

# DEFINITIONS

**01-1-1 For the purpose of this By-law the following definitions shall apply:**

133/90  
069-94  
038/02  
146/03  
168/05  
159/09  
020/07  
108/96

**“Accessory Building” or “Accessory Structure”** shall mean, only when related to a main use, a detached, subordinate building or structure, not used for human habitation, located on the same lot with the main building and shall include a detached garage, a Temporary Garage, unenclosed and uncovered decks, and in-ground and above ground pools and steps, and a ramp, towers, and a trellis, or similar structures.

**“Accessory Use”** shall mean a use which is incidental, secondary, subordinate and exclusively devoted to a main permitted use and located on the same lot or site therewith.

168/05

**“Adult Entertainment Establishment”** means any premises or part thereof in which is provided, in a pursuance of a trade, calling, business or occupation, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations:

(i.) to provide when used in relation to services includes to furnish, perform, solicit or give such services in a pursuance of a trade, calling, business or occupation and “providing” and “provision” has corresponding meaning;

(ii.) “services” include activities, facilities, performances, exhibitions, viewings and encounters;

(iii.) “services designed to appeal to erotic sexual appetites or inclinations” includes:

a) Services of which a principal feature or characteristic is the nudity or partial nudity of any person;

b) Services in respect of which the word “nude,” “naked,” “topless,” “bottomless,” “sexy,” “nu,” or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement;

c) When used in reference to an adult entertainment establishment:

(i.) “Attendant” means any person other than a licensed owner or operator who provides services designed to appeal to erotic or sexual appetites or inclinations at an adult entertainment establishment.

(ii.) “Owner” means a person who alone or with others has the right to possess or occupy an adult entertainment establishment or actually does possess or occupy an adult entertainment establishment and includes a lessee of an adult entertainment establishment or of premises upon which an adult entertainment establishment is located.

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(cont’d)

(iii.) "Operator" means a person who alone or with others operates, manages, supervises, runs or controls an adult entertainment establishment.

**"Adult Entertainment" - Body Rub Parlour** is included in the definition of 'adult entertainment parlour' in the Municipal Act, 2001 and includes any premises or part thereof where a body-rub is performed, offered or solicited in pursuance of a trade, calling, business, or occupation, but does not include any premises or part thereof where the body-rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario.

**"Adult Entertainment" - Escort Service** means a business which provides the services of individuals who will accompany another individual to an event, function or social activities, whether or not such event, function or social activity is private or designed for public attendance. For the purpose of this By-law, Escort Service shall be considered as a "Business or Professional Office" and, as such, shall be allowed in all zones where such use is identified as being a "Permitted Use", including those zones where Business or Professional Office types are specifically restricted.

**"Adult Entertainment" - Parlour (Goods)** means any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, goods designed to appeal to erotic or sexual appetites or inclinations and includes Class "A" and Class "B" Adult Entertainment Parlours (Goods), as identified further in the City's Business Licensing By-law.

For the purposes of this By-law, only Class "B" Adult Entertainment Parlours (Goods) shall be considered as a "Retail Shop" and, as such, shall be allowed in all zones where such use is identified as being a "Permitted Use".

**"Adult Entertainment" - Travelling Shows** shall mean any performance in a pursuance of a business which provides services designed to appeal to erotic or sexual appetites or inclinations that do not necessarily occur frequently in any particular premises, but occur as part of a travelling show group. For the purpose of this By-law, a travelling adult entertainment show shall mean one that occurs for no more than seven (7) consecutive days in any calendar year and shall total no greater than five (5) separate and distinct times per year at any one location.

107/93

**"Agricultural Processing Establishment"** shall mean the use of land and/or buildings or structures for the processing of products derived from agricultural uses, as defined in this By-law. These shall include such products as seed, grain, feed and forage processing, storage and transport, fruit and vegetable storage and treatment, livestock and poultry assembly, sales and transport, a cheese factory, an egg grading station and a saw mill but shall not include an abattoir or a dead stock removal facility.

107/93

**"Agricultural Service Establishment"** shall mean the use of land and/or buildings or structures for the purposes of buying or selling commodities and services that are necessary to support agricultural uses as defined in this By-law. These shall include such sales and services as welding and machinery repairs, farm drainage and excavation, well-drilling, contracting and trades related to farm buildings and

structures, and custom spray, tillage, planting and harvesting services.

107/93 **"Agricultural Supply Establishment"** shall mean the use of land and/or buildings or structures for the purpose of supply of goods, materials or services that are necessary to support agricultural uses as defined by this By-law. These shall include such goods and services as sale, processing and storage of seed, feed, fertilizer and chemical products, farm machinery and equipment sales and service, and animal and poultry health and breeding services.

107/93 **"Agricultural Use - General"** means general farming and without limiting the generality of the foregoing shall include such uses as the general cultivation of land and the associated production, conditioning, processing and storing of field crops, vegetables, fruit, horticultural crops and nursery stock and the selling of such items produced on the premises, the breeding and care of livestock, fowl and including birds such as pigeons, fur-bearing animals and bees, aquaculture (including fish farms), and the selling of such stock or the product of such stock raised on the premises, and the management of forest, and the sale of forest products, including fuel wood, pulp wood, timber, Christmas trees, and maple products, and includes a farm dwelling, airfields and farm buildings and uses.

03/10  
078/14

021/01

107/93 **"Agricultural Use, Intensive"** means the raising of livestock and includes a farm dwelling and farm buildings and uses.

021/01

017/92 **"Amusement Device"** shall mean any machine, device or contrivance used for playing any game of chance or skill, or which is used to afford entertainment or amusement of the operator and, without limiting the generality of the foregoing, includes what is commonly known as a pinball game, an electronic game, and a video game.

1893/75 **"Animal Hospital"** shall mean a building where one or more licensed veterinarians and any associated staff provide medical, grooming, boarding or similar services solely for household pets.

**"Area of Building"** shall mean the total area of grade measured to the outside face of exterior walls and to the centre line of party walls, including roofed porches but excluding open platforms, terraces and steps.

092/98 **"Apartment House or Building"** shall mean a building containing three (3) or more dwelling units, all of which typically have a common entrance from the street level and the occupants of which have the right to use in common, certain areas of the building, such as stairs, halls, elevators, recreational facilities and yards.

152/94 **"Apartments in Houses"** shall mean one self contained apartment in a single detached, semi-detached, or row house, provided that the unit complies with the Building Code, the Fire Code and specified planning standards.

017/92 **"Arcade"** shall mean a 'Video/Pinball Game Amusement Arcade, Virtual Reality/Laser, Computer Games and other similar games' and is any building or portion thereof, in which is used or provided greater than three amusement devices in pursuance of any trade, business, calling, occupation, or for hire and shall not be considered as a Place of Assembly or Recreation for the purposes of this By-law.

021/01

**“Attached”** shall mean a building otherwise complete in itself which depends for structural support or complete enclosure upon a division wall or walls shared in common with an adjacent building or buildings.

62/80 **“Automotive Centre”** shall mean a building or place where oil, grease, antifreeze, tires, tubes, tire accessories, light bulbs, spark plugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased, have their ignitions adjusted, brakes adjusted or changed, tires changed, batteries charged or mufflers installed, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed.

149/07 **“Basement”** shall mean storey or any part of a storey having **more** than half its clear height below grade.

092/98  
078/14 **“Bed and Breakfast Establishment”** shall mean only a single family dwelling designed to be used, in part, for the accommodation of the travelling or vacationing public, containing therein five (5) or fewer suites or guest rooms.

092/98  
116-2016 **“Boarding House - New Build”** shall mean a residential dwelling in which the proprietor or principal occupant supplies furnished rooms and regularly served meals for monetary gain or profit to more than three (3), but not more than twenty (20) persons. The said rooms shall contain no cooking or sanitary facilities. Such use shall not exist in combination with any other permitted use in the relevant zone.

116-2016 **“Boarding House - Conversion”** shall mean a residential dwelling (Single Family Dwelling and/or in either Principal Dwelling Unit of a severed Semi-Detached Dwelling) in which the proprietor or principal occupant has the option to provide furnished or unfurnished Boarding Units and regularly served meals for monetary gain or profit to a minimum of three (3) persons (renters), but not more than five (5) persons (renters), and any individual subject Boarding Unit shall not house more than 2 persons (renters) in a Single Family Dwelling (these numbers are exclusive of children under the age of 18); a Principal Dwelling Unit of a severed Semi-Detached Dwelling shall contain no more than three (3) persons (renters) and any individual subject Boarding Unit shall not have more than 2 persons (renters), (these numbers are exclusive of children under the age of 18). The said Boarding Units shall contain no cooking or sanitary facilities. Such use shall not exist in combination with any other permitted use in the relevant zone.”

108/96  
092/98 **“Boarding Kennel”** shall mean a building or structure where at least four domestic pets, primarily canines, which are at least 3 months in age, are kept, boarded and/or bred for profit or for sale and may or may not be registered with an association incorporated under the Animal Pedigree Act (Canada), but shall not include an “Animal Hospital”, as defined elsewhere in this By-law. In addition, “Boarding Kennels” shall be permitted where specifically stated in a zone, but shall not be permitted in a residentially-zoned area.

- 092/98 **"Building"**, (when not defined anywhere else in this By-law), shall mean:
- a) a structure occupying an area greater than ten square metres consisting of a wall, roof and floor or any of them or a structural system serving the function thereof including all plumbing, works, fixtures and service systems appurtenant thereto;
  - b) a structure occupying an area of ten square metres or less that contains plumbing, including the plumbing appurtenant thereto;
  - c) plumbing not located in a structure;
  - d) structures designated in the Building Code;
- 188/08 e) in calculating lot occupancy and reference to the main building shall only include the primary dwelling on the lot and roofed decks or landings attached to the house.
- 159/09 **"Business and Professional Office"**, shall mean the use of a building or part of a building for one or more persons who are employed in administration, management, or direction of a business or where professionally qualified persons and staff provide services to clients."
- 116/01 **"Call/Help Desk Centre"** shall generally mean a building used, in whole or in part, to accommodate incoming and outgoing calls/internet communication for the varied purpose(s) of sales, marketing, reservations, fundraising, customer service, technical support/assistance, help desk operations or other specialized (client specific) business activities. The operation is typically set-up as a large room with workstations that includes any combination of computers (internet), voice terminals (typically connected to an Automatic Call Distributor (ACD) system), video technology capability and one or more supervisor stations. A "Call/Help Desk Centre" may also be considered as a permitted use, under the "Business or Professional Office" heading in this By-law, and further clarification shall be applicable to both general and restricted Business and Professional Offices.
- 168/05
- 021/01 **"Carport"** shall mean a roofed area intended for the shelter of motor vehicles, attached to the dwelling or main building, but not wholly enclosed. If a carport is to be enclosed more than 60% of its perimeter then the garage requirements shall apply. The main wall of the dwelling shall not be included in the 60% calculation.
- 168/05 **"Car Wash"** shall mean a building or place used for washing or cleaning motor vehicles and shall be considered to be permitted in all zones that allow for a "Service Station".
- "Clinic"** shall mean a public or private medical, surgical, physiotherapeutic or other human health clinic except when accessory to a private or public hospital.

- 092/98 **“Communications Tower or Satellite Dish”** shall mean a structure, which may or may not be mounted on a platform and which is used as an antenna capable of receiving and/or transmitting telecommunications broadcasting (including radio and television) directly from/to a satellite located completely beyond, or beyond the major portion of the earth’s atmosphere. For Commercial/Industrial applications/uses the main building setbacks shall apply, while for (private) Residential applications/uses the Accessory Building standards apply.
- 092/98 **“Community Centre”** shall mean a tract of land, building or a structure used for community activities, including public recreation, assembly, library, cultural, public entertainment, space for a day nursery or similar public institutional purposes and the control of which is vested in the Municipal Corporation, Local Board, agent thereof or other Public Authority, Registered Non-Profit or Not-for-Profit organization, but shall exclude the premises of a private club and related hall.
- 103/17 **“Contractor & Utility Trailer”** shall mean an open or enclosed vehicle designed to be pulled by a motor vehicle which is used for the sole purpose to carry property, waste, or special equipment.
- 092/98 **“Convalescent Home/Centre”** shall mean an institution whether publicly or privately funded and operated, that provides an exclusive and comprehensive level of medical care to clients who are recovering from prolonged illness and **“Lodging House”** shall mean a “Rooming House”, as defined elsewhere in this By-law.
- 80/82 **“Convenience Store”** shall mean a building or part of a building wherein food, tobacco, periodicals or similar items are offered for sale to serve the day-to-day needs of the residents of the immediate neighbourhood.
- “Court”** shall mean an open, uncovered and unoccupied space appurtenant to a building and bounded on two or more sides thereby.
- 1921/75 **“Development”** means the construction or erection of buildings or structures on land.
- 159/09  
078/14 **“Dormitory / Student Residence”**, A building or part of a building operated by an institution and containing a room or rooms forming one or more habitable units which are used or intended to be used by residents of the institution for living and sleeping, but not for cooking or eating purposes."
- 094/82 **“Dwelling - Convertible”** shall mean a building held under one ownership which is for use by one or two families and contains in one or more locations a removable portion of the common wall between the two dwellings units.
- “Dwelling - Duplex”** shall mean a building divided vertically into two dwelling units.
- 107/93 **“Dwelling - Farm”** shall mean a dwelling unit that is naturally and normally incidental and subordinate and exclusively used in conjunction with a farm and is situated on the same lot herewith.
- 4/81 **“Dwelling - Link”** shall mean two dwelling units linked by a physical connection entirely below grade level.

**“Dwelling - Multiple”** shall mean a building containing three or more dwelling units.

**“Dwelling - Semi-detached”** shall mean a building divided horizontally into two dwelling units.

155/95 **“Dwelling - Senior Citizen Dwelling”** shall mean a multiple unit dwelling which is designed primarily for elderly persons and which has been financed in whole or in part under a program of the Government of Canada or Government of Ontario and which is aimed at encouraging senior citizen housing. A senior citizen dwelling can be differentiated from a Home for the Aged in that residents live independently within their own separate dwelling units.

**“Dwelling - Single-Family”** shall mean a separate building containing one only dwelling unit.

108/96 **“Dwelling - Triplex”** shall mean a single building divided into three dwelling units, but should not include a rowhouse, each of which has an independent entrance either directly or through a common vestibule.

152/94 **“Dwelling Unit”** shall mean a building or part thereof containing cooking facilities and sanitary conveniences and intended for the use of a single housekeeping unit. For the purposes of “Apartments in Houses” the dwelling unit, has a means of egress to the outside of the building or structure in which it is located, which may be a means of egress through another residential unit.

144/86  
069/94 **“Enterprise Centre”** shall mean a facility established under the auspices of the Government of Ontario to aid in the development of new businesses, and shall include offices for the Administration of the Enterprise Centre and associated educational facilities, and may include all uses permitted in the zone in which the Enterprise Centre is located.

103/10 **“Exterior Side Yard”** shall mean a yard extending from the front yard to the rear yard and from the side lot line to the nearest wall of the main building, on a lot facing a street and shall have a setback consistent with the front yard setback in the zone.

038/02 **“Family”** shall mean one or more persons living as a single non-profit housekeeping unit in a dwelling and may include domestic servants and also roomers or boarders not exceeding three in number, and shall include a group home as defined elsewhere in this By-law.

107/93 **“Farm Produce Sales Outlet”** shall mean a fruit, vegetable, flower or farm produce stand set up as an accessory use to an agriculture use on a farm, for the sale of produce from that same agricultural use.

155/95 **“Floor Area”** shall mean the area of the floor surface of a storey or part thereof within a building.

**“Floor Area - Gross”** shall mean the aggregate of all storeys of a building within the outside walls other than an unfinished attic or unfinished basement, the floor area of a private garage or any floor area used for parking.

**“Garage - Private”** shall mean a building or part of a building intended for accessory use by the occupants of the lot for the shelter of motor vehicles.

**“Garage - Commercial”** shall mean a garage other than a private garage or a service station, used as a motor vehicle repair shop, for the storage of motor vehicles, sales and service of new and used vehicles.

**“Garage - Storage”** shall mean a garage other than a private garage or commercial garage, used only for the storage of motor vehicles.

149/07 **“Garden - Centre/Nursery or Green House”** shall mean the use of land, buildings or structures or part thereof where shrubs, trees, sod or plants are grown or stored for the purpose of transplanting for use as stock for building or grafting or for the purpose of retail or wholesale, together with the sale of soil, planting materials, fertilizers, and similar materials and may include the storage of necessary machinery and vehicles used in connection with such a business. Landscaping and gardening supplies may also be kept or be offered for sale or rent.

159/94 **“Garden Suite”** shall mean 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. As a condition to passing a By-law authorizing the temporary use of a garden suite for up to 10 years the Council will require the owner of the suite or any other person to enter into an agreement with the municipality under provisions of Provincial regulations.

**“Grade”** shall mean the average elevation of the surface of the ground at the base of a structure or of the main front wall of a building, exclusive of any embankment in lieu of steps. On streets where a sidewalk is provided by the municipality, it shall be the elevation of the sidewalk grade as fixed by the municipality.

030/78 **“Gross Leasable Area”** shall mean that floor area of a building on which tenants pay rent, and is the total floor area designed for tenant occupancy and exclusive use (including basements, mezzanines and upper floors, if any) expressed in square feet and measured from the centre line of a joint partition wall and from the outer face of an outside wall. GLA does not include mechanical rooms, public washrooms and enclosed malls not specifically used for the purpose of display and sales.

038/02 **“Group Home”** shall be defined as a single housekeeping unit in a single family or semi-detached dwelling in which no more than three (3) (excluding supervisory staff or receiving family) live as a family under the responsible supervision consistent with particular needs of its residents. Any number beyond three (3) shall only be permitted if the home is licensed or approved under Provincial statutes and for reasons of the By-law shall then be considered an Institutional use and must be located in zones permitting Institutional uses or buildings.

038/02  
159/09 **“Height”** shall mean, when used with reference to a building, the vertical distance between the grade and exclusive of any roof construction used only as ornament, or for the mechanical operation of the building, such as penthouse, chimney, tower or steeple.

- a) In the case of a flat roof, the highest point of the surface or parapet, whichever is the greater;
- b) In the case of a mansard roof, the deck roof line;
- c) In the case of a pitched roof, the mean height between eaves and ridge;

103/81 **“Home Occupation”** shall mean an occupation carried on entirely within a dwelling unit by the occupant thereof, provided that the following criteria are observed:

- a) The home occupation is clearly secondary to the use of the dwelling unit, as a residence;
- b) The home occupation does not change the character of the dwelling unit;
- c) The home occupation does not become a nuisance by reasons of noise, traffic or parking or affect the amenities of the neighbourhood;

038/02 d) The home occupation does not occupy more than 25% of the total floor area of the dwelling unit;

- e) There is no display or visible indication from the exterior of the unit or building that such use is conducted, therein. However, a sign bearing the name of the resident may be erected on the property, provided no reference is made to the home occupation. The sign must not exceed 6" x 18";
- f) No more than one home occupation is conducted in the dwelling unit;
- g) No person, other than residents of the dwelling shall be employed in the operation of the home occupation;

108/96 h) No stock-in trade is sold or kept for sale upon the premises unless such items were created by the resident, or are very limited to quantity and deemed necessary and ancillary to the use.

069/94 i) A home occupation shall provide on-site parking at the general commercial rate of 1 space per 300 square feet or part thereof of area used or intended for the home occupation use, in addition to the required residential space(s). However, those

021/01 Home Occupations specified as Home Based Offices (excluding medical profession offices) may utilize one (1) tandem parking spot that being one vehicle parked behind the other, the additional parking space being accommodated in the legal front yard setback. For those Home Occupations specified as Home Based Service Shops (shall include but not limited to Hair Salons) tandem parking is permitted

038/02 however, this parking is not permitted in the required front yard setback. No Home Occupation which, as part of its operation, requires more than one Business Vehicle will be permitted in a residential zone. This vehicle must be parked on site and beyond the required property line setback with any personal vehicle in tandem position.

- 1848/75 **"Home for the Aged"** shall mean an institution to which the Homes for the Aged Act RSO (1970), Chapter 206 applies and any home for Senior Citizens sponsored or administered by any public agency, or any service club either of which obtains its financing from Federal, Provincial or Municipal Government or agencies or by public subscription or donation, or by any combination thereof, and such homes shall include auxiliary uses such as a club and lounge facilities usually associated with Senior Citizens developments.
- 133/90 **"Hospital"** shall mean an institution where the ill or injured may receive medical, surgical or psychiatric treatment and nursing, sanatorium, health centre or convalescent centre, home for the aged and nursing home, but includes medical offices or clinics only where accessory to the hospital operation.
- 069/94 **"Hotel"** shall mean a hotel, inn or public house used mainly for the purpose of catering to the needs of the travelling public by supplying and finishing sleeping accommodation provided that all public rooms and sleeping units shall be accessible from a system of corridors completely enclosed within the building; and any licensed premises shall be accessory and ancillary to the main hotel operation of lodging and food services; but does not include premises commonly known as boarding houses and apartment houses.
- 82/80 **"Industrial Metals and Wastes Processing and Recycling Yards"** shall mean an open area where waste, used or second hand materials are bought and sold, exchanged, stored, baled, packed, disassembled or handled, including and limited to, scrap iron and other metals, batteries, paper and rags.
- 138/80 The wrecking of derelict automobile vehicles shall be permitted. The retailing of goods in an Industrial Metals and Wastes Processing and Recycling yard will be permitted only as an accessory or incidental activity and must be subordinate to the main activity.
- 133/90 **"Institutional Uses"** shall mean a general term referring to any institutional use whereby a building or part thereof is used by an organized body or society for promoting a particular purpose without limiting the generality of the foregoing, shall include buildings used for the medical, surgical, special or charitable treatment, care or lodging of persons; churches and religious institutions; education institutions and non-commercial schools, premises of fraternal organizations, lodge halls and private clubs and a YMCA; prisons, court halls and correctional institutions, institutional residences; armories and defence establishments; cultural facilities, such as art galleries, museums and concert halls; offices of a public authority or a public utility and community facility operated by the municipality or other public authority, such as fire or police halls, community centres, libraries, arenas, swimming pools, convention facilities, day care centres.
- 188/08 **"Landing"** shall mean a level place at the top of a flight of stairs or between two flights of stairs.
- "Lane - Public"** shall mean a municipally owned subsidiary thoroughfare providing access to the rear or side of one or more lots.

021/01 **“Lodging House”** shall mean a nursing home and any house or other building or portion thereof in which persons are harboured, received or lodged for hire, but does not include a hotel, hospital, nursing home, home for the aged, or institution if the hotel, hospital or institution is licensed, approved or supervised under any other general or special Act. The number of rooms shall be limited to no more than twenty (20) persons in a residential zone which allows rooming houses or boarding houses.

067/17 **“Logistics/Distribution Centre”** shall mean an operation, or part thereof, engaged in redistributing goods to retailers, and wholesalers, through the commercial activity of transporting goods including the movement and storage of raw materials, of work-in-process inventory, and of finished goods from point of origin to point of consumption.

**“Lot”** shall mean a parcel of land abutting on a street.

**“Lot - Corner”** shall mean any lot situated at the junction of two or more streets, which, at their point of junction form an angle of not more than one hundred and thirty-five degrees adjacent to such corner lot.

**“Lot Line”** shall mean any boundary of a lot.

**“Lot Line - Front”** shall mean the line that divides a lot from the street, provided that, in the case of a corner lot the shorter lot line that abuts a street shall be deemed to be the front lot line and the longer that so abuts shall be termed a “side lot line”.

146/03 When a lot faces three or more streets, the technical front yard shall be determined by the location of the principal entrance of the building.

When a lot, has two unconnected frontages (through lot), the technical front yard shall be determined by the functional front of the building defined either by access, location of principal entrance or by architectural definition.

**“Lot Line - Rear”** shall mean the lot line farthest from and opposite the front lot line.

**“Lot Line - Side”** shall mean a lot line other than a rear or front lot line.

**“Lot Width”** shall mean, where the side lot lines are parallel, the horizontal distance measured at right angles from side lot lines across such lot and where such side lot lines are not parallel, the lot width shall be the mean width of the lot.

137/05  
159/09 **“Marine Containers”** shall mean a shipping container, or similar type of structure (transport trailer without a cab above or below grade) typically consisting of four units or sides locked together to form a steel box."

123/15 **“Medical Marihuana Production Facility”** means a federally licensed facility pursuant to Section 25 of the Marihuana for Medical Purposes Regulations under the Controlled Drug and Substance Act, used for the growing, processing, testing, destruction, packaging or distribution of marihuana used only for medical purposes, as permitted under the Federal government’s Marihuana for Medical Purposes Regulations, or any additional legislation which may be enacted regarding this land use. Marihuana (Cannabis) means the substance referred to as “Cannabis” in sub item 1 (2), Schedule II to the Controlled Drug and Substance Act, S.C. 1996, c. 19 as

- amended.
- 021/07 **“Minimum Distance Separation”** shall mean formulae established by the Ontario Ministry of Agriculture and Food and Rural Affairs in conjunction with the Ministry of the Environment (MOE) used for the purpose of determining, in the case of MDS 1, the minimum distance to be respected, between new development and existing livestock facilities and in the case of MDS 2, the minimum distance to be maintained between new and expanding livestock facilities and existing or approved development on a separate lot.
- 1654/74  
176/81 **“Mobile Home”** shall mean a transportable housing unit, being not less than forty feet in length and ten feet in width, constructed complete with the necessary plumbing, heating and electrical systems, all C.S.A. approved. It is designed to be transported on its own undercarriage or by other means to a prepared site and becomes suitable for permanent occupancy after proper installation on foundation supports with proper utility services. Foundation supports shall not include basements.
- 1654/74 **“Mobile Home Park”** shall mean land used for the parking of more than one mobile home on individual lots.
- 1654/74 **“Motel”** shall mean a building or part thereof or a building complex used to accommodate the travelling public for gain and profit in sleeping accommodation with or without cooking facilities, where buildings are not greater than two (2) storeys and where access to each unit is gained from outside the building as opposed to a common interior corridor and includes auto courts, tourist courts and motor hotels. The rooms are not intended to be occupied continuously by the same individual or used as a permanent residence for more than 6 consecutive months of any one year and shall not have the effect of running contiguously to the next year. Accessory uses, such as a restaurant, lounge, meeting facilities and recreational areas may or may not be provided as part of the development. Temporary retail sales may be permitted as provided for under “Auditoriums”.
- 020/07
- 1921/75 **“Municipality”** means the Corporation of the City of Cornwall.
- 155/95 **“Nursing Home”** shall mean a nursing home licensed under the Nursing Home Act of Ontario and in which premises are operated, including lodging and meals, medical or nursing care, for persons requiring nursing care.
- 1921/75 **“Owner”** means an owner of land whose interest in the land is defined and whose name is specified in an instrument in the proper registry or land titles office.
- “Park”** shall mean an area of land maintained for the enjoyment, health and well-being of the people and normally open to the public without charge.
- 155/95 **“Parking Aisle”** shall mean a passageway located in a parking area which abuts on one (1) or more sides, parking spaces to which it provides vehicular access, but is itself not used for parking.
- 155/95 **“Parking Area”** shall mean an outdoor, indoor, or underground area which is provided on a lot for the parking of one or more vehicles.

- 155/95 **“Parking Lot”** shall mean a parking area which constitutes a main use on a lot where vehicles are parked for remuneration.
- “Parking Lot - Public”** shall mean a parking lot available for public use, whether free, for compensation, or as accommodation for customers or clients.
- 155/95 **“Parking Space or Stall”** shall mean that portion of a parking area, exclusive of any parking aisles or driveways, which is used for the temporary unobstructed parking of not more than one (1) vehicle and which has adequate access to permit ingress and egress of a motor vehicle to and from a street or highway by means of driveways, aisles or manoeuvring areas.
- 155/95 **“Parking - Tandem”** shall mean two cars parked in a single width driveway one behind another. Part of the driveway which is located between the front facade of a house and the property line may be used to meet part of the on site parking requirements.
- 107/93 **“Pit - Wayside”** shall mean a temporary pit opened and used by a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.
- 021/01 **“Place of Assembly or Recreation”** shall mean a building or structure or part thereof, intended for or used by people to meet in groups. For the purpose of Assembly or Recreation, such uses shall include but not limited to movie theatre/cinema, bowling alley, pool room club, dance hall, banquet hall, curling rink, skating rink, recreation areas or landscaped open areas, golf range, par 3 golf range, miniature golf, private club for racquetball, hand ball, squash, lawn bowling, tennis, badminton, or other athletic facilities operated for profit, athletic and health club and a worker or union hall.
- 113-06
- “Playground”** shall mean an area used for the purposes of recreation or field games and not operated for a profit.
- “Playing Field”** shall mean an area used for the purposes of recreation, athletics or field games.
- 021/01 **“Porch”** shall be defined as a covered or uncovered entrance to a building, projecting from the wall.
- 069/94 **“Portable Building”** shall mean a transportable structure, whether or not on wheels, and shall be subject to the zone standards within which it is situated and not to accessory building standards.
- 019/99 **“Private Senior’s Residence”** shall mean a residence which is privately owned and operated exclusively for senior citizens and shall include any combination of, but not limited to, the following: lodging, meals, laundry-service, (partial) nursing care. In addition a Private Senior’s Residence shall be considered separate and distinct from a Rooming House or Boarding House, as defined in this By-law.

- 099/16 **"Public Hall"** shall mean a building used by various groups and organizations for functions involving large gatherings of people, such as general meetings, dances and charity events, for example, but not limited to Knights of Columbus, Army Navy, RCAF and the Royal Canadian Legion, or similar.
- 152/94 **"Purpose Built Semi-Detached"** shall mean a newly constructed dwelling which proposes that the remainder of the building is occupied by another semi detached house and the two houses are divided on the vertical plane in such a manner that there is no internal access from one semi detached house to the other, and the units must have their orientation to the front yard. A purpose built semi detached cannot be created through the alteration or addition to a detached house.
- 099/16 **"Recycling/Salvage uses"** shall mean a tract of land, building and/or structure used for the collection, storage and dismantling of any discarded waste product and/or other material for the purpose of sale, exchange, reuse or similar reason.
- 1921/75 **"Redevelopment"** means the removal of buildings or structures from land and the construction or erection of other buildings or structures thereon.
- 144/86 **"Research and Development Facility"** shall mean a building or part thereof used for the purpose of conducting pure or applied research and experimentation in any field of science, medicine and technology and includes such facilities as lecture rooms, administrative offices, laboratories, display rooms, pilot units, simulating equipment and the like and service and machine shops to serve the research facility.
- 119/96 **"Restaurant"** means a building or part thereof where food is prepared and offered for retail sale to the general public for immediate consumption either on or off the premises, and shall include a seasonal stationary food premise.
- "Retail Store"** shall mean a building or part thereof in which service or merchandise is offered for sale to the public.
- 092/98  
116/2016 **"Rooming House - New Build"** shall mean a residential dwelling in which proprietor or principal occupant supplies furnished rooms only, for monetary gain or profit to more than three (3), but not more than twenty (20) persons and shall not include a hotel, motel or apartment house. The said rooms shall contain no cooking or sanitary facilities. Such use shall not exist in combination with any other permitted use in the relevant zone.
- 116/2016 **"Rooming House - Conversion"** shall mean a residential dwelling (Single Family Dwelling and/or in either Principal Dwelling Unit of a severed Semi-Detached Dwelling) in which the proprietor or principal occupant has the option to provide furnished or unfurnished Rooming Units only for monetary gain or profit to a minimum of three (3) persons (renters), but not more than five (5) persons (renters), and any individual subject Rooming Unit shall not house more than 2 persons (renters) in a Single Family Dwelling (these numbers are exclusive of children under the age of 18); a Principal Dwelling Unit of a severed Semi-Detached Dwelling shall contain no more than three (3) persons (renters) and any individual subject Rooming Unit shall not house more than 2 persons (renters) (these numbers are exclusive of children under the age of 18) and shall not include a hotel, motel or apartment house. The said Rooming Units shall contain no cooking or sanitary facilities. Such use shall

not exist in combination with any other permitted use in the relevant zone.”

1653/74 **“Rowhouses”** shall mean buildings divided vertically into three or more dwelling units but not exceeding six, each unit having a front and rear yard and a separate entrance from the street.

**“Rowhouse - Cluster”** shall mean condominium or rental units whether in one building or a group of buildings sharing common open space.

**“Rowhouse - Linear”** shall mean a row house in which all units front on a public street and which do not share common open space or other such amenities.

119/96 **“Seasonal Stationary Food Premise”** means a business where food is sold for consumption by the public and where this business closes its operation for more than 90 consecutive days on a yearly basis.

164/91 **“School”** when used in any Residential or Institutional zone shall mean that only Public, Catholic, Private, Post Secondary, or Nursery School shall be permitted. All other types of Schools shall be permitted only as specifically stated within the Permitted Uses section of the respective zone(s). A ‘school’ as permitted in the Residential or Institutional zone shall also include office facilities for administration and academic personnel of both local County Boards of Education.

108/96 **“School - Catholic”** shall mean a school operated by the Catholic School Board. **“School - Private”** shall mean an education establishment, other than a public school, wherein academic subjects are taught at the private expense of those enrolled in the establishment and which is under the jurisdiction of a private or non-profit board of trustees or governors, a bonafide religious organization or a non-profit or charitable institution.

**“School - Commercial”** shall mean a school operated for gain or profit, offering instruction in such fields as academics, language training, dancing, music, golf, tennis or athletics, arts and crafts, business or trade, hairdressing, photography, secretarial, science, computer science, or similar specialized fields.

**“School - Nursery”** shall mean a day nursery under the Day Nurseries Act and includes any facility, other than a public school, which receives, cares for or provides educational instruction to six (6) or more pre-school children on a temporary basis, without overnight accommodation, such as a nursery school, pre-school day care centre or pre-school, but does not include a private day care home.

149/07 **Child Care in a Private Home Day Care**

A private home day care of babysitting service catering to no more than five (5) children at a time shall be permitted in a dwelling unit.

**“School - Post Secondary”** shall mean a college, university, or similar institution operated on a non-profit basis under a charter granted by the Province of Ontario.

133/90 **“School - Public”** shall mean a public educational establishment operated by a Board of Education.

**“School - Trade and Technical”** shall mean a public, private or commercial school where the courses of instruction relate primarily to industrial arts and vocational and technical subjects and may include accessory sales of articles manufactured in the premises or the provision of a service trade or repair shop related to a course of instruction conducted on the premises.

3/81  
021/01

**“Service Station”** shall mean a building or place where fuel, oil, grease, antifreeze, tires, tubes, tire accessories, light bulbs, spark plugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased or washed or have their ignition adjusted, tires inflated or batteries charged, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed, including an Electric Vehicle Charging Station. This also includes the dispensing of fuels for other purposes and may also include the uses as provided in the convenience store definition (except general accessory sales).

078/14

133/90

**“Setback”** shall mean, when used in reference to the front yard, the horizontal distance from the street line to the nearest point of main wall of the building and when used in reference to the side and rear yards, the horizontal distance from the property line to the nearest point of main wall of the building.

018/92

Porches shall not project more than six feet into the required front yard. When calculating the horizontal distance for setbacks from the street line (front yard) or property line [side or rear yard(s)] to the nearest point of main wall of the building, such measurement(s) shall include municipal one foot reserves.

069/94  
068/15

Steps and handicap ramps shall be permitted to project 8 feet into the front yard or up to 2.4 metres into the front yard.

Projection of steps and handicap ramps may take place beyond 6 feet in the front yard if it is no greater than 18 inches in height.

133/90

**“Shopping Centre”** shall mean one (1) or more multi-tenant buildings or a building complex containing retail establishments, complimentary commercial uses, and which is planned, designed, developed, managed and maintained as an integrated unit, sharing common elements, such as parking areas and aisles, access points and driveways, indoor/outdoor malls, landscaping, unified architectural design elements and co-ordinated sign display. For the purposes of this By-law, a development shall be considered a shopping centre if it consists of at least six hundred (600) square metres of gross leasable area and at least 3 tenants/uses.

023/11

Both a Level 1 Community Shopping Centre (CSC) and a Level 2 Regional Shopping Centre (RSC) respectively as identified/defined in the Community Commercial-Shopping Centre (CC-SC) zone section, shall be included under this general Shopping Centre definition and used to ultimately determine such types of development for zoning standards purposes.

- 133/90 **"Sight Triangle Area"** shall mean that part of a corner lot adjacent to the intersection of the exterior lot lines measured from such intersection, the distance required by this By-law along each street line and joining such points with a straight line. The triangular areas so formed shall be known as the "sight triangle area" and within this area, vegetation, structures, vehicle parking or storage or other obstructions may be regulated in order to maintain unobstructed vision at intersections for motorists.
- 098/86 **"Storey"** shall mean that portion of a building between any floor and the floor, ceiling or roof next above, and includes a basement which has its ceiling at least 1.8 metres above grade or any basement containing a dwelling unit but excludes any crawl space or other area which is unusable by virtue of its inaccessibility.
- "Street"** shall mean a common and public highway.
- "Street Line"** shall mean the front lot line.
- "Structure"** shall mean anything constructed or erected which requires location on the ground or attached to something having a location on the ground.
- 48/70 **"Supermarket"** shall mean a commercial building in which food and other household necessities are offered for sale to the public on a self-service basis.
- 069/94 **"Temporary Sales"** shall mean sales that occur not longer than a 72 hour period, by a particular individual or firm.
- "Tourist Court"** shall mean a group of buildings wherein accommodation is provided for transient lodgers, with or without meals, each building consisting of not more than two rental units.
- 061/71 **"Trailer Park"** shall mean an area of land used for the temporary accommodation of recreational vehicles.
- 148/07 **"Training Facility, Meeting and Conference Centre"** shall mean a facility where the primary use is for training, meetings and conferences, or for the use of large groups which require similar facilities, and includes related uses such as guests rooms, recreational facilities, meeting rooms, lecture theatres, food operations and bar services. While the guest rooms, food operations and bar services are to be used primarily in association with the primary use, they may be used, from time to time, by the general public.
- 038/02 **"Trellis"** shall mean a structure of thin strips, typically wood, crossing each other in an open pattern of squares or diamonds.
- "Use"** shall mean the purpose for which a lot, or building or structure of any combination thereof is designed or occupied.
- "Use - Non-conforming"** shall mean any use of a lot, building or structure which does not conform to the regulations of the Zone in which such lot is located.

1061/71  
149/07

**“Vehicle - Recreational”** shall mean any vehicle capable of being towed by a passenger automobile **or those that are self propelled** and used for living, sleeping or eating accommodation.

067/17

**“Vehicle Rental Agency”** shall mean a place where vehicles such as passenger cars, vans, light trucks, are stored and rented out to the general public and may include facilities or open areas for the storage and/or display of vehicles. Including facilities for the minor maintenance and washing of said vehicles on site.

**Exclusion** - The rental or leasing of heavy commercial equipment / vehicles such as transport tractor trailers, backhoe loaders, etc.

108/96

**“Wholesale”** shall mean an operation, or part thereof, storing and selling a quantity of goods, merchandise and/or materials for resale by the piece or in large quantities to jobbers or retailers rather than directly to consumers and includes those businesses which sell their products to commercial or industrial clients.

**“Yard”** shall mean an open space, other than a court, appurtenant to a building, unoccupied and unobstructed from the ground upwards, except as otherwise provided in the By-law.

**“Yard - Front”** shall mean the yard which extends across the width of a lot and the depth of which is the setback.

**“Yard - Rear”** shall mean a yard located between the rear lot line and the nearest part of the main building, and extending the full width of the lot.

**“Yard - Side”** shall mean a yard extending from the front yard to the rear yard and from the side lot line to the nearest wall of the main building on the lot. In the absence of front or rear yards, the side yards shall extend for the full depth of the building lot.