

SECTION 2 - Definitions

The presence of definitions of various uses contained in this Section does not necessarily mean that the use is a permitted use within the Township of Puslinch unless specifically listed as a permitted use in a zone or zones.

- (1) **"ABANDONED"** means the failure, in the opinion of the Zoning Administrator, to proceed expeditiously with construction work or to undertake construction work during any continuous 12 month period.
- (2) **"ABATTOIR"** means a building or structure, or part thereof, used for the slaughtering of animals.
- (3) **"ACCESSORY"**, when used to describe a use, a building or a structure, means a use, a building or a structure that is incidental, subordinate and exclusively devoted to a main use, building or structure and located on the same lot therewith.
- (4) **"ACCESSORY DWELLING"** - See "DWELLING".
- (5) **"ADULT ENTERTAINMENT PARLOUR"** means any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations.

In this definition:

- (a) **"Goods"** includes books, magazines, pictures, slides, film, phonograph records, prerecorded magnetic tape and any other reading, viewing or listening matter.
- (b) **"To Provide"**, when used in relation to goods, includes to sell, offer to sell or display for sale, by retail or otherwise such goods, and "providing" and "provision" have corresponding meanings.
- (c) **"To Provide"**, when used in relation to services, includes to furnish, perform, solicit, or give such services and "providing" and "provision" have corresponding meanings.
- (d) **"Services"** includes activities, facilities, performers, exhibitions, viewings and encounters.
- (e) **"Services Designed To Appeal To Erotic Or Sexual Appetites Or Inclinations"** includes,
- (f) Services of which a principal feature or characteristic is the nudity or partial nudity of any person;
 - (i) services in respect of which the word "nude", "naked", "topless", "bottomless", "sexy", or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement.

- (6) (a) **"AGRICULTURAL USE"** means an area of land, with or without accessory buildings or structures, which is used primarily for:
 - (i) the tillage of soil;
 - (ii) the growing and harvesting of vegetables, fruits, field crops, mushrooms, berries, trees, flowers or landscaping materials and may include the erection and use of greenhouses, and woodlots and forestry uses;
 - (iii) the grazing, breeding, raising, boarding or training of livestock of all kinds, including, but not so as to limit the generality of the foregoing, cattle, swine, sheep, goats, rabbits, poultry, fish, horses, ponies, donkeys, mules, fur-bearing animals and household pets but not at an intensive level as defined in Subsection 2(6) (b);
 - (iv) dairying, beekeeping, but not at an intensive level as defined in Subsection 2(6) (b);
 - (v) any other operation normally associated with farming;
 - (vi) an accessory farm sales outlet;

but excluding a kennel, an abattoir or any premises used for the killing of livestock or the processing of meat.

- (b) **"AGRICULTURAL USE, INTENSIVE"** means an agricultural use where any one of the following types of animals or birds are kept and where the aggregate number of units of such animals and birds so kept is in excess of the product of 3.5 units multiplied by the total number of hectares in the whole of the farm which is held under distinct and separate ownership from abutting lots.

Animals per Livestock Unit

BEEF	1	Beef Cow	(barn confinement)
	1	Beef Cow	(barn with yard)
	2	Beef Feeders	(barn confinement)
	2	Beef Feeders	(barn with yard)
CHICKEN	125	Caged Layers	(manure stored in barn)
	125	Caged Layers	(daily manure removal)
	125	Chicken Breeder Layers	
	200	Chicken Broilers/Roasters	
	500	Pullets (replacement layers)	
DAIRY	1	Milking Cow	(tie-small)
	1	Milking Cow	(tie-small)
	2	Dairy Heifers	(barn confinement)
	2	Dairy Heifers	(barn with yard)
DUCK	100	Ducks	
EMU	5	Emu	
FOX	40	Adult Fox	

GOAT	4	Adult Goats
	10	Feeder Goats (>20 kg)
HORSE	1	Horse
MINK	80	Adult Mink
OSTRICH	3	Ostrich
RABBIT	40	Adult Rabbits
SHEEP	4	Adult Sheep
	10	Feeder Lambs (>20 kg)
SWINE	5	Sows/Boars
	20	Weaners (4-30 kg)
	4	Feeder Hogs (30-120 kg)
TURKEY	50	Meat Turkeys (>10 kg)
	75	Meat Turkeys (5-10 kg)
	75	Turkey Breeder Layers
	100	Meat Turkeys (<5 kg)
	500	Pullets (replacement breeders)
VEAL	6	White Veal
	3	Red Veal (<300 kg)

- (7) **"AGRICULTURAL SERVICE ESTABLISHMENT"** means the buying or selling of commodities and services that support the agricultural uses and shall include the sales and service of welding and machinery repair, farm drainage and excavation, well drilling, custom spraying, tillage, planting and harvesting services.
- (8) **"AGRICULTURAL SUPPLY ESTABLISHMENT"** means the supply of goods, materials or services that support agricultural uses including the sale and storage of seed, feed, fertilizer and chemical products and the rental, sale, repair or service of agricultural equipment or implements or any combination of the foregoing.
- (9) **"ALTER"** means:
- (i) when used in reference to a building or structure or part thereof, to change any one or more of the external dimensions of such building or structure or to make any change in the supporting members or to the type of construction of the exterior walls or roof thereof;
 - (ii) when used in reference to a lot, to change the lot area, lot frontage or lot depth thereof; to change the width, depth or area of any required yard, set-back, landscaped open space or parking area thereon; or to change the location of any boundary of such lot with respect to a street or lane, whether such alteration is made by conveyance or alienation of any portion of such lot or otherwise; or
 - (iii) when used in reference to a use, to discontinue and replace a use, in whole or in part, with a use which is defined herein as being distinct from the discontinued use.
- (a) **"Altered"** and **"Alteration"** have corresponding meanings.

- (10) **"AMUSEMENT PARK"** means an establishment regardless of whether or not it is maintained or operated for gain or profit, where rides, games of chance and the sale of food, beverages, toys and souvenirs constitute the main uses.
- (11) **"ASPHALT PLANT"** - See **"BATCHING PLANT"**.
- (12) **"ATTACHED"** means:
- (i) when referring to an accessory building "attached horizontally to a main building on the same lot"; or
 - (ii) when referring to a main building, "attached horizontally to another main building either on the same lot or on an adjacent lot".
- (13) **"ATTIC"** - See **"STOREY"**.
- (14) **"AUCTION CENTRE"** means a lot, building or structure where articles are stored and sold in a public sale to the individual who makes the highest bid.
- (15) **"AUDITORIUM"** or **"PLACE OF ASSEMBLY"** means a building or structure, or part thereof, where facilities are provided for athletic, civic, educational, recreational, political, religious or social events, including, but not so as to limit the generality of the foregoing, an arena, a curling rink, a museum, a community centre, a bowling alley, a recreation centre, an assembly hall, a pool hall or billiards parlour, a gymnasium, a stadium, a cinema, a theatre and a playhouse.
- (16) **"AUTOMOBILE SALES AND SERVICE ESTABLISHMENT"** means premises where motor vehicles are stored or displayed for the purpose of sale or hire and shall include the storage and sale of automotive accessories together with the repair and service of the motor vehicle.
- (17) **"AUTOMOBILE SERVICE STATION"** means an establishment where vehicle fuels, lubricants and accessories are offered for retail sale and which contains facilities for the repair and maintenance of vehicles.
- (18) **"AUTOMOTIVE USE"** means an automobile service station, a gasoline retail outlet, a vehicle repair shop, a carwash, a body shop or a vehicle sales or rental establishment as defined herein.
- (19) **"BALCONY"** means a stage or platform, other than a stoop, projecting from the wall of a building and accessible from inside such building by means of a door.
- (20) **"BANK"** means an institution where money is deposited, kept, lent and exchanged, and includes the business premises of a trust company or a credit union.
- (21) **"BASEMENT"** - See **"STOREY"**.

- (22) **"BATCHING PLANT, ASPHALT OR CONCRETE"** means an industrial facility used for the production of asphalt or concrete, or asphalt or concrete products, used in building or construction and includes facilities for the administration and management of the business, the stockpiling of bulk materials used in the production process or of finished products manufactured on the premises and the storage and maintenance of required equipment, but does not include the retail sale of finished asphalt or concrete products.
- (23) **"BED AND BREAKFAST ESTABLISHMENT"** means a single detached dwelling in which no more than three rooms are made available by the resident of the said dwelling for the temporary accommodation of travellers in the course of which no assistance is offered by any person not residing in the dwelling. This does not include a hotel, motel, boarding or lodging house, or restaurant, as defined herein.
- (24) **"BEDROOM"** means a habitable room located within a dwelling unit and used primarily for sleeping.
- (25) **"BERM"** means a landscaped mound of earth.
- (26) **"BOARDING HOUSE, ROOMING HOUSE"** means a building or part thereof in which the proprietor resides and supplies, for hire or gain, to more than two persons, lodging and/or meals, but shall not include a hotel, motel, hospital, home for the young or the aged, institution or restaurant.
- (27) **"BOAT"** means a water-going vehicle.
- (28) **"BODY-RUB"** includes the kneading, manipulation, rubbing, massaging, touching, or stimulating, by any means, of a person's body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario.
- (29) **"BODY-RUB PARLOUR"** includes any premises or part thereof where a body-rub is performed, offered, or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body-rubs performed are for the purpose of medical 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.
- (30) **"BODY SHOP"** means an establishment engaged in the repairing or painting of vehicle bodies.
- (31) **"BUILDING"** means any structure, consisting of walls and a roof, which is used or intended to be used for the shelter, accommodation or enclosure of persons, animals or chattels, and includes any structure defined as a building in The Building Code Act (R.S.O. 1980) Chapter 51, but does not include any vehicle as defined herein or a fence.
- (32) **"BUILDING BY-LAW"** means any by-law of the Corporation passed pursuant to The Building Code Act (R.S.O. 1980), Chapter 51, as amended from time to time, or any successors thereto.

- (33) **"BUILDING HEIGHT"** - See "HEIGHT".
- (34) **"BUILDING LINE, ESTABLISHED"** means the existing street setback of an existing main building on a lot, measured between the centreline of the street adjacent to the said lot and the nearest part of such building, excluding any stoops, sun decks, porches, verandahs, balconies, exterior steps or architectural adornments.
- (35) **"BUILDING PERMIT"** means a permit required by the Building By-Law.
- (36) **"BULK SALES ESTABLISHMENT"** means the use of land, structure or building for the purpose of buying and selling lumber, wood, building materials, feed, fertilizer, ice, and allied commodities, but does not include any manufacturing, assembly or processing.
- (37) **"BUSINESS OFFICE"** means a building or part thereof in which one or more persons is employed in the management, direction or conducting of a public or private agency, a business, a brokerage or a labour or fraternal organization, including, but not so as to limit the generality of the foregoing, an office accessory to a permitted non-residential use, a telegraph office, a bank or other financial institution, the premises of a real estate or insurance agent, a data processing establishment, a newspaper publisher or a radio or television broadcasting station and related studios or theatres, but does not include a retail store or a professional office.
- (38) **"CARPORT"** means a covered structure used for the storage of vehicles. The roof of the said structure shall be supported by piers or columns so that more than 40 percent of its wall area adjacent to the lot line is unenclosed.
- (39) **"CAR WASH"** means a building or structure containing facilities specifically used or intended to be used for washing vehicles either by production line methods employing mechanical devices or by hand for a fee or a charge.
- (40) **"CELLAR"** - See "STOREY".
- (41) **"CEMETERY"** means land that is set apart or used as a place or the interment of the dead or in which human bodies have been buried.
- (42) **"CHURCH"** means a building owned or occupied by a religious congregation or religious organization and dedicated exclusively to worship and related religious, social and charitable activities, with or without a church hall, a church auditorium, a convent or monastery, an office of a clergyman, a cemetery, a Sunday school, a parish hall or a parsonage as uses accessory thereto.
- (43) **"CLINIC"** means a building or part thereof, other than a hospital, used by medical doctors, dentists, and/or drug-less practitioners and their staff for the purposes of consultation, diagnosis or treatment on human patients, and may include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies and dispensaries directly associated with the clinic. The area for the sale of drugs shall not exceed 475 square metres.

- (44) **"CLUB, PRIVATE"** or **"PRIVATE CLUB"** means a building or premises located on privately owned lands, operated on a non-profit basis for social, literary, cultural, political, educational or recreational purposes for the exclusive use of members and their guests and not open to the general public on any equal basis. A private club includes a fraternal organization, but does not include an assembly hall, body-rub parlour or adult entertainment parlour.
- (45) **"COMMERCIAL USE"** means a building, structure, lot, use or activity pertaining to the buying or selling of commodities or the supplying of services for remuneration, but does not include activities primarily associated with an industrial use as defined herein or primarily associated with any construction work.
- (46) **"COMMERCIAL VEHICLE"** - See "VEHICLE".
- (47) **"CONCRETE PLANT"** means an establishment involved in the manufacture and storage of concrete products, together with the storage of raw material but shall not include the portland cement.
- (48) **"COMMUNITY CENTRE"** means any tract of land, used for community activities and not used for commercial purposes, and the control of which is vested in the Municipality, a local board or agent thereof.
- (49) **"CONSERVATION"** means uses and use of land complementary to and compatible with the wise management, stewardship, protection and preservation of the natural environment, along with any of its significant biophysical features and ecological functions. Conservation may include uses such as reforestation, erosion control, fish and wildlife management, flood control, and forest management.
- (50) **"CONSERVATION AUTHORITY"** means the Conservation Authority having jurisdiction, or any successors thereto.
- (51) **"CONVENIENCE STORE"** - See "VARIETY STORE".
- (52) **"CORPORATION"** means the Corporation of the Township of Puslinch.
- (53) **"COUNCIL"** means the Municipal Council of the Corporation of the Township of Puslinch.
- (54) **"COUNTY"** means the Corporation of the County of Wellington.
- (55) **"COUNTY ROAD"** - See "STREET".
- (56) **"COVERAGE"** - See "LOT COVERAGE".
- (57) **"DAY NURSERY"** means a building or part thereof duly licensed by the Province of Ontario for use as a facility for the day-time care of children.
- (58) **"DETACHED"** means "not attached".
- (59) **"DEVELOPMENT"** means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure

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that has the effect of materially increasing the size or useability thereof, or the laying out and establishment of a commercial parking lot.

- (60) **"DINING ROOM"** means that part of a commercial restaurant, refreshment room or other building, other than a dwelling which is used for the consumption of food or beverages by persons seated at booths, counters, tables, or a combination thereof.
- (61) **"DRIVE-IN THEATRE"** means a theatre consisting of a screen or screens and parking area where the public is able to view projected movies from a private automobile and includes accessory structure for ticket sales, concession stand, offices, projection room and washrooms.
- (62) **"DRIVEWAY"** means a vehicle access provided between a street or lane and a parking area or a loading space, or between two parking areas, but does not include a parking aisle.
- (63) **"DRY CLEANER'S DISTRIBUTION STATION"** means a building used for the purpose of receiving articles or clothing to be subjected to the process of dry cleaning, dry dyeing or cleaning elsewhere and for the pressing and/or distribution of any such articles or goods which have been subjected to any such process.
- (64) **"DRY CLEANING ESTABLISHMENT"** means a building where dry cleaning, dry dyeing, cleaning or pressing of articles of clothing is carried on, and
 - (i) in which only non-inflammable solvents are or can be used which emit no odours or fumes; and
 - (ii) in which no noise or vibration causes a nuisance or inconvenience within or without the premises.
- (65) **"DWELLING"** means a building containing one or more dwelling units.
 - (a) **"Single Detached Dwelling"** means a single dwelling which is freestanding, separate and detached from other main buildings or main structures, including a split level dwelling but does not include a mobile home.
 - (b) **"Single Dwelling"** means a dwelling containing not more than one dwelling unit as the sole main use thereof, with or without uses accessory thereto.
 - (c) **"Semi-Detached Dwelling"** means one of a pair of two attached single dwellings with a common masonry wall dividing the pair of single dwellings vertically, each of which has an independent entrance either directly from the outside or through a common vestibule.
 - (d) **"Duplex Dwelling"** means the whole of a dwelling that is divided horizontally into two separate dwelling units each of which has an independent entrance either directly from the outside or through a common vestibule.
 - (e) **"Converted Dwelling"** means a dwelling erected prior to the date of passing of this By-Law, altered or converted so as to provide therein not more than three dwelling units.

- (f) **"Agricultural Service Dwelling"** means a temporary dwelling to provide sleeping accommodation and sanitary facilities for seasonal farm workers and such temporary dwelling may include facilities for cooking.
 - (g) **"Multiple Dwelling"** means a dwelling containing three or more dwelling units.
 - (h) **"Split Level Dwelling"** means a dwelling in which the first floor above the finished grade is so constructed as to create two or more different levels, the vertical distance between such levels being always less than the full storey. For the purpose of this By-Law, a split level dwelling house shall be considered as a one storey dwelling house.
 - (i) **"Modular Dwelling"** means a prefabricated single detached dwelling designed to be transported once only to a final location and constructed so as the shortest side of such dwelling is not less than six metres in width.
- (66) **"DWELLING UNIT"** means a suite of habitable rooms which:
- (i) is located in a building;
 - (ii) is used or intended to be used in common by one or more persons as a single, independent and separate housekeeping establishment;
 - (iii) contains food preparation and sanitary facilities provided for the exclusive common use of the occupants thereof; and
 - (iv) has a private entrance directly from outside the building or from a common hallway or stairway inside the building.
 - (a) **"Accessory Dwelling Unit"** means a dwelling unit accessory to a permitted non-residential use.
 - (b) **"Bachelor Dwelling Unit"** means a dwelling unit consisting of a room containing sanitary facilities and not more than two other habitable rooms providing therein living, dining, sleeping and cooking accommodation.
- (67) **"DWELLING UNIT AREA"** - See "FLOOR AREA".
- (68) **"EMISSION"** means any corrosive gases, dust, fly ash, electromagnetic fields, heat, glare, odours, smoke, toxic gasses, radiation, petrochemical waste or chemical waste issuing from a building, structure or lot.
- (69) **"ERECT"** means to build, place, construct, reconstruct, relocate or alter by means of an addition, enlargement or extension, and includes any preliminary physical operation preparatory to such building, construction, reconstruction or relocation including, but not so as to limit the generality of the foregoing, excavating, filling or draining.
- (a) **"Erected"** and **"Erection"** have corresponding meanings.

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(70) **"EROSION CONTROL"** means land use practices or structures necessary for the reduction or prevention of soil erosion.

(71) **"EXISTING"**, when used in reference to a use, a lot, a building or a structure, means a use, a lot, a building or a structure in existence prior to the date of passing of this By-Law, so long as it continues to be used for that purpose.

(72) **"FACTORY OUTLET"** means a building or part thereof accessory to, and clearly secondary to, an industrial use or a service trade, wherein products manufactured, produced, processed or stored on the premises are kept or displayed, for wholesale or retail sale, or wherein orders are taken for the delivery of such products.

(73) **"FAMILY"** means:

(i) a person or two or more persons interrelated by bonds of consanguinity, marriage or legal adoption, and together with not more than two persons unrelated to such persons; or

(ii) not more than five persons;

living together as a single, independent and separate housekeeping unit in one dwelling unit and for the purpose of this paragraph, the word "family" includes and shall be deemed to include gratuitous guests and bona fide servants employed as such on the premises containing the said dwelling unit.

(74) **"FARM SALES OUTLET"** means a building, structure or use accessory to a farm and engaged in the storage, handling and sale of farm produce or agricultural materials to the agricultural community or fresh farm produce to the general public.

(75) **"FINISHED GRADE"** means, when used in reference to a building or structure, the average elevation of the finished surface of the ground immediately adjoining the base of the exterior walls or supports of such building or structure, exclusive of any artificial embankment.

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(76) **"FISH AND WILDLIFE MANAGEMENT"** means the management of fish and wildlife species habitat. This may include stream enhancement, planting of browse or shelter species, nesting boxes, nesting islands, ponds, dugouts and den trees.

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(77) **"FLOOD CONTROL"** means land use practices or structures deemed necessary by the Conservation Authority for the reduction or prevention of flooding.

(78) **"FLOOR AREA"** means the area of the floor surface of a storey of part thereof.

(a) **"Dwelling Unit Area"** means the aggregate of the floor areas of all habitable rooms, hallways and lobbies within a dwelling unit, excluding the thickness of any exterior walls.

(b) **"Gross Floor Area"** means the aggregate of the floor areas of all storeys of a building or structure, other than an attic or a cellar, excluding the floor area of any private garage.

- (c) **"Net Floor Area"** means that portion of the gross floor area of a building which is used exclusively for a non-residential use defined herein or specifically named elsewhere in this By-Law, but excluding:
 - (i) any part of such building used for any other non-residential uses which are defined herein or specifically named elsewhere in this By-Law;
 - (ii) any part of such building used as a dwelling unit, a public concourse, an elevator shaft or a common hallway or stairway not used exclusively by the said non-residential use;
 - (iii) any part of such building used solely for the storage of electrical equipment or of equipment to heat, cool or otherwise control the environment of such building or a portion thereof;
 - (iv) any part of such building used as a lavatory, a washroom, a locker room or a cloak room; and
 - (v) the thickness of any exterior walls of such building.

(79) **"FOOD PROCESSING PLANT"** means a building or part thereof, other than a restaurant or a refreshment room, in which agricultural products are prepared, processed, preserved, graded or stored, but does not include an abattoir or any premises used for the slaughtering of animals or the boiling of blood, tripe or bones.

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(80) **"FOREST MANAGEMENT"** means the management of forest resources for the production of a wide range of values including wood fibre production, erosion control, fish and wildlife habitat, rare species habitat, passive recreation, visual amenity, and education and research. This shall not include a permanent on-site sawmill.

(81) **"FRONTAGE"** - See "LOT FRONTAGE".

(82) **"FRONT YARD"** - See "YARD".

(83) **"FUEL DEPOT"** means an establishment where petroleum, gasoline, fuel oil, gas propane or other fuels are stored in tanks for wholesale distribution or bulk sales but does not include facilities for the sale of fuels for private automobiles.

(84) **"GARAGE, PRIVATE"** means an accessory building or structure, or a portion of a building, which is used or intended to be used for the sheltering of vehicles and in which there are no facilities for repairing or servicing such vehicles for gain or profit, and includes a carport.

(85) **"GARDEN CENTRE"** means the use of lands, buildings or part thereof for the purpose of buying or selling lawn and garden equipment, furnishings and supplies.

(a) **"GARDEN SUITE"** means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing single-detached residential unit. A garden suite is pre-built and designed to be portable, but shall not include a mobile home or tourist trailer as defined herein.

- (86) **"GAS BAR"** means one or more pumps for the sale of vehicle fuels and related products for motor vehicles, together with the necessary pump islands, light standards, kiosk, concrete aprons, canopy, storage tanks and related facilities required for the dispensing of vehicle fuels.
- (87) **"GASOLINE RETAIL OUTLET"** means an establishment where vehicle fuels and lubricants are offered for retail sale.
- (88) **"GOLF COURSE"** means a public or private area operated for the purpose of playing golf and includes a par 3 golf course and may include driving ranges, miniature courses and similar uses operated for commercial purposes.
- (89) **"GREENHOUSE, COMMERCIAL"** means a building or structure used for the growing of flowers, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such building or structure, but are sold directly from such lot as wholesale or retail.
- (90) **"GREENHOUSE, FARM"** means a building for the growing of plants, shrubs, trees and similar vegetation which are primarily transplanted outdoors on the same lot containing such greenhouse.
- (91) **"GROUP HOME"** means a single housekeeping unit in a residential dwelling in which three to ten persons (excluding supervisory staff or receiving family) live as a family under responsible supervision consistent with the particular needs of its residents. The home is licensed or approved under provincial statutes and in compliance with municipal by-laws.
- (92) **"GUEST ROOM"** means a room or suite of rooms in a hotel or motel wherein accommodation, with or without meals, is provided for gain or profit to one or more persons.
- (93) **"HABITABLE ROOM"** means a room which:
- (i) is located within a dwelling unit;
 - (ii) is designed for living, sleeping or eating or for sanitary purposes;
 - (iii) can be used at all times throughout the year; and
 - (iv) is not located within a cellar;
- but does not include any room specifically defined herein as a non-habitable room.
- (a) **"Non-Habitable Room"** means any room located within a dwelling unit but that is not a habitable room, including, but not so as to limit the generality of the foregoing, a laundry room, a pantry, a lobby, a corridor, a stairway, a closet, a sunroom, a verandah, a recreation room, a porch, a balcony, a private garage, an unfinished attic, a cellar, a boiler room and any space used for the service and maintenance of such dwelling or for vertical travel between storeys.

- (94) **"HEIGHT" or "BUILDING HEIGHT"**, when used in reference to a building or structure, means the vertical dimension between the finished grade of such building or structure and:
- (i) in the case of a flat roof, the highest point of the roof surface or parapet wall;
 - (ii) in the case of a mansard roof, the deck line;
 - (iii) in the case of a gabled, hip, gambrel or one slope roof, the average level between eaves and ridge, except that a one-slope roof having a slope of less than 20 degrees from the horizontal shall be considered a flat roof for the purposes of this By-Law;
 - (iv) in the case of a structure not having a roof, the top part of such structure; or
 - (v) where a combustible exterior wall extends above the top of the roof of a building, the topmost part of such exterior wall.
- (95) **"HEREAFTER"** means "after the date of the passing of this By-Law".
- (96) **"HEREIN"** means "anywhere in this By-Law".
- (97) **"HEREOF"** and **"HERETO"** mean "of this By-Law" and "to this By-Law", respectively.
- (98) **"HERITAGE BUILDING"** means a building designated under Part IV of The Ontario Heritage Act.
- (99) **"HIGHWAY"**, **"STREET"** or **"ROAD"** means a public way for purposes of vehicular and pedestrian travel, including the entire area within the right-of-way, with or without provision made for curbs, sidewalks, and paved gutters, and owned or maintained by a public authority.
- (100) **"HOME FOR THE AGED"** means a home for the aged within the meaning of the Homes For The Aged and Rest Homes Act, R.S.O. 1980.
- (101) **"HOME OCCUPATION"** means an occupation or business conducted for gain or profit as an accessory use within, or on the same lot as, a permitted dwelling or dwelling unit by one or more persons residing therein.
- (102) **"HOSPITAL, PRIVATE"** means a hospital as defined in The Private Hospitals Act (R.S.O. 1980), Chapter 389, as amended from time to time, or a sanatorium as defined in The Private Sanatoria Act (R.S.O. 1980), Chapter 391, as amended from time to time.
- (103) **"HOSPITAL, PUBLIC"** means a hospital as defined in The Public Hospitals Act (R.S.O. 1980), Chapter 410, as amended from time to time.
- (104) **"HOTEL"** - See "MOTEL".

- (105) **"INDUSTRIAL USE"** means a building, structure, lot or activity pertaining to:
- (i) the manufacturing, assembling, making, producing, preparing, inspecting, grading, ornamenting, finishing, treating, cleaning, washing, altering, repairing, restoring, processing, polishing, refinishing, packing, adapting for sale, warehousing, storing, breaking up or demolishing of goods, substances, articles or things or any part or parts thereof; or
 - (ii) the production or storage of building or construction equipment or materials; but does not include activities primarily associated with either a commercial use or an automotive use as defined herein or with the supplying of personal services.
- (106) **"INSTITUTIONAL"** means the use of land, buildings or structures for religious, charitable, educational, health or welfare purposes, and includes churches, places of worship, public or private schools and nursery schools.
- (107) **"INTERIOR SIDE YARD"** - See "YARD".
- (108) **"KENNEL"** means an establishment where dogs and/or cats are housed, groomed, bred, boarded, trained or sold and which is licensed by the Corporation under The Municipal Act.
- (109) **"LANDSCAPED OPEN SPACE"** means an open area of land which is:
- (i) unoccupied by any building or structure;
 - (ii) situated at ground level on a lot; and
 - (iii) used or intended to be used for the growth and maintenance of grass, flowers, shrubs, bushes, trees and other vegetation, and for the provision of other landscaping features including, but not necessarily restricted to, planting strips, facilities for outdoor recreation, play areas, surfaced walks and patios;
- but does include any part of a driveway or parking area, regardless of surface composition, or any roof-top terrace, balcony, swimming pool or space enclosed within a building.
- (110) **"LANE"** means a walkway, emergency access or any other passageway or right-of-way, open from ground to sky, not constituting a street but laid down upon a registered plan and dedicated to public use, or legally dedicated as a right-of-way for use in common by adjacent land owners.
- (111) **"LAUNDROMAT"** means a self-serve clothes washing establishment containing one or more washers and drying, ironing, finishing or other incidental equipment.
- (112) **"LEGAL"** or **"LAWFUL"**, when used in reference to a use, a lot, a building or a structure, means a use, a lot, a building or a structure allowed by law, which complies with any and all restrictions lawfully imposed by the Corporation or by any governmental authority having jurisdiction to make such restrictions or regulations.
- (a) **"Legally"** or **"Lawfully"** have corresponding meanings.

- (113) **"LEGAL SIGN"** - See "SIGN".
- (114) **"LIBRARY, PUBLIC"** means a library, branch library or distributing station under The Public Libraries Act, R.S.O. 1980, Chapter 414, as amended from time to time, or any successor thereto.
- (115) **"LOADING SPACE"** means an off-street space or berth located on the same lot as a permitted use and used for the parking of a commercial vehicle loading or unloading merchandise or materials pertinent to such permitted use.
- (116) **"LOT"** means a parcel of land described in a deed or other document legally capable of conveying land or shown as a lot or block on a registered plan of subdivision other than a registered plan of subdivision which has been deemed not to be a registered plan of subdivision by a by-law passed pursuant to Section 49 of the Planning Act, as amended from time to time, or any successors thereto.
- (117) **"LOT AREA"** means the total horizontal area within the lot lines of a lot.
- (118) **"LOT COVERAGE"** means that percentage of the lot area of a lot covered by the perpendicular projections onto a horizontal plane of the floor areas of all buildings or mobile homes on the lot, excluding balconies, canopies and overhanging eaves which are 2 metres or more in height above finished grade.
- (119) **"LOT DEPTH"** means:
- (i) the shortest horizontal distance between the rear lot line and the front lot line of a lot, where such lot lines are parallel;
 - (ii) the average horizontal distance between the rear lot line and the mid-point of the front lot line of a lot, where such lot lines are not parallel; or
 - (iii) the horizontal distance between the mid-point of the front lot line and the point of intersection of the side lot lines of a lot, where there is not a rear lot line.
- (120) **"LOT FRONTAGE"** means the horizontal distance between the side lot lines of a lot, such distance being measured along a line which is parallel to the front lot line of the lot at the minimum front yard depth required hereby on such lot.
- (121) **"LOT LINE"** means any boundary of a lot or the vertical projection thereof.
- (a) **"Front Lot Line"** means:
- (i) in the case of an interior lot, the street line of the lot;
 - (ii) in the case of a corner lot, either street line of the lot, whereas the other street line shall be deemed an exterior side lot line; or
 - (iii) in the case of a through lot, either street line of the lot, whereas the other street line shall be deemed a rear lot line.

- (b) **"Rear Lot Line"** means, in the case of a lot having four or more lot lines, the lot line farthest from and opposite to the front lot line, except that where a lot has less than four lot lines there shall be deemed to be no rear lot line.
 - (c) **"Side Lot Line"** means a lot line other than a front or rear lot line.
 - (d) **"Exterior Side Lot Line"** means a side lot line that is also a street line.
 - (e) **"Interior Side Lot Line"** means a side lot line other than an exterior side lot line.
 - (f) **"Interior Lot Line"** means a lot line other than a street line.
- (122) **"MAIN"**, when used to describe a use, a building or a structure, means a use or structure which constitutes, or a building in which is conducted, a principal use of the lot on which such use, building or structure is located.
- (123) **"MARINA"** means an establishment located on the shore of a body of water which provides docking or mooring space or structures for all types of marine pleasure craft and may include electricity, water and sewer services for these craft as well as fueling facilities; such an establishment may also include those services and structures related to in-water and dry storage of marine pleasure craft and the sale, service and repair of such craft and commercial functions related to the boating public which are accessory and subordinate to the use of the site as a boating facility.
- (124) **"MERCHANDISE SERVICE SHOP"** means a building or part thereof wherein articles or goods, other than vehicles or industrial toolage, are repaired or services, or where replacement parts for such articles or goods are offered for sale.
- (125) **"MOBILE HOME"** means a trailer capable of being used in like manner as a single detached dwelling for the permanent accommodation of one or more persons, notwithstanding that the running gear of such trailer is or may be removed, or that such trailer is or may be fixed on a finished and permanent foundation or has become in any other manner so adapted and affixed to the land upon which it is situated that it is, or has become, an immobile and permanent structure, and includes any mobile home as defined in Section 45(1) (a) of the Planning Act, 1983, as amended from time to time, or any successors thereto.
- (126) **"MOBILE HOME LOT"** means an area of land within a mobile home park which is used as the site of, and pertains to, not more than one mobile home.
- (127) **"MOBILE HOME PARK"** means a lot containing two or more mobile home lots, with or without any building, structures or uses accessory thereto.
- (128) **"MOTEL"** means a building, a part of a building or a group of buildings used for the purpose of providing accommodation, with or without food or other refreshments, to the travelling public, including, but not so as to limit the generality of the foregoing, a motor court, auto court, motor hotel, tourist home and any hotel as defined in The Hotel Registration of Guests Act (R.S.O. 1980), Chapter 208, as amended from time to time, or any successors thereto.

- (129) **"MUNICIPAL"**, when used in reference to a lot, a building or a structure, means a lot, a building or a structure owned, occupied and used by the Corporation or any department, board, commission or agency thereof.
- (130) **"MUNICIPAL DRAIN"** means a drainage works as defined by The Drainage Act, R.S.O. 1980, as amended from time to time.
- (131) **"NON-CONFORMING"**, when used in reference to a use, a lot a building or a structure, means a use, a lot, a building or a structure which does not conform to one or more of the provisions of this By-Law or is not permitted hereby.
- (132) **"NURSERY"** means the use of land, buildings or structures or part thereof where trees, shrubs or plants are grown or stored for the purpose of transplanting, for use as stocks for building or grafting or for the purpose of retail or wholesale, together with the sale of soil, planting materials, fertilizers and similar materials.
- (133) **"NURSING HOME"** means a building wherein lodging, meals, personal care, nursing services, and medical care and treatment are provided for gain or profit or as a charitable public service and includes a rest home or a convalescent home, but does not include a hotel, motel or hospital as defined herein.
- (134) **"OPEN STORAGE"** means the storage of goods and materials, or the display and sale of goods and materials, including vehicles for hire or sale, outside a building as defined herein.
- (135) **"OPEN STORAGE AREA"** means an area of land used for open storage purposes.
- (136) **"PARK"** means an area of land, consisting primarily of landscaped open space, used primarily for active or passive recreational purposes or as a conservation area, with or without related recreational buildings, structures or facilities including, but not necessarily restricted to, a recreational playground, a golf course, a driving range, a play area, a bandstand, a skating rink, a horticultural greenhouse, a bowling green, a tennis or badminton court, a play field, a running track, a swimming area, a wading pool, a boating pond or lake, a watercourse, a campground, a refreshment booth, a picnic area, or an auditorium or place of assembly.
- (a) **"Public Park"** means a park owned or controlled by a public agency.
- (b) **"Private Park"** means a park other than a public park, regardless of whether or not such park is maintained or operated for gain or profit, but does not include an amusement park.
- (c) **"Amusement Park"** means an establishment other than a public or private park, regardless of whether or not it is maintained or operated for gain or profit, where rides, games of chance and the sale of food, beverages, toys and souvenirs constitute the main uses.
- (137) **"PARKING AISLE"** means a portion of a parking area which abuts, on one or more sides, parking spaces to which it provides access, and which is not used for the parking of vehicles.

- (138) **"PARKING AREA"** means an area or structure, including a private garage, provided for the parking of vehicles, and includes any related parking aisles, parking spaces and structures, but does not include any part of a street or lane.
- (139) **"PARKING LOT"** means a lot which contains, and the main use of which is, a parking area, whether or not such parking area is located within a structure.
- (140) **"PARKING SPACE"** means a portion of a parking area, exclusive of any aisles, to be used for the parking or temporary storage of a motor vehicle.
- (141) **"PASSIVE RECREATIONAL"** means a non-intensive activity or use of land carried out for recreational purposes which does not require the construction of buildings or the alteration of soil or topography and includes open space and natural areas. Passive Recreational uses may include nature interpretation, hiking, cross-country skiing, fishing and hunting.
- (142) **"PERMITTED"** means "permitted by this By-Law".
- (143) **"PERSON"** means any human being, association, firm, partnership, corporation, agent or trustee, and the heirs, executors or other legal representatives of a person at law.
- (144) **"PERSONAL SERVICE SHOP"** means a building or part thereof wherein a personal service is performed, including, but not necessarily restricted to a barber shop, a beauty salon, a shoe repair shop, a dry cleaning establishment, a tailor, a laundromat, and a photographic studio, but does not include an undertaker's establishment or a massage or body-rub parlour or any adult entertainment parlour as defined in The Municipal Act (R.S.O. 1980), Chapter 284, as amended.
- (145) **"PIT"** means a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside pit.
- (146) **"PLACE OF ENTERTAINMENT"** means a motion picture or other theatre, arena, auditorium, public hall, billiard or pool room, bowling alley, ice or roller skating rink, dance hall or music hall; but does not include any place of entertainment or amusement otherwise defined or classified herein.
- (147) **"PLANTING STRIP"** means an area of landscaped open space located immediately adjacent to a lot line or portion thereof and on which is situated one or more of the following screening devices:
- (i) a continuous row of trees;
 - (ii) a continuous hedgerow of evergreens or shrubs;
 - (iii) a berm;
 - (iv) a wall; or
 - (v) an opaque fence;
- arranged in such a way as to form a dense or opaque screen.

- (148) **"PORCH" or "VERANDAH"** means a partially enclosed stoop having a roof but lacking any enclosing walls greater than 1.5 metres in height from the top of the platform of the said stoop.
- (149) **"PRIVATE"** means "not public".
- (150) **"PRIVATE CLUB"** - See CLUB, PRIVATE".
- (151) **"PRIVATE GARAGE"** - See "GARAGE, PRIVATE".
- (152) **"PROFESSIONAL OFFICE"** means a building or part thereof in which a legal, medical or other personal professional service is performed or consultation given, including, but not necessarily restricted to a clinic and the offices of a lawyer, an architect, a surveyor, an engineer or a chartered accountant, but does not include a personal service shop, a business office, a veterinarian's clinic, a body-rub parlour or any adult entertainment parlour as defined in The Municipal Act (R.S.O. 1980, Chapter 302, as amended).
- (153) **"PUBLIC"**, when used in reference to a building, structure, use or lot, means a building, structure, use or lot used by a public agency to provide a service to the public.
- (154) **"PUBLIC AGENCY"** means:
- (i) the Government of Canada, the Government of Ontario, or any municipal corporation;
 - (ii) any ministry, department, commission, corporation, authority, board or other agency established from time to time by the Government of Canada, the Government of Ontario, or any municipal corporation;
 - (iii) any public utility; or
 - (iv) any railway company authorized under The Railway Act, R.S.O. 1970, Chapter 334, as amended from time to time, or any successors thereto.
- (155) **"PUBLIC UTILITY"** means:
- (i) any agency, board or commission providing electricity, gas, steam, water, telegraph, telephone, cable television, transportation, drainage or sewage services to the public; or
 - (ii) a use pertaining to any such agency, board or commission.
- (156) **"QUARRY"** means a place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry or open pit metal mine.
- (157) **"REAR LOT LINE"** - See "LOT LINE".
- (158) **"REAR YARD"** - See "YARD".

- (159) **"REDEVELOPMENT"** means the removal of buildings or structures from land and the construction or erection of other buildings or structures thereupon.
- (160) **"REFRESHMENT ROOM"** means a building or part thereof in which alcoholic or non-alcoholic beverages, with or without related snacks or refreshments other than full meals, are offered or kept for retail sale to the public for immediate consumption therein.
- (161) **"REQUIRED"** means "required by this By-Law".
- (162) **"RESIDENTIAL"**, when used in reference to a building, structure or use, means any dwelling or mobile home as defined herein or any accessory building, structure or use exclusively devoted thereto.
- (a) **"Non-Residential"**, when used in reference to a building, structure or use, means a building, structure or use other than a residential building, structure or use.
- (b) **"Residential Lot"** means a lot containing a residential use.
- (163) **"RESTAURANT"** means a building or part thereof where food is prepared and offered for retail sale to the public for immediate consumption either on or off the premises, but does not include a refreshment room or any building or part thereof where pre-packed foods or beverages requiring no further preparation before consumption are offered for sale.
- (164) **"RETAIL STORE"** means a building or a structure, or part thereof, in which goods, wares, merchandise, substances, foodstuffs, farm produce, articles or things are stored, offered or kept for retail sale to the public, and includes the business premises of an auctioneer, where such premises are used for the sale of merchandise by auction, and also includes any automotive use except as specifically prohibited by this By-Law.
- (165) **"RETAIL LUMBER AND BUILDING SUPPLY YARD"** means a lot, building, structure or part thereof, the primary use of which is the storage and retail sale of timber which has been sawn or split for use, with or without related building materials and supplies.
- (166) **"SALVAGE YARD"** means a lot, building or structure used for wrecking, dismantling, storing or selling used goods, wares or materials including, but not so as to limit the generality of the foregoing, rags, bones, bottles, metals, clothing, furniture, paper, machinery, building materials and vehicles and parts thereof.
- (167) **"SCHOOL"** means a school under the jurisdiction of a Board as defined in The Education Act, R.S.O. 1980, Chapter 129, a college, a university or any other educational establishment including, but not necessarily restricted to a nursery school or a boarding school having accessory dormitory facilities.
- (a) **"Public School"** means a school under the jurisdiction of a public agency.
- (b) **"Private School"** means a school, other than a public school or a commercial school, under the jurisdiction of a private non-profit board of trustees or governors, a religious organization or a charitable institution.

- (c) **"Commercial School"** means a school operated by one or more persons for gain or profit.
added by By-law 36/89 as amended by OMB Order dated May 13, 1991.
- (168) (a) **"SEASONAL RECREATIONAL TRAILER"** means a trailer or mobile home used for seasonal recreational occupancy, but not used for permanent habitation and not supplied with the full complement of available services. Seasonal recreational occupancy, for the purposes of this definition, does not include the winter season and more specifically, means the use is prohibited during the time period of November 1st to April 1st inclusive.
- (169) **"SERVICE TRADE"** means an establishment, other than an automotive use, that provides a non-personal service or craft to the public, including, but not necessarily restricted to, a printer's shop, a plumber's shop, a tinsmith's shop, a painter's shop, a carpenter's shop, an electrician's shop, a welding shop, a blacksmith's shop, a merchandise service shop, a battery storage and recharging shop, a well driller's establishment, a furrier's shop, an upholsterer's shop, a bakery, a dairy, a catering establishment, an egg grading station, a machine shop, or a monument engraving shop.
- (170) **"SETBACK"** means the shortest horizontal distance between the centre point of a street adjacent to a lot and the nearest part of any building, structure, excavation or open storage on such lot.
- (171) **"SHOPPING CENTRE"** means one or more buildings, or part thereof exceeding 4,000 square metres containing a group of separate permitted commercial uses, which is maintained as a single comprehensive unit and located on a single lot, such lot being held and maintained under one ownership or under condominium ownership pursuant to The Condominium Act (R.S.O. 1980), as amended from time to time, or any successors thereto.
- (172) **"SIDE LOT LINE"** - See "LOT LINE".
- (173) **"SIDE YARD"** - See "YARD".
- (174) **"SIGHT TRIANGLE"** means the triangular space formed by the intersecting lot lines, at least one of which is also a street line, of a lot located at an intersection of two or more streets or at an intersection at grade of a street and a railway right-of-way, and a line drawn from a point in one such lot line to a point in the other lot line, each such point being a specified distance from the point of intersection of such lot lines measured along the said lot lines, provided that where the said lot lines do not intersect at a point, the point of intersection thereof shall be deemed to be the intersection of the projected tangents thereto, drawn through the extremities of the interior lot lines.
- (175) **"SIGN"** means a name, identification, description, device, display or illustration which is affixed to, or represented directly or indirectly upon, a building, structure or lot and which directs attention to an object, product, place, activity, person, institute, organization or business
- (a) **"Legal Sign"** means a sign conforming to any by-laws of the Corporation regulating signs.

- (176) **"SITE PLAN CONTROL BY-LAW"** means any by-law of the Corporation passed pursuant to Section 40 of the Planning Act, as amended from time to time, or any successors thereto.
- (a) **"Site Plan Control Area"** means an area of land designated by a Site Plan Control By-Law as a site plan control area pursuant to Section 40 of the Planning Act, as amended from time to time, or any successors thereto.
 - (b) **"Site Plan Agreement" or "Development Agreement"** means any agreement entered into by an owner of land and the Corporation pursuant to a Site Plan Control By-Law.
- (177) **"STOREY"** means a horizontal division of a building from a floor to the ceiling directly above such floor, and includes an attic, a basement or a cellar as defined herein, but does not include any mezzanine, gallery, balcony or other overhang the floor area of which does not exceed 40 per cent of the least dimension of the room in which the said overhang is located.
- (a) **"First Storey" or "Ground Floor"** means the storey having its floor level closest to finished grade and its ceiling at least two metres above finished grade.
 - (b) **"Second Storey" or "Second Floor"** means the storey directly above the first storey.
 - (c) **"Attic"** means the topmost usable storey of a building, situated wholly or partly within a roof, where at least 50 per cent, but not more than 66 per cent of such storey is greater than two metres in height.
 - (d) **"Basement"** means any storey below the first storey.
 - (e) **"Cellar"** means that portion of a basement which is more than 60 per cent below finished grade, measured from finished floor to finished ceiling.
- (178) **"STREET"** means a public highway or public road under the jurisdiction of either the Corporation, the County or the Province of Ontario, and includes any highway as defined in The Municipal Act (R.S.O.1980), Chapter 302, but does not include a lane or private right-of-way.
- (a) **"Street Allowance"** means land held under public ownership for the purpose of providing a street.
 - (b) **"Highway"** means a street under the jurisdiction of the Province of Ontario.
 - (c) **"County Road"** means a street under the jurisdiction of the County.
 - (d) **"Township Road"** means any street under the jurisdiction of the Township.
 - (e) **"Improved Street"** means a Highway, a County Road or a Township Road.

- (179) **"STREET LINE"** means a lot line dividing a lot from a street and is the limit of the street allowance.
- (180) **"STREET WIDTH"** means the horizontal distance between the street lines of a street, measured along a line perpendicular to the said street lines.
- (181) **"STRUCTURE"** means anything constructed or erected, the use of which requires location on or in the ground, or attached to something located on or in the ground, but does not include the permanent way of a railway or any paved surface located directly on the ground.
- (182) **"SUN DECK"** means a roofless, unenclosed structure, accessory to a dwelling, consisting of a platform raised above finished grade, with or without steps.
- (183) **"TOURIST ESTABLISHMENT"** means any premises operated to provide sleeping accommodation for the travelling 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, and without limiting the generality of the term, also includes a cabin establishment, a tourist home, a tourist cottage and a housekeeping cottage but does not include:
- (i) a camp operated by a charitable corporation approved under The Charitable Institutions Act, R.S.O. 1980, Chapter 64;
 - (ii) a recreation camp within the meaning of the regulations under The Health Protection and Promotion Act, 1983; or
 - (iii) a club owned by its members and operated without profit or gain.
- (184) **"TOURIST HOME"** means a private dwelling in which there are up to five rooms for rent to the travelling or vacationing public, whether rented regularly, seasonally or occasionally and may include the provision of meals.
- (185) **"TRAILER"** means any vehicle designed to be towed by another vehicle other than a farm implement.
- (a) **"Tourist Trailer"** means a trailer capable of being used for the temporary living, sleeping or eating accommodation of one or more persons, notwithstanding that the running gear of such trailer is or may be removed, or that such trailer is fixed on a finished and permanent foundation or has become in any other manner so adapted and affixed to the land upon which it is situated that it is, or has become, an immobile and permanent structure.
- (186) **"TRANSPORT TERMINAL"** means a building or place where trucks or transports are rented, leased, loaded or unloaded, kept for hire or stored or parked for remuneration or from which trucks or transports are dispatched as common carriers or where goods are stored temporarily for further shipment.

- (187) **"TRAVEL TRAILER PARK"** means a parcel of land providing overnight or short-term accommodation for travel trailers, tourist trailers, recreational vehicles, campers or tent trailers. The trailers may be parked or stored at the travel trailer park from season to season. No travel trailer park may be used for permanent accommodation except for one unit occupied by the owner or the caretaker.
- (188) **"UNDERTAKER'S ESTABLISHMENT"** means a building or part thereof wherein dead human bodies are preserved or otherwise prepared for interment.
- (189) **"USE"** means:
- (i) when used as a noun, the purpose for which a lot, building or structure, or any combination or part thereof, is designed, arranged, occupied or maintained; or
 - (ii) when used as a verb, to put to such purpose.
- (190) **"VARIETY STORE"** means a retail store having a net floor area of not more than 300 square metres wherein various convenience goods and items of day-to-day use or necessity including, but not so as to limit the generality of the foregoing, food, beverages, pharmaceutical drugs, tobacco products and periodicals, are kept and offered for retail sale primarily to residents of the immediate neighbourhood or to the travelling public and includes the heating of food by means of microwave only but does not include body-rub parlours or adult entertainment parlours, pinball machines and similar entertainment devices.
- (191) **"VEHICLE"** means a passenger automobile or other motor vehicle, a boat, a farm implement, a mobile home, a motor home, a snowmobile, a trailer, or any other device which is capable of being drawn, propelled or driven by any kind of power, and includes a commercial vehicle as defined herein, but does not include a bicycle or any other device, other than a boat, powered solely by means of human effort.
- (a) **"Commercial Vehicle"** means a vehicle licensed by the Province of Ontario:
- (i) as a public vehicle pursuant to the provisions of The Public Vehicles Act (R.S.O. 1980), Chapter 425, as amended from time to time, or any successors thereto; or
 - (ii) as a public commercial vehicle, pursuant to the provisions of The Public Commercial Vehicles Act (R.S.O. 1980), Chapter 407, as amended from time to time, or any successors thereto.
- (192) **"VEHICLE REPAIR SHOP"** means an establishment or part thereof which contains facilities for the repair and maintenance of vehicles on the premises and in which vehicle accessories are sold and vehicle maintenance and repair operations, including the repairing or painting of vehicle bodies and the servicing of farm implements and related equipment, are performed in return for remuneration, but does not include a body shop, wherein the repairing or painting of vehicle bodies constitutes the primary activity, or any establishment engaged in the retail sale of vehicle fuels.

- (193) **"VEHICLE SALES OR RENTAL ESTABLISHMENT"** means an establishment engaged primarily in the sale, rental or leasing of vehicles and vehicle accessories, with or without an accessory vehicle repair shop or an accessory gasoline retail outlet, and includes an establishment engaged in the sale of farm implements and related equipment.
- (194) **"VETERINARIAN'S CLINIC"** means a building or part thereof with or without related structures, wherein animals of all kinds are treated or kept for treatment by a registered veterinarian.
- (195) **"WAREHOUSE"** means a building or part of a building used for the storage and distribution of goods, merchandise, substances, or materials, and may include facilities for a wholesale commercial outlet, but shall not include a transport terminal.
- By-law
10/05 (196) **"WATERCOURSE"** means the natural or altered channel for a stream or water body and for the purpose of this By-law, includes the channel for intermittent streams. Isolated farm or recreational ponds, without an inlet or outlet stream, are excluded from this definition.
- (197) **"WATER SYSTEM, PUBLIC"** means a water distribution system consisting of piping, pumping and purification appurtenances and related storage, owned and operated by the Corporation, another municipality or the Ministry of the Environment.
- (198) **"WAYSIDE PIT"** or **"WAYSIDE QUARRY"** means a temporary pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.
- (199) **"YARD"** means an area of land which:
- (i) is appurtenant to, and located on the same lot as, a building, structure or excavation; and
 - (ii) is open, uncovered and unoccupied from the ground to the sky, except for such accessory buildings, structures or other uses as are specifically permitted thereon elsewhere in this By-Law.
 - (a) **"Front Yard"** means a yard extending across the full width of a lot between the front lot line of such lot and the nearest part of any building, structure or excavation on such lot.
 - (b) **"Front Yard Depth"** means the shortest horizontal dimension of a front yard between the front lot line of a lot and the nearest part of any building, structure or excavation on such lot.
 - (c) **"Rear Yard"** means a yard extending across the full width of a lot between the rear lot line of such lot, or, where there is no rear lot line, the junction point of the side lot lines, and the nearest part of any building, structure or excavation on such lot.

- (d) **"Rear Yard Depth"** means the shortest horizontal dimension of a rear yard between the rear lot line of a lot, or, where there is no rear lot line, the junction point of the side lot lines, and the nearest part of any building, structure or excavation on such lot.
- (e) **"Side Yard"** means a yard extending from the front yard to the rear yard of a lot and from the side lot line of such lot to the nearest part of any building, structure or excavation on such lot.
- (f) **"Side Yard Width"** means the shortest horizontal dimension of a side yard between the side lot line of a lot and the nearest part of any building, structure or excavation on such lot.
- (g) **"Exterior Side Yard"** means a side yard immediately adjoining a street or abutting a reserve on the opposite side of which is located a street.
- (h) **"Interior Side Yard"** means a side yard other than an exterior side yard.
 - (i) **"Required Yard"** means that part of a yard which:
 - (ii) is located adjacent to a lot line;
 - (iii) has the minimum front yard depth, rear yard depth or side yard depth required hereby or is situated closer to a street than the setback required therefrom; and
 - (iv) does not contain or include any buildings, structures or excavations except where this By-Law specifically provides otherwise.
- (200) **"ZONE"** means a designated area of land use shown on Schedule 'A' hereto.
- (201) **"ZONED AREA"** means all those lands lying within the corporate limits of the Township of Puslinch.
- (202) **"ZONING ADMINISTRATOR"** means the officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-Law.