next above, below the average finished grade level adjacent to the exterior walls of the building.

1.28 CEMETERY

Shall mean land that is set apart or used as a place for the interment of the dead or in which human bodies have been buried.

1.29 CERTIFICATE OF OCCUPANCY

Shall mean a certificate issued by the Chief Building Official for the occupancy of any land, buildings, excavation or structure to the effect that the proposed use or activity complies with this By-law.

1.30 CHIEF BUILDING OFFICIAL

(B/L No.
87-72)

Shall mean the official employed by the Township appointed under the Building By-law or pursuant to the provisions of The Building Code Act, R.S.O., 1980, c. 5 1, as amended, and shall include any inspector likewise employed and appointed.

1.31 COIN-OPERATED DRY CLEANERS

Shall mean a building or part of a building where the service of coin-operated dry cleaning machines, using only non-combustible and non-flammable solvents, is made available to the public for the purpose of dry cleaning.

1.32 COIN-OPERATED LAUNDRY

Shall mean a building or structure where the service of coin-operated laundry machines, using only water, detergents and additives, is made available to the public for the purpose of laundry cleaning.

1.33 COMMERCIAL CLUB

Shall mean a lot, building or structure or part of a lot, building or structure where a club is operated for gain or profit and may include facilities for physical fitness and recreation.

1.34 COMMUNITY CENTRE

Shall mean any tract of land, or building or buildings or any part of any buildings used for community activities whether used for commercial purposes or not, the control of which is vested in the Township, a local board or agent thereof.

1.35 CONSERVATION

Conservation shall mean the preservation, protection and improvement of the

1. DEFINITIONS

components of the natural environment through a comprehensive management and maintenance programme administered by a local Conservation Authority or other public authority for individual or public use.

1.36 CONSERVATION AREA

(B/L No.
82-27,
87-72)

Shall mean lands owned or controlled by a Conservation Authority established under the authority of The Conservation Authorities Act, R.S.O., 1980, c. 85, as amended, which lands may be used for forestry, reforestation, conservation, agriculture, conservation land management practices, resource management, boating, swimming, demonstration areas, orienteering, picnicking, hiking, skiing, snow shoeing, equestrian trails, day camping, occasional overnight camping for non-profit groups on a non-commercial basis, and other passive recreational pursuits, and shall include such accessory facilities as refreshment stands, recreation buildings, washrooms and similar facilities, but shall not include camping establishment or trails for motorized vehicles.

1.37 CONTRACTOR'S YARD

Shall mean a yard of any general contractor where goods, equipment and materials are stored or where a contractor performs shop or assembly work.

1.38 CONVENIENCE STORE

Shall mean a retail commercial establishment, not exceeding 140 square metres of gross floor area, supplying groceries and other daily household conveniences to the immediate surrounding area, whether or not such store is open for business 7 days a week.

1.39 COUNCIL

Shall mean the Municipal Council of the Township.

1.40 CUSTOM WORKSHOP

Shall mean a building or part of a building used by a trade, craft or guild for the manufacture in small quantities of made to measure clothes or articles including the sale of such products at retail, and, for the purposes of this By-law shall include upholstery but does not include metal spinning, woodworking or furniture manufacture or any use or activity otherwise defined or classified herein.

1.41 DAY NURSERY

(B/L No.
87-72)

Shall mean a day nursery operated for pre-school age children within the meaning of The Day Nurseries Act, R.S.O., 1980, c. 111, as amended.

1.41.1 DRUG STORE

(B/L No.
89-68
2016-001)

Shall mean a retail store that shall contain a pharmaceutical dispensary and in which non-prescription drugs, cosmetics and personal care products may be sold to the public and such other products ancillary thereto and such a use shall be considered a Retail Commercial Establishment.

1.42 DRY CLEANERS DISTRIBUTION STATION

Shall mean a building or part of a building used only for the purpose of collection and distribution of articles or goods or fabrics to be subjected to the process of dry cleaning, dry dyeing, cleaning and spotting and stain removing, and for the pressing of any such articles or goods which have been subjected to any such process elsewhere at a dry cleaners' plant.

1. DEFINITIONS

1.43 DRY CLEANERS ESTABLISHMENT

Shall mean a building or part of a building in which the business of dry cleaning, dry dyeing, cleaning, spotting, stain removal or pressing of articles and/or goods of fabric is carried on, through the use of only non-combustible and non-flammable solvents which emit no odours or fumes.

1.44 DWELLING

a. DWELLING HOUSE

Shall mean a permanently affixed building occupied as the home, residence, or living quarters for one or more families, but does not include a mobile home, trailer or tent.

b. DWELLING HOUSE - APARTMENT

Shall mean the whole of a dwelling house that contains four or more dwelling units which have a common entrance from street level and which are served by a common corridor, but shall not include any other type of dwelling house otherwise defined herein.

c. DWELLING HOUSE - CONVERTED

Shall mean an original single-family dwelling house existing as of March 25, 1969, in the case of the Residential Second Density (R2) and the Residential Multiple Density (RM) Zones or as of the date of passing of this By-law in the case of the Rural (RU) Zone, which because of its size or design can be converted by partition and the addition of sanitary facilities as well as cooking facilities into a maximum of two dwelling units, in the case of the Rural (RU) and the Residential Second Density (R2) Zones, and into a maximum of three dwelling units, in the case of the Residential Multiple Density (RM) Zone, each of which dwelling units constitutes a separate dwelling unit when converted.

d. DWELLING HOUSE - DUPLEX

Shall mean the whole of a dwelling house that is divided horizontally into two separate dwelling units each of which has an independent entrance either directly from the outside or through a common vestibule.

e. DWELLING HOUSE - FOURPLEX

Shall mean two attached duplex dwelling houses having a common masonry wall above finished grade dividing the pair of duplex dwelling houses vertically each of which has an independent entrance directly from the outside or through a common vestibule.

f. DWELLING HOUSE - ROW

Shall mean a series of three or more dwelling units under a common roof, which may be staggered, with each dwelling unit being separate above finish grade from the others by continuous vertical party walls without openings from basement or cellar to roof, and with each dwelling unit having an independent entrance directly from the outside.

g. DWELLING HOUSE - SEMI-DETACHED

Shall mean one of a pair of two vertically attached single-family dwelling houses with a common masonry wall above finished grade connecting the two dwelling houses, each of which has an independent entrance directly from the outside.

h. DWELLING HOUSE - SINGLE-FAMILY

Shall mean a dwelling house containing a maximum of one dwelling unit and occupied by not more than one family.

1. DEFINITIONS

- i. **DWELLING HOUSE - TRIPLEX**
Shall mean a dwelling house that is divided horizontally into three separate dwelling units, each of which has an independent entrance directly from the outside or through a common vestibule.
- j. **DWELLING UNIT**
Shall mean a suite of two or more rooms, designed or intended for use by one family only, in which sanitary conveniences, facilities for cooking or the installation of cooking equipment, and a heating system is provided and containing a private entrance from outside the building or from a common hallway or stairway inside but does not include a tent, trailer or mobile home.
- k. **DWELLING UNIT, BACHELOR**
Shall mean a dwelling unit consisting of one bathroom and not more than two habitable rooms for living, dining, sleeping and kitchen accommodation in appropriate combination.

1.45 EATING ESTABLISHMENT

Shall mean a building or part of a building where food is offered for sale or sold to the public for immediate consumption and includes a restaurant, dining room, café, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar or refreshment room or stand; but does not include a boarding or rooming home. In the Hamlet Commercial (C1) Zone, an eating establishment shall not include liquor licensed premises.

1.46 EATING ESTABLISHMENT, DRIVE-IN

Shall mean an eating establishment where facilities are available to serve meals to the customer for consumption in the customer's motor vehicle, parked in an area designated for that purpose on the lot on which it is located.

1.46A A DRIVE THROUGH ESTABLISHMENT

(B/L No. 2016-001) Shall mean a permitted use which has a portion of the Building from which the business is transacted, or is capable of being transacted, directly with customers located in a motor vehicle during such business transactions.

1.47 EAVE

Shall mean a roof overhang, free of enclosing walls, without supporting columns.

1.48 ERECT

Shall mean setting up, building, constructing, reconstructing and relocating and, without limiting the generality or the word, also includes:

- a. any preliminary physical operation, such as excavating, filling or drainage,
- b. altering any existing building or structure by an addition, enlargement, extension, relocation or other structural change; and
- c. any work requiring a building permit; and
- d. erected and erection shall have a corresponding meaning.

1.49 EXISTING

Shall mean in existence on the date of passing of this By-law.

1. DEFINITIONS

- 1.50
(B/L No.
90-26) **FAMILY**
Shall mean one or more persons living as a single housekeeping unit in a dwelling, and may include domestic servants and not more than 2 roomers or boarders, but does not include persons living together in a Group Home.
- 1.51
(B/L No.
82-27) **FARM**
Shall mean any farming or agricultural use and includes, but is not limited to, apiaries, aviaries, berry or bush crops; breeding, raising or training of horses or cattle; commercial greenhouses, lands devoted to the hatching, raising and marketing of chickens, turkeys or other fowl or game birds, animals, fish or frogs, lands used for grazing; flower gardening; field crops, goat or cattle dairies; growing, raising, picking, treating and storing of vegetable or fruit produce grown on the lands, mushroom farms, nurseries; orchards; riding stables; raising of sheep, goats or swine, tree crops; market gardening; bee keeping, wood lots; a slaughter house if and only for animals raised and slaughtered on the lands for the personal use only of the farmer, and such other uses or enterprises as are customarily carried on in the field of general agriculture. "Farm" shall include a single-family dwelling house and buildings and structures, such as barns and silos, which are incidental to the operation of the farm. Barns and silos for the purpose of this By-law shall be classified as principal or main buildings or structures.
- 1.52 **FARM IMPLEMENT SALES AND SUPPLY ESTABLISHMENT**
Shall mean a building, structure or area where farm implements, equipment and farm supplies are kept for sale at retail and may include facilities for the servicing of such implements or equipment but shall not include any other establishment otherwise defined or classified herein.
- 1.52 a.
(B/L No.
90-152) **FARM IMPLEMENT SHED**
Shall mean a building or structure used for purposes accessory to a farm and located on the same lot therewith, for the storage and maintenance of farm machinery, equipment and tools.
- 1.53 **FARM PRODUCE RETAIL OUTLET**
Shall mean a building, or part of a building, in which farm produce exclusive of meat or poultry, is offered for sale at retail, but shall not include the sale of farm produce which has been reprocessed nor shall it include a slaughter house.
- 1.54 **FINISHED GRADE**
Shall mean the average elevation of the finished surface of the ground adjacent the ground level of the building or structure.
- 1.55
(B/L No.
87-72) **FLOODPLAIN**
Shall mean those areas subject to flooding under Regional storm conditions as defined by Ontario Regulations No. 735/73 and 782/74, as amended, made under The Conservation Authorities Act, R.S.O., 1980 c. 85, as amended.
- 1.56 **FORESTRY**
Shall mean the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection of water supplies, and preservation of the recreation resource and shall

1. DEFINITIONS

include reforestation areas owned or managed by the Ministry of Natural Resources, a local Conservation Authority, or the Region.

1.57 FRATERNAL ORGANIZATION

Shall mean a club, society or association organized and operated on a non-profit basis exclusively for social welfare, civic improvement, pleasure or recreation or for any other similar purposes.

1.58 GARDEN AND NURSERY SALES AND SUPPLY ESTABLISHMENT

(B/L No. 2016-001) Shall mean a building or part of a building and land adjacent thereto for the growing or displaying of flowers, fruits, vegetables, plants, shrubs, trees, or similar vegetation which is sold to the public at retail and shall also include the sale of such goods, products and equipment as are normally associated with gardening or landscaping and such a use shall be considered a Retail Commercial Establishment.

1.59 GATE HOUSE

Shall mean a shed located on the land which does not have sleeping or cooking facilities.

1.60 GOLF COURSE

Shall mean a public or private area operated for the purpose of playing golf, and includes a par 3 golf course but does not include driving ranges, miniature courses and similar uses, unless operated in conjunction with and totally subordinate to a golf course.

1.61 GROSS FLOOR AREA

Shall mean the total floor area, as hereinafter defined, exclusive of any portion of the building or structure below finished grade which is used for heating, the storage of goods or personal effects, laundry facilities, recreational areas, the storage or parking of motor vehicles or quarters used by the caretaker, watchman or other supervisor of the building or structures; and, in the case of a dwelling house, exclusive of any private garage, carport, basement, walkout basement, cellar, porch, verandah or sunroom, unless such sunroom, is habitable during all seasons of the year.

1.62 GROUND FLOOR AREA

Shall mean the total floor area of a first storey measured to the outside walls, exclusive of any parking areas within the building and in the case of a dwelling house, any basement, walkout basement, or cellar or any private garage, carport, porch, verandah or sunroom, unless such sunroom is habitable during all seasons of the year.

1.63 GROSS LEASEABLE FLOOR AREA

Shall mean the total floor area designated for tenant occupancy and exclusive use, including individual basement, mezzanines and upper floors, if any, expressed in square metres measured from the centre lines of joint partitions and exterior of outside walls.

1.64 GROUP HOME - TYPE 1

(B/L Nos. 90-26 87-72

Shall mean a dwelling unit used for the accommodation of three to six persons, exclusive of members of staff of the operator, who by reason of their emotional,

1. DEFINITIONS

2002-109) mental, social, or physical condition or legal status require a group living arrangement for their well being, and who are living under the supervision of a member or members of the staff of the operator who is or are normally present at the dwelling unit at all times, where such facility is funded wholly or in part by any government and is licensed or approved under Provincial Statute, but shall not include a Group Home - Type 2 as defined in this by-law and, in particular, shall not include:

- a. a facility maintained and operated primarily for the temporary care of, and occupied by inmates, or adults or youth placed on probation or released on parole;
- b. a facility maintained and operated primarily for the temporary care of, and occupied by transient or homeless persons, or;
- c. a facility maintained and operated primarily for treatment and rehabilitation of, and occupied by persons addicted to drugs or alcohol.

A dwelling unit with five or more foster children under the care of a foster care operator who is licensed or approved under Provincial Statute shall also be considered a Group Home - type 1 for the purposes of this By-law.

GROUP HOME - TYPE 2

Shall mean a dwelling unit used for the accommodation of three to eight persons, exclusive of members of the staff of the operator, who by reason of their emotional, mental, social or physical condition or legal status require a group living arrangement for their well being, and who are living under the supervision of a member or members of the staff of the operator who is or are normally present at the dwelling unit at all times, where such facility is funded wholly or in part by any government and is licensed or approved under The Young Offenders Act, The Probation Act, The Ministry of Correctional Services Act, or The Criminal Code of Canada, and shall include:

- a. a facility maintained and operated primarily for the temporary care of, and occupied by inmates, or adults or youth placed on probation or released on parole;
- b. a facility maintained and operated primarily for the temporary care of, and occupied by transient or homeless persons; and,
- c. a facility maintained and operated primarily for treatment and rehabilitation of, and occupied by persons addicted to drugs or alcohol.

1.65 GUEST

Shall mean a person who contracts for accommodation and includes all the members of the person's party.

1.66 GUEST ROOM

Shall mean a room or suite of rooms used or maintained for the accommodation of an individual or individuals to whom hospitality is extended for remuneration.

1.67 HABITABLE ROOM

Shall mean a room designed for living, sleeping, eating or food preparation, including a den, library, sewing room or enclosed sunroom.

1.68 HEIGHT AND HEIGHT OF BUILDING OR STRUCTURE (B/L No.

1. DEFINITIONS

2006-208) Shall mean the vertical distance, measured between the finished grade at the front of the building or structure, and:

- a. in the case of a flat roof, the highest point of the roof surfaces;
- b. in the case of a mansard roof, the deck roof line; and
- c. in the case of a gable, hip or gambrel roof, the average height between the eaves and ridge.

Accessory roof constructions, such as chimneys, towers, steeples or television antennas, shall be disregarded in calculating the height of a building.

With respects to a Wind Turbine or a Wind Power Generating Device, height shall be measured from the finished grade at the front of Wind Turbine or a Wind Power Generating Device to the tip of the blade in a vertical position.

1.69 HOME INDUSTRY

(B/L.No.
2010-079)

Shall mean a business that is carried on, in accordance with the provisions of this By-law relative thereto, as a small-scale accessory use to a single detached dwelling or agricultural operation that involves producing custom or artisanal products such as an artist's studio or craft person's workshop, or provides a service such as carpentry, meat preparation, plumbing, metalworking, welding, electrical work, blacksmithing, property management, fencing or landscaping primarily to the farming community. However, a home business does not include such uses as an auto repair or paint shop or furniture stripping, commercial storage of vehicles such as boats, school buses, recreation vehicles and snowmobiles, uses which generate hazardous wastes or involve the use of contaminants listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990, a retail store, warehousing, wholesaling, a veterinary clinic or a kennel.

1.70 HIGHWAY

(B/L No.
87-72)

Shall mean a highway within the meaning of The Municipal Act, R.S.O., 1980, c. 302, as amended and The Highway Traffic Act, R.S.O., 1980, c. 198, as amended.

1.71 HOME FOR THE AGED

(B/L No.
87-72)

Shall mean a home for the aged within the meaning of The Homes for The Aged And Rest Homes Act, R.S.O. 1980, c. 203, as amended.

1.72 HOME OCCUPATION

B.L. No.
2010-079)

Shall mean an occupation that is carried on, in accordance with the provisions of this By-law relative thereto, as a small-scale accessory use within a dwelling unit that involves personal or professional services or producing custom or artisanal products, such as any office use, craft related use, services such as dressmaking, pet grooming, and hairdressing, and instruction of not more than 6 pupils at any one lesson. However, a home occupation does not include such uses as an auto repair or paint shop or furniture stripping or uses which generate hazardous wastes or involve the use of contaminants listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990.

1.73 HOSPITAL

(B/L No.
87-72)

Shall mean any institution, building or other premises established for the treatment of persons afflicted with or suffering from sickness, disease or injury, for the treatment of convalescent or chronically ill persons that is approved under The Public Hospitals Act, R.S.O., 1980, c. 410, as amended, as a public hospital.

1. DEFINITIONS

1.74 HOTEL

Shall mean an establishment that consists of one building or two or more connected or adjacent buildings consisting of at least ten individual rental units which cater to the needs of the traveling public by furnishing sleeping accommodation for remuneration which may or may not supply food but does not include a rooming or boarding house, an apartment dwelling house, a group home or similar facility.

1.74A A HOSPITALITY USE

(B/L No. 2016-001) Shall mean a commercial use such as a hotel, motel, banquet hall, hostel or other similar uses which cater to the needs of the travelling public or provide facilities for guests and visitors to the community.

1.75 IMPROVED PUBLIC ROAD

Shall mean:

- a. all Township roads designated as an Improved public road on Schedules "B1" and "B2" attached to and forming part of this By-law;
- b. a public street, road or highway under the Jurisdiction of the Region or the Province of Ontario, and
- c. a street, road or highway under the jurisdiction of the Township, the Region or Province of Ontario, which is after the date of passing this By-law, constructed to current geometric design standards of the Ministry of Transportation and Communications.

(B/L No. 87-29)

For the purposes of this By-law, once a street, road or highway complies with the provisions of Clauses b. or c. above, It is deemed to be an Improved public road without further formality and shall not be considered as other than an Improved public road without amendment to this By-law.

1.76 KENNEL

(B/L No. 90-25) Shall mean any part of a lot, building, structure or establishment where greater than three (3) dogs over the age of twelve (12) weeks are kept, bred, or boarded.

1.77 LANDSCAPED OPEN SPACE

Shall mean the open unobstructed space from ground to sky at finished grade on a lot accessible by walking from the street on which the lot is located and which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping, an unenclosed or outdoor swimming pool, 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.

1.78 LANE

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

1.78A A STACKING LANE

(B/L No. 2016-001) Shall mean a continuous on-site queuing lane that includes tandem spaces for motor vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, marking or signs.

1. DEFINITIONS

- 1.79
(B/L No. 2016-001)
- LIGHT EQUIPMENT SALES AND RENTAL ESTABLISHMENT**
- Shall mean a building or structure or part of a building or structure in which light machinery and equipment such as air compressors and related tools and accessories, augers; automotive tools; cleaning equipment, light compaction equipment; concrete and masonry equipment; electric tools and accessories, fastening devices such as staplers and tackers; floor and carpet tools; gasoline generators; jacks and hydraulic equipment, lawn and garden tools, ladders; moving equipment, painting and decorating equipment; pipe tools and accessories; plumbing tools and accessories; pumps, hoses, scaffolding, welding equipment; and, other similar tools and appurtenances are offered or kept for rent, lease or hire under agreement for compensation, but shall not include any other establishment defined or classified in this By-law and such a use shall be considered a Retail Commercial Establishment
- 1.80
(B/L No. 87-72)
- LIQUOR LICENCED PREMISES**
- Shall mean any building, structure or premises licensed under The Liquor Licence Act, R.S.O., 1980, c. 244, as amended.
- 1.81
- LOADING SPACE**
- Shall mean an off-street space on the same lot as the building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, which abuts upon a street, lane, road, highway or other appropriate means of access.
- 1.82
- LOT**
- Shall mean a parcel or tract of land capable of being conveyed and described in a deed or other legal document which:
- (B/L No. 87-72)
- a. is a whole lot described in accordance with and is within a registered plan of subdivision, other than a registered plan of subdivision which has been deemed by the Township not to be a registered plan of subdivision under a By-law passed pursuant to Section 49 of The Planning Act, S.O., 1983, c. 1, as amended; or
- b. is a legally separated parcel of land in existence on the date of passing of this By-law, and which so continues to the relevant time; or
- (B/L No. 87-72)
- c. has received a final and binding consent to a conveyance pursuant to the provisions of Section 49 of The Planning Act, S.O., 1983, c. 1, as amended; or
- d. is the whole remnant remaining to an owner or owners after a conveyance has been made with a final and binding consent pursuant to the provisions of Section 29 of The Planning Act, S.O., 1983, c. 1, as amended, but for the purpose of this clause no parcel or tract of land ceases to be a lot by reason only of the fact that a part or parts of it has or have been conveyed to the Township, the Region or any municipality; or, Her Majesty in the Right of Ontario, Her Majesty in the Right of Canada; or for the construction of a transmission line as defined in The Ontario Energy Board Act, R.S.O., 1980, c. 332, as amended; or
- (B/L No. 87-72)
- e. is the subject of an Order of the Minister of Housing pursuant to the provisions of Section 49 of The Planning Act, S.O., 1983, c. 1, as amended.
- 1.83
- LOT AREA**
- Shall mean the total horizontal area bounded by the lot lines of a lot, excluding

1. DEFINITIONS

the horizontal area of such lot covered by water or marsh.

1.84 LOT, CORNER

Shall mean 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, 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 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.

1.85 LOT COVERAGE

Shall mean that percentage of the lot area covered by the perpendicular vertical projection of the area of all buildings onto a horizontal plane.

1.86 LOT DEPTH

Shall mean the horizontal distance between parallel front and rear lot lines. If the front and rear lot lines are not parallel, lot depth shall mean 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 shall mean 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.

1.87 LOT FRONTAGE

Shall mean the horizontal distance between parallel side lot lines measured along a straight front lot line. Where the front lot line is not a straight line or where the side lot lines are not parallel, the lot frontage shall be measured by a line parallel to the chord of the lot frontage drawn through a point therein distant from the front lot line equal to the required depth of the front yard. For the purposes of this By-law the chord of the lot frontage is a straight line joining the two points where the side lot line intersects the front lot line.

1.88 LOT, INTERIOR

Shall mean a lot other than a corner lot.

1.89 LOT LINE

Shall mean any boundary of a lot or the vertical projection thereof.

1.90 LOT LINE, FRONT

Shall mean:

- a. in the case of an interior lot, the line dividing the lot from the street or road;
- b. in the case of a corner lot, the shorter lot line abutting a street or right-of-way shall be deemed the front lot line and the longer lot line abutting a road or right-of-way shall be deemed an exterior side lot line;
- c. in the case of a through lot, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line.

1.91 LOT LINE, REAR

1. DEFINITIONS

Shall mean the lot line farthest from and opposite to the front lot line.

1.92 LOT LINE, SIDE

Shall mean a lot line other than a front or rear lot line.

1.93 LOT, THROUGH

Shall mean a lot bounded on two opposite sides by streets.

1.94 MANUFACTURING, PROCESSING, ASSEMBLING OR FABRICATING PLANT

Shall mean a plant in which the process of producing any product, by hand or mechanical power and machinery, is carried on systematically with division of labour.

1.95 MEDICAL OR DENTAL CLINIC

Shall mean a building or part of a building where members of the medical profession, dentists, chiropractors, osteopaths, physicians or occupational therapists, either singularly or in union, provide diagnosis and treatment to the general public without overnight accommodation and shall include operating room, a pharmaceutical dispensary and a coffee shop, provided that all such uses have access only from the interior of the building, and shall not include any other use or activity otherwise defined or classified in this By-law.

1.96 MOBILE HOME

Shall mean any dwelling that is designed to be mobile which is constructed or manufactured to provide a permanent residence for one or more persons but does not include a travel trailer or tent trailer or trailer otherwise defined or classified in this By-law.

1.96a MODEL HOME

(B/L No.
2009-149)

Shall mean a new uninhabited single family dwelling house, semi-detached dwelling house, or row dwelling house, which is used only for the purpose of displaying the architectural design, materials and interior design or decorating of homes, and the layout and features of a draft approved Plan of Subdivision for the purpose of selling homes to the general public. The items displayed and homes offered for sale shall be restricted to those in the draft approved Plan of Subdivision in which the model home is located.

1.97 MOTEL

Shall mean a tourist establishment that:

- a. consists of one or more than one (1) building containing three or more attached accommodation units accessible from the exterior or interior,
- b. may or may not have facilities for serving meals;
- c. may or may not be a liquor licensed premises;
- d. is designed to accommodate the public for whom the automobile is the principal means of transportation;
- e. is not a camping establishment or a tourist home; and
- f. provides such facilities for remuneration.

1. DEFINITIONS

- 1.98
(B/L No.
87-72) **MOTOR VEHICLE**
Shall mean a motor vehicle within the meaning of The Highway Traffic Act, R.S.O., 1980, c. 198, as amended.
- 1.99
(B/L No.
87-72) **MOTOR VEHICLE, COMMERCIAL**
Shall mean a commercial motor vehicle within the meaning of The Highway Traffic Act, R.S.O., 1980, c. 198, as amended.
- 1.100 **MOTOR VEHICLE BODY SHOP**
Shall mean a building or structure used for the painting or repairing of motor vehicles bodies, exterior and undercarriage, and in conjunction with which there may be a towing service and motor vehicle rentals for customers while the motor vehicle is under repair, but shall not include any other use or activity otherwise defined or classified in this By-law.
- 1.101 **MOTOR VEHICLE GASOLINE BAR**
Shall mean one or more pump islands, each consisting of one or more gasoline pumps, and a shelter having a floor area of not more than 9 square metres, and may include facilities for the changing of oil, greasing and lubricating of motor vehicles, including the sale of automotive accessories, antifreeze and additives, but shall not include any other use or activity otherwise defined or classified in this By-law.
- 1.102 **MOTOR VEHICLE REPAIR GARAGE**
Shall mean a building or structure where the exclusive service is performed or executed on motor vehicles for compensation shall include the installation of exhaust systems, repair of the electrical systems, transmission repair, brake repair, radiator repair, tire repair and installation, rustproofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar use and in conjunction with which there may be a towing service, a motor vehicle gasoline bar and motor vehicle rentals for the convenience of the customer while the motor vehicle is being repaired, but shall not include any other use or activity otherwise defined or classified in this By-law.
- 1.103 **MOTOR VEHICLE SALES ESTABLISHMENT**
(B/L No.
2016-001) Shall mean a building or structure where a franchised dealer displays new or used motor vehicles for sale or rent in conjunction with which there may be a motor vehicle repair garage, a motor vehicle service station, a motor vehicle gasoline bar or a motor vehicle body shop, but shall not include any other use or activity otherwise defined or classified in this By-law and such a use shall be considered a Retail Commercial Establishment.
- 1.104
(B/L No.
94-008
2016-001) **MOTOR VEHICLE SERVICE AND SUPPLY ESTABLISHMENT**
Shall mean a building or part of a building in which motor vehicle supplies, parts and accessories, sporting goods, small home appliances, lawn and garden tools; hardware and home improvement materials, tools and accessories are offered for sale and which may include an accessory motor vehicle gasoline bar and accessory facilities for the repair of motor vehicles and such a use shall be considered a Retail Commercial Establishment.
- 1.105 **MOTOR VEHICLE SERVICE STATION**
Shall mean a building or structure where gasoline, oil, grease, antifreeze, tires,

1. DEFINITIONS

tubes, tire accessories, electric light bulbs, spark plugs, batteries and automotive accessories for motor vehicles, or similar automotive products are stored or kept for sale to the general public, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged, or where only minor mechanical or running repairs essential to the actual operation of motor vehicles are executed or performed.

1.106 MOTOR VEHICLE WASH, AUTOMATIC

Shall mean a building or structure containing facilities for washing motor vehicles for profit or gain either using production line methods and mechanical devices or by a self-service operation, and for the purposes of this By-law may include a motor vehicle gasoline bar but shall not include any other use or activity otherwise defined or classified in this By-law.

1.107 MOTORIZED MOBILE HOME

Shall mean any motor vehicle so constructed as to be self-contained, self-propelled unit, capable of being utilized for the living, sleeping or eating accommodation of persons.

1.108 MOTORIZED SNOW VEHICLE OR SNOWMOBILE

Shall mean a self-propelled vehicle designed to be driven exclusively on snow or ice or both.

1.109 MUNICIPAL, REGIONAL, PROVINCIAL MAINTENANCE DEPOT

Shall mean any land, building or structure owned by the Township, the Region or the Province of Ontario used for the storage, maintenance or repair of equipment, machinery or motor vehicles used in connection with civic works and shall include a public works yard.

1.110 NON-CONFORMING

Shall mean the use or activity in respect of any land, building or structure which does not comply with the permitted uses or activities, provisions or requirements of this By-law for the zone in which such land, building or structure is located, on the date of passing of this By-law, so long as it continues to be used or enjoyed for that purpose.

1.111 NON-RESIDENTIAL

Shall mean, when used to describe a use, building or structure, a commercial or industrial business or public institutional use, building or structure permitted by this By-law.

1.112 NOXIOUS

Shall mean, when used with reference to any use or activity in respect of any land, building or structure or a use or activity which, from its nature or from the manner of carrying on same, creates or is liable to create, by reason of destructive gas or fumes, dust, objectionable odour, noise or vibration or unsightly storage of goods, wares, merchandise, salvage, machinery parts, junk, waste or other material, a condition which may become hazardous or injurious as regard to health or safety or which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any use or activity in respect of any land, building or structure

1.113 NURSING HOME

(B/L No.
87-72)

Shall mean any premises maintained and operated for persons requiring nursing

1. DEFINITIONS

care, which is licensed under The Nursing Homes Act, R.S.O., 1980, c. 320, as amended.

1.114 OUTSIDE STORAGE

Shall mean accessory storage in a yard outside the principal or main building on the lot of goods, materials and equipment.

1.115 PARK, PRIVATE RECREATIONAL

Shall mean an open space or recreational area, other than a public park, operated on a commercial and/or private member basis, and which includes one or more of the following facilities or activities:

- a. a golf course;
- b. areas for walking, riding and cross-country skiing but does not include the racing of animals, motor vehicles, motor cycles or snowmobiles,
- c. alpine or downhill skiing,
- d. accessory recreational or playground areas such as picnic areas, tennis courts, lawn bowling greens, outdoor skating rinks, athletic fields, swimming pools and similar uses;
- e. buildings and structures accessory to the foregoing including a refreshment booth or pavilion, and administrative offices;
- f. a club house only where accessory to a golf course or alpine or downhill skiing operation which may include dining and recreational facilities, and
- g. parking lots accessory to the foregoing.

1.116 PARK, PUBLIC

Shall mean any open space or recreational area, owned or controlled by the Township or by any Board, Commission or other Authority established under any statute of the Province of Ontario and may include therein neighbourhood, community, regional and special parks or areas and may include one or more athletic fields, field houses, community centres, bleachers, swimming pools, greenhouses, botanical gardens, zoological gardens, bandstands, skating rinks, tennis courts, bowling greens, boat liveries, bathing stations, curling rinks, refreshment rooms, fairgrounds, arenas, golf course, or similar uses.

1.117 PARKING AREA

Shall mean an area provided for the parking of motor vehicles and may include aisles, parking spaces, pedestrian walkways, and related ingress and egress lanes, but shall not include any part of a public street. "Parking Area" may include a private garage.

1.118 PARKING LOT

Shall mean any parking area other than a parking area accessory to a permitted use.

1.119 PARKING SPACE

(B/L No.
92-99)

Shall mean an area, exclusive of any aisles, ingress or egress lanes, for the

1. DEFINITIONS

parking or storage of motor vehicles, and may include a private garage, which parking space shall have a minimum width of 2.7 metres and a minimum length of 5.7 metres.

1.120 PERMANENT PROCESSING PLANT

Shall mean equipment for the conveying, crushing, screening and/or washing of sand and gravel aggregate materials which equipment is permanently affixed to the site.

1.121 PERSON

Shall mean 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 can apply according to law.

1.122 PIT

Shall mean a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an excavation to supply materials for construction, industrial or manufacturing purposes.

1.123 PLACE OF ENTERTAINMENT

Shall mean a motion picture or other theatre, auditorium, public hall, billiard hall, bowling alley, ice or roller skating rink, dance hall or music hall, but for the purpose of this By-law does not include any other use or activity otherwise defined or classified in this By-law.

1.124 PLACE OF WORSHIP

Shall mean a building dedicated to religious worship and includes a church, synagogue or assembly hall and may include such accessory uses as a day nursery, a school of religious education, convent, monastery or parish hall.

1.125 PORTABLE PROCESSING PLANT

(B/L No.
93-31)

Shall mean equipment for the conveying, crushing, screening and/or washing of sand and gravel aggregate materials, which equipment is capable of being readily drawn or readily propelled by a motor vehicle and which equipment is not considered permanently affixed to the site. For the purposes of this definition, the importation of contaminated soils onto the site for purposes of a cleaning process involving the heating, burning, conveying, crushing, screening and/or washing of such contaminated soils shall be expressly prohibited.

1.126 PRINCIPAL OR MAIN BUILDING

Shall mean the building in which is carried on the principal purpose for which the building lot is used.

1.127 PRINTING OR PUBLISHING ESTABLISHMENT

Shall mean a building or part of a building in which the business of producing books, newspapers or periodicals, by mechanical means, and reproducing techniques, such as duplicating, is carried on, and may include the sale of newspapers, books, magazines, periodicals, or like to the general public.

1.128 PRIVATE CLUB

Shall mean a building or part of a building used for the purposes of a non-profit, non commercial organization which includes social, cultural, athletic or

1. DEFINITIONS

recreational activities.

1.129 PRIVATE GARAGE

Shall mean a detached accessory building or portion of a dwelling house which is designed or used for the sheltering of a private motor vehicle and storage of household equipment incidental to the residential occupancy and which is fully enclosed and roofed. For the purposes of this By-law a private garage excludes a carport or other open shelter.

1.129 a. PRIVATE HOME DAYCARE
(B/L No. 90-49)

Private home day care shall mean the provision of temporary care and custody to not more than five children under ten years of age, for reward or compensation in a dwelling unit other than that of a parent or guardian of any such child or children for a continuous period not exceeding twenty-four hours, provided that all of the applicable provisions of the Day Nurseries' Act, R.S.O. 1980, c. I 11 as amended from time to time, have been complied with.

1.130 PRIVATE SCHOOL

Shall mean a school other than a public school.

1.131 PROPANE CYLINDER EXCHANGE FACILITY
(B/L No. 2018-168)

Shall mean a facility regulated by the Technical Standards and Safety Authority (TSSA) from which propane is stored in cylinders and exchanged where there is no element of propane transfer and is accessory to a permitted use.

1.132 PROPANE CYLINDER HANDLING FACILITY
(B/L No. 2018-168)

Shall mean a facility licensed under the Energy Act of Ontario as is from time to time amended and from which propane is handled and stored in cylinders and where there is no element of propane transfer.

1.133 PROPANE FACILITY, PRIVATE
(B/L No. 2018-168)

Shall mean a propane transfer facility for the purpose of refueling vehicles, appliances or other equipment of the business or establishment to which the private facility belongs.

1.134 PROPANE FACILITY, RETAIL
(B/L No. 2018-168)

Shall mean a propane transfer facility having an aggregate propane storage capacity of less than 45,000 litres that is licensed under the Provisions of the Energy Act of Ontario as amended, and from which the retail sale of propane fuel to the public is or may be effected

1.135 PROPANE FUEL STORAGE TANK
(B/L No. 2018-168)

Shall mean any propane fuel storage tank having a capacity of 475.0 litres or greater.

1.136 PROPANE TRANSFER FACILITY
(B/L No. 2018-168)

Shall mean a fixed location where the transfer of propane fuel from one container to another if effected.

1.137 PROVINCIAL HIGHWAY

1. DEFINITIONS

Shall mean a street, road or highway under the jurisdiction of the Ministry of Transportation and Communications.

1.138 PUBLIC AUTHORITY

Shall mean Federal, Provincial, Regional or Municipal agencies, and includes any commission, board, authority or department established by such agency.

1.139 PUBLIC SCHOOL

Shall mean a school under the Jurisdiction of a Board as defined by the Ministry of Education.

1.140 REGION

Shall mean the Corporation of the Regional Municipality of Durham.

1.141 REGIONAL ROAD

Shall mean a road under the jurisdiction of the Region.

1.142 REGIONAL ROAD, TYPE -A

Shall mean a Regional Road with a right-of-way width ranging from 36 metres to 46 metres.

1.143 REGIONAL ROAD, TYPE "B"

Shall mean a Regional Road with a right-of-way width ranging from 26 metres to 36 metres.

1.144 RETAIL COMMERCIAL ESTABLISHMENT

(B/L No. 2016-001) Shall mean a building or part of a building, in which goods, wares, merchandise, substances, articles or services are offered or kept for sale at retail or on a rental basis.

1.145 RETAIL GASOLINE ESTABLISHMENT

Shall mean a lot, building or structure where gasoline is sold at retail to the public as a principal or incidental use.

1.146 RIGHT-OF-WAY

Shall mean a private road which affords access to abutting lots and does not include a lane, street, road or highway as herein defined.

1.147 SANITARY SEWER

Shall mean an adequate system of underground conduits, operated either by the Region or by the Ministry of the Environment, which carries sewage to an adequate place of treatment which is in accordance with the standards of the Ministry of the Environment.

1. 147a. SATELLITE DISH

(B/L No. 90-27) Shall mean any parabolic device used or intended to be used to send or receive audio or video signals and includes any supporting structure therefore.

1. DEFINITIONS

1.148 SENIOR CITIZENS' HOUSING

Shall mean any home for senior citizens sponsored and administered by any public agency or service club, church or other non-profit organization, which obtains its financing from Federal, Provincial, Regional or Municipal Governments or agencies, or by public subscription or donation, or by any combination thereof, and such homes shall include ancillary uses such as club and lounge facilities, usually associated with senior citizens development.

1.149 SERVICE SHOP, PERSONAL

Shall mean a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, such as a barber's shop, a ladies hairdressing establishment and a shoe repair shop or other similar services.

1.150 SETBACK

Shall mean the horizontal distance from the centre line of the street allowance, measured at right angles, to the nearest part of any building or structure or excavation on an adjacent lot.

1.151 SHOPPING PLAZA

Shall mean a group of commercial uses, specifically permitted within the Zone in which the shopping plaza is permitted, which have been designed, developed and managed as a unit by a single owner or tenant, or a group of owners or tenants as distinguished from a business area comprising unrelated individual uses.

1.152 SIGN

(B/L No.
82-27)

Shall mean a structure or advertising device having illustrations affixed thereto or displayed thereon in any manner, which is used to identify, advertise or attract attention to any object, product, place, activity, person, institution, organization, firm, group, profession, enterprise, industry or business, or which display or include any letter, work model number, banner, flag, pennant, insignia, device or representation used as an announcement, direction or advertisement.

1.153 STOREY

Shall mean the portion of a building, other than an attic, basement, walkout basement, or cellar, included between any floor level and the floor, ceiling or roof next above it.

1.154 STOREY, FIRST

Shall mean the lowest storey of a building closest to finished grade having its ceiling 1.8 metres or more above average finished grade.

1.155 STOREY, ONE-HALF

Shall mean that portion of a building situated wholly or in part within the roof and having its floor level not lower than 1.2 metres below the line where roof and outer wall meet and in which there is sufficient space to provide a distance between finished floor and finished ceiling of at least 2.1 metres over a floor area equal to at least 50 percent of the area of the floor next below.

1.156 STORM SEWER

Shall mean a sewer which carries storm or surface run-off but excludes any sanitary sewer or any combination of sanitary and storm sewers.

1. DEFINITIONS

- 1.157
(B/L No.
87-72) **STREET OR ROAD**
- Shall mean a highway as defined by The Municipal Act, R.S.O., 1980, c.302, as amended and The Highway Traffic Act, R.S.O., 1980, c. 198, as amended, but does not include a lane or private right-of-way as defined by this By-law.
- 1.158 **STREET LINE**
- Shall mean the limits of the street allowance which is the dividing line between a lot or block and a street or road.
- 1.159 **STRUCTURE**
- Shall mean 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 motor vehicle.
- 1.160
(B/L No.
87-72) **TAVERN**
- Shall mean an establishment within the meaning of and licensed under The Liquor License Act, R.S.O., 1980, C.244, as amended.
- 1.161 **TENT**
- Shall mean every kind of temporary shelter to which the term is normally considered to apply for sleeping that is not permanently affixed to the site and that is capable of being easily moved and is not considered a structure.
- 1.162 **TOTAL FLOOR AREA**
- Shall mean the aggregate of the horizontal area 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.
- 1.163 **TOURIST ESTABLISHMENT**
- Shall mean any premises operated to provide sleeping accommodation for the traveling public or sleeping accommodation for the use of the public engaging in recreational activities and includes the services and facilities in connection with which sleeping accommodation is provided, but does not include:
- (B/L No.
87-72) a. a camp operated by a charitable corporation approved under the Charitable Institutions Act, R.S.O., 1980, c. 64, as amended;
- (B/L No.
87-72) b. a summer camp within the meaning of the regulations promulgated under The Public Health Act, R.S.O., 1980, c.409, as amended; or
- c. a private club.
- 1.164 **TOWNSHIP**
- Shall mean the Corporation of the Township of Uxbridge.
- 1.165 **TOWNSHIP STREET OR ROAD**
- Shall mean a street or road under the jurisdiction of the Corporation of the Township of Uxbridge.
- 1.166 **TRAILER**

1. DEFINITIONS

Shall mean a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway; or, a side car attached to a motorcycle; which shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn, and, for the purposes of this By-law does not include a mobile home as defined herein.

1.167 TRAILER, MOBILE CAMPER

Shall mean any vehicle in which the assembly can be erected, while stationary, using the trailer body and related components for support and utilized for the living, sleeping or eating accommodation of persons.

1.168 USE

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

1.169 VEHICLE

Shall mean a motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or the cars of electric or steam railways running only upon rails.

1.170 VETERINARIAN

(B/L No.
87-72)

Shall mean a person registered under the provisions of The Veterinarians Act, R.S.O., 1980, c. 522, as amended.

1.171 VETERINARIAN CLINIC

Shall mean a building or part of a building in which facilities are provided for the prevention, cure and alleviation of disease and injury to animals and in conjunction with which there may be enclosed facilities provided for the sheltering of animals during the treatment period.

1.172 WAREHOUSE

(B/L No.
82-27)

Shall mean a building or part of a building used for the storage and distribution of goods, wares, merchandise, substances, articles or things, and may include accessory facilities for a wholesale or retail commercial outlet, but shall not include a cartage or transport depot or any other use or activity otherwise defined or classified in this By-law.

1.173 WASTE DISPOSAL AREA

Shall mean a place where garbage, refuse or domestic or industrial waste, exclusive of liquid industrial waste, is disposed of or dumped.

1.174 WATERCOURSE

Shall mean a body of water or the natural channel for a perennial or intermittent stream of water.

1.175 WATER SUPPLY

Shall mean an adequate distribution system of underground piping and related

1. DEFINITIONS

storage, including pumping and purification appurtenances, operated by a public authority for public use.

1.176 WATER SUPPLY PLANT

Shall mean a building or structure, approved by the Ministry of the Environment, where water is treated for human consumption.

1.177 WELL

Shall mean an underground source of water which has been rendered accessible by the drilling or digging of a hole from ground level to the water table and may include a private piped system from a surface water source.

1.178 WHOLESALE ESTABLISHMENT

Shall mean the use of land or the occupancy of a building or structure, for the purpose of selling or offering for sale goods, wares, or merchandise on a wholesale basis and includes the storage or warehousing of those goods, wares or merchandise.

1.178a. WIND TURBINE

(B/L No. 2003-146) Shall mean a system of components which converts the kinetic energy of the wind into electrical or mechanical power and which comprises all of the necessary components including energy storage, power conditioning, control systems, transmission systems, and structural support systems to provide electricity or mechanical power.

1.179 WORKSHOP

Shall mean a building or part of a building where fabrication or manufacturing is performed by tradesmen requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, a commercial welder's shop, or similar uses.

1.180 YARD

Shall mean a space, appurtenant to a building or structure or edge or rim of an excavation or outside storage use, located on the same lot as the building or structure, excavation or outside storage use, which space 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 the By-law.

1.181 YARD, FRONT

Shall mean a yard extending across the full width of the lot between the front lot line of the lot and the nearest part of any building or structure on the lot, the nearest outside storage use on the lot, or edge or rim of an excavation on the lot.

1.182 YARD, FRONT DEPTH

Shall mean the least horizontal dimension between the front lot line of the lot and the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or the edge or rim of an excavation on the lot.

1.183 YARD, REAR

Shall mean a yard extending across the full width of the lot between the rear lot

1. DEFINITIONS

line and the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or the edge or rim of an excavation on the lot.

1.184 YARD, REAR DEPTH

Shall mean the least horizontal dimension between the rear lot line of the lot and the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or the edge or rim of an excavation on the lot.

1.185 YARD, REQUIRED

Shall mean the minimum yard required by the provisions of this By-law.

1.186 YARD SIDE

Shall mean a yard extending from the required front yard to the required rear yard and from the side lot line of the lot to the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or the edge or rim of an excavation on the lot.

1.187 YARD, EXTERIOR SIDE

Shall mean a side yard immediately adjoining a public street.

1.188 YARD, INTERIOR SIDE

Shall mean a side yard other than an exterior side yard.

1.189 YARD, SIDE, WIDTH

(B/L No.
82-27)

Shall mean the least horizontal dimension between the side lot line of the lot and the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or the edge or rim of an excavation on the lot.

1.190 ZONE

Shall mean the category of use or activity or land, buildings, structures or activities permitted by this By-law.

1.191 ZONE PROVISIONS

The permissible uses or activities, the minimum area and dimensions of lots, the minimum dimensions of yards, the maximum lot coverage, the minimum setback, the gross floor area, the minimum landscaped open space, the maximum height of buildings, the minimum parking requirements, and all other zone provisions and regulations of the respective Zones as are set out within this By-law.