
SECTION 3 DEFINITIONS

3.1 Defined terms

The following lists all the defined terms contained in this By-law:

Table 3.1

A		
-Adult Day Centre	-Building Area	-Custom Computer Assembly and Service Outlet
-Adult Entertainment Parlour, Live	-Building Envelope	-Custom Workshop
-Adult Entertainment Use	-Building Height	D
-Adult Specialty Store	-Building, Main	-Day Care, Private Home
-Adult Video Store	-Building Separation	-Day Nursery
-Aggregate Transfer Station	-Building Setback	-Deck
-Airport	-Building Setback, Private Road	-Density
-Aisle	-Building Setback, Public Road	-Department Store
-Alter	-Building Supply Outlet	-Department Store Type Merchandise (DSTM)
-Amusement Arcade	-Building Width	-Detached
-Animal Hospital	-Bulk Storage Facility	-Dormitory
-Antique and Collectibles Store	-Bunkhouse	-Drag Strip Facility
-Apartment, Accessory	-Business Office	-Drive-Through Service Facility
-Archival Document Warehouse	C	-Driveway
-Art Gallery	-Camping Ground	-Driveway Separation
-Artisan Operation	-Carport	-Driveway Setback
-Artist Studio and Gallery	-Cemetery	-Dry Cleaning or Laundry Outlet
-Attic	-Clinic	-Dry Cleaning or Laundry Plant
-Automotive Store	-Cold Storage Warehouse	-Dwelling, Accessory
B	-Community Centre	-Dwelling Unit
-Backyard Amenity Area	-Communication Equipment Outlet	-Dwelling Unit, Accessory
-Bakery	-Community Recycling Facility	-Dwelling Unit, Bachelor
-Balcony	-Composting Facility	-Dwelling, Common Element Townhouse
-Basement	-Concrete Batching Plant	-Dwelling, Detached
-Bed & Breakfast Establishment	-Conservation School	-Dwelling, Duplex
-Boarding House	-Construct	-Dwelling, Freehold Townhouse
-Body-Rub	-Contractor's Facility	-Dwelling, Garden Suite
-Body-Rub Parlour	-Convenience Store	-Dwelling, Linked
-Building	-Corporation	-Dwelling, Mobile Home
-Building, Accessory	-Council	
-Building, Apartment	-Crisis Care Facility	
-Building, Apartment, Senior Citizens	-Cultural Centre	

*-Dwelling, Quattroplex
Townhouse
-Dwelling, Semi-detached
-Dwelling, Townhouse*

E

*-Emergency Service
Facility
-Entertainer
-Entrance
-Entrance Separation
-Entrance Setback
-Entrance Width
-Environmental
Management
-Equipment Storage
Building
-Established Building Line
-Existing*

F

*-Factory Outlet
-Fairground
-Farm
-Farm Equipment Storage
Building
-Farm, Existing
-Farm Produce Outlet
-Farmers Market
-Financial Institution
-Finished Grade
-Fishing Club
-Fitness Centre
-Floor Area
-Floor Area, Dwelling Unit
-Floor Area, Gross
-Floor Area, Gross
Leasable
-Floor Area, Net
-Floor Space Index
-Forest Management
-Funeral Home
-Furniture and Wood
Stripping and Refinishing
Operation
-Furniture Showroom*

G

*-Garage Build-Over
-Garage Build-Over Recess
-Garage Build-Over Width
-Garage, Depth*

*-Garage, Dual
-Garage, Maintenance
Accessory
-Garage, Private
-Garage Projections, Main
Building
-Garage Projections, Porch
or Verandah
-Garage Width
-Garbage Enclosure,
Private
-Garden Suite (see
Dwelling, Garden Suite)
-Gasoline Pump Island,
Accessory
-Golf Course
-Government Office
-Gravel Pit
-Grocery Store
-Group Home
-Guest House
-Guest Room*

H

*-Habitable Room
-Hobby Farm
-Home Improvement Centre
-Home Industry
-Home Occupation
-Hospital
-Hotel
-Hunt Club*

I

-Industrial Use

K

-Kennel, Boarding

L

*-Laboratory, Medical
-Landscaped Buffer
-Landscaping Area
-Lane
-Laundromat
-Library
-Light Equipment Rental
Establishment
-Livestock Facility
-Loading/Delivery Space
-Lodge
-Lodging Facility
-Long Term Care Facility*

*-Lot
-Lot Area
-Lot, Corner
-Lot, Existing
-Lot Frontage
-Lot, Fully Serviced
-Lot, Interior
-Lot, Partially Serviced
-Lot, Through
-Lot, Unserviced
-Lot Line
-Lot Line, Exterior Side
-Lot Line, Front
-Lot Line, Interior Side
-Lot Line, Rear*

M

*-Maintenance Building
-Medical Centre
-Merchandise Service Shop
-Mezzanine
-Mobile Home
-Mobile Home Park
-Motel
-Motocross Circuit
-Motor Vehicle
-Motor Vehicle Body Shop
-Motor Vehicle Compound
-Motor Vehicle Gas Bar
-Motor Vehicle Race Track
-Motor Vehicle Rental
Establishment
-Motor Vehicle Repair
Facility
-Motor Vehicle Sales
Establishment
-Motor Vehicle Service
Centre
-Motor Vehicle Towing
Facility
-Motor Vehicle Used Sales
Establishment
-Motor Vehicle Washing
Establishment
-Museum*

N

*-Natural Area
-Nature Research Centre
-Nature Trail
-Net*

- Night Club
- Non-Complying
- Non-Conforming
- Non-Food Store Retail
- Noxious Use
- Nursery
- Nursery, Commercial
- Nursery, Horticultural

O

- Open Storage Area, Accessory
- Open Storage – Wellhead
- Outdoor Seasonal Garden Centre, Accessory
- Outside Display or Sales Area, Accessory

P

- Park
- Park, Private
- Parking Area
- Parking Area Setback
- Parking Garage
- Parking Lot, Commercial
- Parking Lot, Municipal
- Parking Space
- Patio, Outdoor
- Person
- Personal Service Shop
- Pharmacy
- Place of Assembly
- Place of Entertainment
- Place of Worship
- Planting Strip
- Planting Strip Width
- Play Facility Area
- Porch
- Premises
- Printing Plant
- Printing and Processing Service Shop
- Privacy Yard
- Private Club
- Private Road
- Product Storage Building
- Public Authority
- Public Transit Depot
- Public Use

Q

- Quarry
- Queuing Lane
- Queuing Space

R

- Recreation, Intensive
- Recreation, Non-Intensive
- Recreational Trailers and Vehicles
- Region
- Research Establishment
- Resort Complex
- Restaurant
- Retail Store
- Retail Store, Accessory
- Rooming Unit

S

- Sales, Service and Repair Shop
- Salvage Yard
- School
- Seniors Retirement Facility
- Service Building
- Services Designed to Appeal to Erotic or Sexual Appetites or Inclinations
- Setback
- Sewage Treatment Facility
- Sewer System, Sanitary, Public
- Sewer System, Storm
- Shopping Centre
- Sight Triangle
- Ski Area
- Small Scale Concrete Batching Plant
- Special Care Home
- Specialty Food Store
- Specified Body Areas
- Specified Sexual Activities
- Sports Arena
- Storey
- Storey, First
- Stormwater Management Facility
- Street
- Street Access
- Street Line

- Street Setback
- Structure
- Supermarket

T

- Topsoil Manufacturing Business
- Tourist Camp
- Tourist Establishment
- Trailer, Tourist
- Trailer, Vehicular
- Training Facility
- Transportation Depot

U

- Use
- Use, Accessory

V

- Vehicle, Motor (see Motor Vehicle)
- Vehicle, Tourist
- Veterinary Hospital
- Video Outlet/Rental Store

W

- Walkway, Private
- Walkway, Public
- Warehouse
- Warehouse, Public Self Storage
- Warehouse, Retail
- Warehouse, Wholesale
- Waste Processing Facility
- Waste Transfer Facility
- Water Supply Plant
- Water System, Public
- Wayside Pit or Quarry
- Wellhead Protection Areas
- Wellness Centre

Y

- Yard
- Yard, Exterior Side
- Yard, Front
- Yard, Interior Side
- Yard Rear

Z

- Zone

3.2 DEFINITIONS

The following definitions apply to all the lands within the limits of the Town of Caledon, excepting those lands and areas listed in Section 1.1 of this By-law.

Adult Day Centre means a *premises*, used to deliver a daily program of structured and supervised activities and care for seniors or persons with disabilities.

Adult Entertainment Parlour, Live means any *premises* or part thereof in which there is provided, in pursuance of a trade, calling, business or occupation, services appealing to, or designed to appeal to erotic or sexual appetites or inclinations. "Services" in the context of *Live Adult Entertainment Parlour* includes activities, facilities, performances, exhibitions, viewings and encounters provided by one or more entertainers in pursuance of a business.

Adult Entertainment Use means a *Live Adult Entertainment Parlour, Adult Video Store, Adult Specialty Store, Body Rub Parlour* whether any such *use* is a primary land use or an *accessory use*.

Adult Specialty Store means a retail establishment specializing in the sale of goods and materials appealing to or designed to appeal to erotic or sexual appetites or inclinations. "Goods" in the context of *adult specialty store* includes books, magazines, pictures, slides, films, disks, phonograph records, pre-recorded magnetic tape and any other viewing or listening matter, clothing and accessories.

Adult Video Store means an establishment where pre-recorded video tapes, video disks, films and/or slides appealing to or designed to appeal to erotic or sexual appetites or inclinations or depicting sexual acts are offered for rent or sale. An *adult video store* shall not include facilities for the screening or viewing of such products.

Aggregate Transfer Station means an industrial facility where aggregate products are temporarily stored prior to shipment and may include facilities for the administration or management of the business and the storage of required equipment, but does not include the retail sale of aggregate products.

Airport means the use of land, or *building* or *structure* for facilitating the arrival, departure, movement or servicing of aircraft and their passengers and freight and without limiting the generality of the foregoing, *accessory uses* may include ticket sales offices, general offices, aircraft hangar, aircraft museum, flying school, dormitory accessory to a flying school, *restaurants*, taverns, convenience retail, luggage checking facilities, and parcel and freight shipping facilities.

Aisle means an area of a *parking area* that is used to access individual *parking spaces*.

Alter when used in reference to a *building, structure* or part thereof, means:

- a) to change any 1 or more of the external dimensions of such *building* or *structure*; or
- b) to change the type of construction of the exterior walls or roof of such *building* or *structure*; or
- c) to change the *use* of such *building* or *structure*; or
- d) to change the number of *uses* or *dwelling units* contained therein.

Alter, when used in reference to a *lot*, means:

- e) to change the boundary of such *lot* with respect to a *street* or *lane*; or
- f) to change any dimension or area, relating to such *lot*, which is covered herein by a *zone* provision; or
- g) to change the *use* of such *lot*; or
- h) to change the number of *uses* located thereon.

"Altered" and "alteration" shall have corresponding meanings.

Amusement Arcade means a *place of entertainment*, used for the maintenance and operation of four or more amusement devices for use by the general public.

Animal Hospital means a *building* where one or more licensed veterinarians and any associated staff provide medical, surgical or similar services solely for domestic pets. This definition may include grooming activities but shall not include any facilities for the cremation or disposal of dead animals.

Antique and Collectibles Store means a *retail store* used primarily for the sale of any old and/or authentic collectible items of personal property.

Apartment, Accessory means a separate and complete *dwelling unit* that is located within a *detached, semi-detached, link, or duplex dwelling unit* excluding any unfinished basement and private garage.

Archival Document Warehouse means a facility used for the storage of documents and records.

Art Gallery means a retail establishment engaged in the business of exhibiting or dealing in artwork.

Artisan Operation means an establishment where articles or goods are produced, assembled, processed or manufactured on a custom or individual basis by an artist, craftsman or similar trained or skilled operator and may include the sale of such goods, including but not limited to the operations of a painter, potter, custom dressmaker, photographer, jewelry maker, woodworker, cabinet maker, sculptor, model builder and sign maker.

Artist Studio and Gallery means a *building or structure*, or part thereof, used for the production and display and sale of any original/authentic works of art.

Attic means that portion of a *building* situated wholly or partly within the roof which has no habitable space.

Automotive Store means a *retail store* primarily engaged in the retail sale of vehicle parts, accessories and tools. *Accessory uses* may include service bays for performing repair or maintenance work on vehicles, but excludes any auto body work.

Backyard Amenity Area means an outdoor area easily accessible from the rear of the *building* and designed for the enjoyment of the outdoor environment.

Bakery means a *building* or part thereof used for producing, mixing, compounding or baking bread, biscuits, buns, or any other bakery product of which flour or meal is the principal ingredient and shall include the display and sale of baked goods produced on site, but does not include a *restaurant* or any other *use* otherwise defined herein.

Balcony means a partially enclosed platform attached to and extending horizontally from one or more main walls of a *building* and used as an outdoor porch or sundeck and with no access to grade.

Basement means any *storey* below the *first storey*.

Bed and Breakfast Establishment means a *detached dwelling* in which a maximum of three (3) guest rooms are provided for hire or pay, with or without meals, for the traveling or vacationing public, but does not include a *hotel* or *motel*.

Boarding House means a house which contains not more than 4 guest rooms wherein, for remuneration, lodgings, with or without meals, are provided to the public. Lodging rooms shall not include either bathrooms or kitchen facilities.

Body-Rub - “*Body Rub*” includes the kneading, manipulating, 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 to do so under the laws of the Province of Ontario.

Body-Rub Parlour means any *premises* or part thereof where body rubs are provided, offered or solicited in pursuance of a business.

Building means a *structure* consisting of any combination of walls, roof and floor or any structural system serving the function thereof, including all associated plumbing, works, fixtures and service systems.

Building, Accessory means a *detached building*, the *use* of which is incidental, subordinate and exclusively devoted to a main *building* or main *use* on the same *lot*.

Building, Apartment means a *building* containing three or more dwelling units that share a common external access to the outside through a common vestibule and a common corridor system or a combination thereof.

Building, Apartment, Senior Citizens means a *building* containing three or more dwelling units that share a common external access to the outside through a common vestibule and a common corridor system or a combination thereof, primarily for senior citizens.

Building Area means that portion of the *lot area* permitted to be covered by one or more *building envelopes*.

Building Envelope means the total horizontal area of a *building* calculated by perpendicular projection onto a horizontal plane. This definition shall not include:

- a) sills, belt courses, chimneys, cornices, eaves, fireplaces, gutters, parapets, pilasters or similar ornamental structures unless such *structure* projects more than 1.0 metre horizontally from an outermost exterior wall of the *building*; or
- b) unenclosed porches excavated or unexcavated, balconies or steps unless such *structure* projects more than 2.0 metres horizontally from an outermost exterior wall of the *building* and is more than 0.6 metres above grade at any point.

Building Height means the vertical distance between the *finished grade* of the *lot* on which the *building* is situated and:

- a) the highest point of the roof surface of a flat or domed roof; or
- b) the deck line of a mansard roof; or
- c) the median level between eaves and ridge of a gable, gambrel or hip roof.

Building, Main means the *building* which contains the principal *use* of the *lot* on which such *building* is located.

Building Separation means the least horizontal distance permitted between the nearest portions of any building envelopes on a *lot*.

Building Setback means the least horizontal distance permitted between a *lot line* of a *lot* and the nearest portion of any *building envelope* on such *lot*.

Building Setback, Private Road means the least horizontal distance permitted between a *private road* and the nearest point of any *building* or *structure*.

Building Setback, Public Road means the least horizontal distance permitted between a public road right-of-way and the nearest point of any *building* or *structure*.

Building Supply Outlet means a *retail store* from which *building* or construction materials, such as lumber and shingles, as well as home improvement materials are offered for retail sale and which includes some *accessory outside storage*.

Building Width shall mean the horizontal distance of the face of the *building*, which is parallel to the *front lot line*.

Bulk Storage Facility means a *premises* for the bulk storage of petroleum, petroleum products, chemicals, gases or similar substances. This definition shall not include a storage tank which is accessory to another *use* on the *lot* where such tank is located.

Bunkhouse means a *building*, accessory to a *farm*, designed or used during the planting, growing or harvesting season, for the accommodation of agricultural workers and consisting of at least 1 bathroom and not fewer than 2 rooms providing therein living, dining and sleeping accommodation in appropriate individual or combination rooms. A *bunkhouse* shall not contain cooking facilities.

Business Office means a *premises* used for conducting the affairs of businesses, professions, services, industries, governments, or like activities.

Camping Ground means an open area provided for the *use* of outdoor camping in tents or similar facilities. This definition shall not include a *tourist camp* or *mobile home park*.

Carpport means a *building* or *structure* which is not wholly enclosed, and is used for the parking or storage of one or more motor vehicles.

Cemetery means land that is set apart or used for the interment of human remains and may include a columbarium or mausoleum but does not include any facilities for public assembly.

Clinic means a *premises* where members of the health profession provide medical, dental, and/or therapeutic diagnosis and treatment to the general public.

Cold Storage Warehouse means a *warehouse*, or part thereof, where bulk chilled or frozen foodstuffs, such as meats, poultry, fish and vegetables are stored, displayed and offered for sale in bulk within chilled or frozen compartments.

Community Centre means a multi-purpose facility operated by or on behalf of the Town of Caledon that provides facilities for a variety of indoor recreational, cultural, or community service activities for use by the general public.

Communication Equipment Outlet means a *sales, service & repair shop* where communication equipment, components or parts may be purchased such as telephones, cellular phones, fax machines and pagers.

Community Recycling Facility means a *building* or *structure* intended for the collection, storage, redistribution and sale of reusable goods and materials to the general public and may also include a public education and/or an office facility. A recycling facility shall not include "on site" processing or manufacturing.

Composting Facility means land, *building*, or *structure* whose primary purpose is the composting of food waste and other organic material to create compost to be used primarily off-site.

Concrete Batching Plant means an industrial facility used for the production of concrete, or concrete products, used in building or construction, and includes facilities for the administration or 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 concrete products.

Conservation School means land, *building* or *structure* wherein instruction is provided respecting the preservation, protection, and improvement of components of the natural environment and may include an *accessory dormitory* for both teachers and students.

Construct means to build, erect, place, reconstruct or relocate and may include:

- a) any preliminary operation such as excavating, filling or draining; or
 - b) *altering* any existing *building* or *structure* by an addition, enlargement, extension or other structural change; or
 - c) any work which requires a Building Permit.
- “Constructed” and “construction” shall have corresponding meanings.

Contractor’s Facility means a yard and building in which the shop or assembly work of a contractor or tradesperson is performed.

Convenience Store means a *retail store* that provides a variety of household necessities, groceries and other convenience items primarily intended to serve the day-to-day needs of the surrounding neighbourhood.

Corporation means the *Corporation* of the Town of Caledon.

Council means the *Council* of The *Corporation* of the Town of Caledon.

Crisis Care Facility means a residential facility that is licensed and funded by the Province of Ontario, Government of Canada or an appointed agency, for the short term, temporary care of persons requiring immediate emergency shelter and aid who are living under supervision in a single housekeeping unit and who by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well being.

Cultural Centre means a *building* or *structure* operated by a non-profit organization which contains meeting rooms, kitchen and dining facilities, a religious sanctuary, and offices accessory to the *cultural centre*.

Custom Computer Assembly and Service Outlet means a *sales, service & repair shop* where computer hardware, components and parts may be assembled, repaired and serviced with accessory sales related to computer components and related programs but shall not include a *retail store*.

Custom Workshop means a *building* or *structure* or part of a *building* or *structure* used by a trade or craft for the individual custom production of articles. The sale of such products shall be permitted as an *accessory use*.

Day Care, Private Home means the *use* of a *dwelling unit* for the temporary care of five or fewer children who are under ten years of age, in exchange for reward or compensation and where such care is provided in a private residence, other than the home of a parent or guardian of any such child, for a continuous period not exceeding twenty-four hours.

Day Nursery means a *day nursery* as defined in, and which is subject to the provisions of the Day Nurseries Act.

Deck means a *structure* abutting a *dwelling* with no roof or walls except for visual partitions and railings which is constructed on piers or a foundation above-grade with access to grade by stairs and for use as an outdoor living area.

Density means the ratio of *dwelling units* to one net hectare of *lot area*.

Department Store means a large *retail store* in the general merchandise category and which is organized into a number of individual departments selling a variety of merchandise which may include a selection of clothing and apparel, furniture, appliances and home furnishings and which is classified as a *department store* by Statistics Canada in its Retail Chain and Department Store catalogues.

Department Store Type Merchandise (DSTM) means merchandise sold by *retail stores* and *department stores* and includes the following retail trade categories: apparel and accessories, hardware and home furnishings, general merchandise, semi-durable and durable goods and other retail (excluding liquor, beer, wine, second-hand merchandise, monuments and tombstones and mobile homes). DSTM excludes food, personal services and merchandise sold by commercial establishments classified by Statistics Canada as wholesale operators including lumber, home improvement materials and computers.

Detached when used in reference to a *building*, means a *building* which is not dependent on any other *building* for structural support or enclosure.

Dormitory means a *building* designed or used for the accommodation of students and consisting of at least 1 bathroom and not fewer than 2 rooms providing therein living, dining and sleeping accommodation in appropriate individual or combination rooms.

Drag Strip Facility means a purpose built facility for conducting motor vehicle acceleration races and events and may include spectating facilities such as grandstands and concourses.

Drive-Through Service Facility means a *building* or *structure* or part thereof where goods and/or services are offered to the public within a parked or stationary vehicle by way of a service window or kiosk, where goods, money or materials are exchanged. Kiosks within a *parking garage* or associated with a surface parking lot are not considered to be drive-through service uses.

Driveway means a defined area providing access for motor vehicles from a public or private *street* or a *lane* to facilities such as a *parking area*, *parking lot*, *loading space*, *private garage*, *building* or *structure*.

Driveway Separation means the least horizontal distance permitted between a *driveway* and an adjacent *driveway*.

Driveway Setback means the least horizontal distance permitted between a *lot line* (other than the *lot line* which the *driveway* intersects) and the nearest portion of any *driveway* on such *lot*.

Dry Cleaning or Laundry Outlet means a *premises* used for the purpose of receiving articles or goods of fabric to be subjected to the process of laundering or dry cleaning at another location and may include facilities for the pressing or ironing of such articles.

Dry Cleaning or Laundry Plant means a *premises* in which the business of laundry or dry cleaning is housed and where the cleaning, drying, ironing and finishing of such goods is conducted.

Dwelling means a *building* used or intended to be used as a domicile by one or more persons, in which any combination of a kitchen, living quarters or sanitary facilities are provided for the exclusive *use* of the residents.

Dwelling, Accessory means a *detached dwelling* which is *accessory* to a permitted non-residential *use*.

Dwelling Unit means a room or rooms which function as a housekeeping unit used or intended to be used as a domicile by one or more persons, in which a kitchen, living quarters and sanitary facilities are provided for the exclusive use of the residents and with a private entrance from outside the *building* or from a common hallway or stairway.

Dwelling Unit, Accessory means a *dwelling unit* contained within and accessory to a permitted non-residential use other than a *motor vehicle repair facility* or a *motor vehicle service centre*.

Dwelling Unit, Bachelor means a *dwelling unit*, consisting of 1 bathroom and not more than 2 habitable rooms, designed to provide living, dining, sleeping and kitchen accommodation in appropriate individual or combination room or rooms.

Dwelling, Common Element Townhouse shall mean a *building* divided vertically both above and below grade into 3 or more separate *dwelling units*, each such *dwelling unit* having 2 independent entrances directly from outside the *building*, and which fronts onto a *private road*.

Dwelling, Detached means a *building* containing only one principal *dwelling unit*.

Dwelling, Duplex means a dwelling divided horizontally into 2 separate *dwelling units*, each such *dwelling unit* having an independent entrance either directly from outside the *building* or through a common vestibule.

Dwelling, Freehold Townhouse means a *building* divided vertically both above and below grade into 3 or more separate *dwelling units*, each such *dwelling unit* having 2 independent entrances directly from outside the *building* and which is located on a *lot* and has frontage on a *street*.

Dwelling, Garden Suite means a temporary *detached* residential *structure* containing bathroom and kitchen facilities that is an *accessory use* to an existing *dwelling unit* and that is designed to be portable.

Dwelling, Linked means a *building* divided vertically into 2 separate *dwelling units* above ground, with the foundation for each *dwelling unit* being connected by a wall below grade to the foundation for the other *dwelling unit* and with each *dwelling unit* having an independent entrance from outside the *building*.

Dwelling, Mobile Home means a transportable, factory-built *dwelling unit* manufactured in accordance with CSA standards that is intended to provide permanent residence but does not include any trailer otherwise defined in this By-law.

Dwelling, Quattroplex Townhouse means a townhouse divided vertically into 4 separate dwelling units, with each *dwelling unit* having common walls with 3 adjacent dwelling units.

Dwelling, Semi-detached means a *building* divided vertically by a common wall above *finished grade* into 2 separate *dwelling units*, each such *dwelling unit* having an independent entrance either directly from outside the *building* or through a common vestibule.

Dwelling, Townhouse means a *building* divided vertically both above and below grade into 3 or more separate *dwelling units*, each such *dwelling unit* having 2 independent entrances directly from outside the *building*.

Emergency Service Facility means a *building* that houses emergency personnel, their supplies, equipment and vehicles and may include an ambulance response facility, fire station or police station.

Entertainer means an individual *person* who provides *services designed to appeal to erotic or sexual appetites or inclinations*.

Entrance, when used with reference to a *lot*, means an unobstructed passageway used to provide vehicular access from the traveled portion of a *street* or *lane* to a *driveway* or *aisle*.

Entrance Separation means the least horizontal distance permitted between the nearest portions of any *entrances* on a *lot* measured at the *street line*.

Entrance Setback means the least horizontal distance permitted between an intersection of two *street lines* and the nearest portion of any *entrance*, measured along the *front* or *exterior side lot line*.

Entrance Width means the horizontal distance permitted between the extremities of an *entrance*, measured along the *street line*.

Environmental Management means the protection, maintenance, enhancement and restoration of ecosystem forms and functions and may include wetland restoration and creation, vegetative planting, watercourse fencing, enhancement and rehabilitation.

Equipment Storage Building means an enclosed *building* used exclusively for the storage of equipment, including tools and machinery, but shall not include the maintenance, repair, or refurbishment of the equipment.

Established Building Line means the average distance between the *street line* and existing main *buildings* on 1 side of a continuous 300 metre strip of land where 5 or more *lots* having *street access* upon the said side of the *street* have been built upon.

Existing means lawfully existing as of the effective date of this By-law, unless as otherwise specified in this By-law.

Factory Outlet means a *premises*, accessory to a permitted *industrial use*, where the products manufactured by that industry are kept for wholesale or retail sale on the same *lot* as the principal *industrial use*.

Fairground means an agricultural *fairground* where *farm* produce, equipment, vehicles and/or livestock may be displayed for judging or displayed periodically for sale, where livestock or, other *farm*-related shows may be held, or sports events may be held occasionally, and which may include crop and demonstration *farm* plots and conservation and education demonstrations, and occasionally a midway or a place of amusement, and which may be used on occasion for auctions, social gatherings and association meetings. A *Fairground* shall not be interpreted as permitting events such as rock concerts, stock car races, *motocross* races, or snow mobile races.

Farm means land used for the tillage of soil or the growing of vegetables, fruits, grains, legumes, hays, tobacco or other crops. This definition may also apply to land used for livestock raising, dairying or *forest management*.

Farm, Existing means, in the case of lands within an EPA1 and EPA2 zone, a *Farm* lawfully existing as of October 31, 1994.

Farm Equipment Storage Building means an enclosed *building* used exclusively for the storage of *farm* equipment, including tools and machinery.

Farm Produce Outlet means a *use*, accessory to a *farm*, which consists of the retail sale of agricultural products produced on that *farm*.

Farmers Market means an establishment or *premises* where the *farm* related products are sold at retail from either open air areas designated for individual retailers or within designated *buildings* or *structures*.

Financial Institution means a *premises* where financial services are offered to the public and may include an automated banking machine.

Finished Grade means the average surface elevation at the outside walls of any *building* or *structure*, which is determined by taking the arithmetic mean of the levels of the finished ground surface at every location of change of grade at the outside walls of the *building* or *structure*.

Fishing Club means land, *building*, or *structures* used by an association of persons who meet around the common interest of the recreational activity of sport fishing and may include ponds for the raising, stocking, and fishing of sport fish.

Fitness Centre means a *building* or part of a *building* in which facilities are provided for recreational or health related activities including but not limited to weight training and exercise classes and may include associated facilities and services such as a lounge, washrooms, showers, and saunas, an administrative office and an accessory retail sales outlet for fitness-related attire, equipment and dietary supplements.

Floor Area means the horizontal area of a *storey*, measured between the exterior faces of the exterior walls at the floor level of such *storey*.

Floor Area, Dwelling Unit means the aggregate of the floor areas of all habitable rooms in a *dwelling unit*.

Floor Area, Gross means the aggregate of all floor areas of all of the *buildings* or *structures* on a *lot*.

Floor Area, Gross Leasable means the gross *floor area* of a *building* excluding:

- a) any part of such *building* used as a *dwelling unit*; and
- b) any part of such *building* used for the parking or storage of motor vehicles; and
- c) any part of such *building* used for equipment to heat such *building* or a portion thereof; and
- d) any part of such *building* used as a mall, if such mall serves as a common area between stores; and
- e) the thickness of any exterior walls of such *building*.

Floor Area, Net means the aggregate of the *floor area* of a *building* above or below established grade, but excluding car parking areas within the *building*, stairways, elevator shafts, service/mechanical rooms and penthouses, washrooms, garbage/recycling rooms, staff locker and lunch rooms, loading areas, any space with a floor to ceiling height of less than 1.8 metres and any part of a *basement* that is unfinished, is used solely for storage purposes and is not accessible to the public.

Floor Space Index means the *gross floor area* of all buildings on a *lot* divided by the *lot area*.

Forest Management means the management of forests for the production of maple syrup, wood and wood products and the maintenance, protection, restoration and enhancement of ecosystem integrity, including wildlife habitat and water quality and quantity.

Funeral Home means a *premises* used for the purpose of furnishing funeral services to the public, but shall not include a crematorium.

Furniture and Wood Stripping and Refinishing Operation means an operation involving the stripping and/or refinishing of furniture and other wood products through the use of chemicals. It does not include antique shops where such activities may be undertaken as an *accessory use*.

Furniture Showroom means a *retail store* which has a *gross floor area* exceeding 460m² and is where household furniture and appliances are displayed, stored and offered for sale.

Garage Build-Over means a habitable space over an attached garage.

Garage Build-Over Recess means that where a habitable space is being proposed over an attached garage, the recess shall be the horizontal distance required between the vehicle access wall of the garage and the nearest part of the *garage build-over*.

Garage Build-Over Width means the minimum width of a habitable space over an attached garage, measured at the “*garage build-over, recess*” along a line parallel to the vehicle access wall of the garage.

Garage Depth means the depth of a *private garage* measured between the interior faces of the front and rear walls of the *private garage*.

Garage, Dual means the whole of a *building* that is divided vertically along a *lot line* into 2 separate *private garages*.

Garage, Maintenance, Accessory means an establishment or *premises* where vehicles owned or leased by the occupant of such *premises* are repaired or maintained and not available to the public.

Garage, Private means an enclosed *building* or part thereof, designed and used for the storage of one or more motor vehicles.

Garage Projections, Main Building means the greatest horizontal distance between the front of the garage and the front wall of the *main building*.

Garage Projections, Porch or Verandah means the greatest horizontal distance between the front of the porch or verandah and the front wall of the *main building*.

Garage Width means the width of a *private garage* measured between the interior faces of the walls of the *private garage*.

Garbage Enclosure, Private means a solid opaque wall or fence comprised of concrete block, brick, wood, stucco, or metal, with a gate, that screens a garbage container(s).

Gasoline Pump Island, Accessory means a *gasoline pump island* used to dispense gasoline solely to vehicles owned or leased by the occupant of the *lot* where such *gasoline pump island* is located. This definition shall not include a *motor vehicle service centre* or any other facility for the sale of fuels.

Golf Course means a public or private *premises* which is used for the purpose of playing golf. This definition may include a par-3 *golf course*, a driving range, a miniature *golf course* or any similar *use* and may also include accessory uses such as a clubhouse, *restaurant* and banquet facilities, subject to the implementation of any environmental requirements, to the satisfaction of the Town.

Government Office means a municipal, provincial, or federal *building* or part of a *building* where government services and activities are provided.

Gravel Pit means any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral to supply such material for construction, industrial or manufacturing purposes. This definition shall not include:

- a) any excavation incidental to the construction of a *building* or *structure* for which a building permit has been issued; or
- b) any asphalt plant, cement manufacturing plant or *concrete batching plant*.

Grocery Store means a *retail store* engaged in the business of selling groceries, meat, fruit and vegetable products and may include *accessory* retail and service uses and has a minimum *gross floor area* of 300 m² and a maximum *gross floor area* of 2230 m².

Group Home means a residence, licensed or funded under an Act of the Parliament of Canada or Province of Ontario, that is designed for the accommodation of 3 to 10 persons, exclusive of staff, living under supervision in a *dwelling unit* and whom by reason of their emotional, mental, social, or physical condition or legal status, require a group living arrangement for their well-being.

Guest House means a *building* or *structure* used for the purpose of accommodation by one or more *persons* but not as his, her or their principal or permanent place of residence.

Guest Room means a room or suite of rooms which may contain facilities for cooking and which is used or maintained, for gain or profit, by providing accommodation to the public.

Habitable Room means a room designed to provide living, dining, sleeping or kitchen accommodation for persons. This definition may include a bathroom, den, library or enclosed sun room but shall not include any *private garage*, *carport*, *porch*, verandah, unfinished *attic* or unfinished *basement*.

Hobby Farm means a small-scale *farm* comprised of land used for the tillage of soil or the growing of vegetables, fruits, grains, legumes, hays, tobacco or other crops. This definition may also apply to land used for livestock raising, dairying or *forest management*.

Home Improvement Centre means a *retail store* specializing the sale of home building/design and garden products and the provision of related services. Goods offered for sale may include lumber, lighting, electrical and plumbing supplies, hardware, flooring, window coverings, roofing materials, paint/wallpaper, furniture and appliances, seasonal items, lawn and garden supplies, flowers and plants, shrubs, trees or similar vegetation, but shall not include a nursery or the bulk storage of unpackaged sand, gravel, soil, fertilizers or similar material. Related services may include a tool rental centre and a fast food kiosk, which is not a *drive through service facility*. Do-it-yourself training facilities are permitted as an *accessory use*.

Home Industry means a *use* located on and subordinate to a permitted *farm* which may include a carpentry shop, a craft shop, a metal working shop, a repair shop, a plumbing shop, and electrical shop, a welding shop, a storage *building* for school buses, boats or snowmobiles, or a similar *use*.

Home Occupation means an occupation or business which is conducted entirely within a *dwelling unit* and which is clearly subordinate or incidental to the principal use of the dwelling unit for residential purposes.

Hospital means any institution, *building* or other *premises* established for the treatment of persons afflicted with or suffering from sickness, disease or injury for the treatment of convalescent or chronically ill persons that is approved under the Public Hospitals Act as a Public *hospital*.

Hotel means a *premises* in which temporary lodging or sleeping accommodation are provided to the public and may include accessory services such as *restaurants*, meeting facilities, recreation facilities, convention, banquet facilities and staff accommodations.

Hunt Club means land, *building*, or *structures* used by an association of persons who meet around the common interest of the recreational activity of sport hunting.

Industrial Use means a *building* or *structure* or part thereof used primarily for the purpose of manufacturing, processing, fabrication, assembly, treatment, packaging, and incidental storage of goods and materials and may include accessory sales and distribution of such products but shall not include waste processing.

Kennel, Boarding means a *building, structure or premises* used for the raising, boarding, grooming and sale of dogs, cats or other household pets in accordance with the Town's Animal Control By-law.

Laboratory, Medical means an establishment where tests may be conducted as part of the diagnosis or treatment of human patients and where x-rays and other medical screening or monitoring procedures may be performed.

Landscaped Buffer means an area or an earthen berm with landscaping, having any combination of trees, shrubs, flowers, grass or other horticultural elements, and may include a solid board fence and landscaping rocks.

Landscaping Area means that portion of the *lot area* of a *lot* required for the growth and maintenance of grass, flowers, bushes, trees and other landscaping. This definition may include any surfaced walk, surfaced patio, storm water management pond, swimming pool, play facility, *deck* not more than 0.6 metres above grade or similar area but shall not include any *driveway* or ramp (whether surfaced or not) nor any curb, retaining wall, *parking area, delivery space, loading space*, nor any open space within a *building or structure*.

Lane means a public thoroughfare, whether or not improved for use, which has a reduced right-of-way width and which affords only a secondary means of access for vehicular traffic to abutting lots and which is not intended for general traffic circulation.

Laundromat means a *premises* where automated laundry machines, using only water and detergent, are made available for use by the public.

Library means a *building* containing printed, electronic and pictorial material for *public use* for purposes of study, reference and recreation.

Light Equipment Rental Establishment means a *premises* in which light machinery, equipment and tools are offered or kept for rent, lease or hire under agreement for compensation.

Livestock Facility means a *building* where livestock are housed and kept for use, propagation, or intended profit or gain and may include associated manure storage. Without limiting the generality of the foregoing, livestock includes dairy and beef cattle, horses, hogs, poultry, goats, sheep, mink and rabbits or other animals used for human consumption.

Loading/Delivery Space means an unobstructed area of land which is used for the temporary parking of one or more commercial motor vehicles while merchandise or materials are being loaded or unloaded from such vehicle.

Lodge means a *premises* with at least five guest rooms or cabins, that caters to the public and may include accessory services such as *restaurants*, meeting facilities, recreation facilities, banquet facilities and accommodation for staff.

Lodging Facility means a *building or structure* operated by a non-profit organization which contains accommodation facilities and offices accessory to the *lodging facility or cultural centre*.

Long-Term Care Facility means a nursing home under the Nursing Homes Act, as amended, an approved charitable home for the aged under the Charitable Institutions Act, as amended, or a home under the Homes for the Aged and Rest Homes Act, as amended.

Lot means a parcel of land which is capable of being legally conveyed in accordance with Section 50 of the Planning Act R.S.O. 1990 c.P. 13, as amended, or is described in accordance with a registered Plan of Condominium.

Lot Area means the total horizontal area within the *lot lines* of a *lot*.

Lot, Corner means a *lot* situated at the intersection of 2 *street lines* which contain an angle of not more than 100 degrees. Where such *street lines* are curved, the angle of intersection of the *street lines* shall be deemed to be the angle formed by the intersection of the tangents to the *street lines*, drawn through the extremities of the *interior side lot lines*. In the latter case, the corner of the *lot* shall be deemed to be that point on the *street line* nearest to the point of intersection of the said tangents.

Lot, Existing means a *lot* which lawfully existed as of the date of the passing of this By-law.

Lot Frontage means the horizontal distance between the 2 *lot lines* which intersect the *front lot line* of a *lot*, such distance being measured along a line which is parallel to the *front lot line* and distant from the *front lot line* a distance equal to the minimum front *yard* required herein for the specified *use* in the *zone* where such *lot* is located.

Lot, Fully Serviced means a *lot* which is served by a *public water system* and a *public sanitary sewer system*.

Lot, Interior means a *lot*, other than a *corner lot* or a *through lot*, which has *street access*.

Lot, Partially Serviced means a *lot* which is served by only one of a *public water system* or a *public sanitary sewer system*.

Lot, Through means a *lot*, other than a *corner lot*, which has *street access* on 2 or more *street lines*.

Lot, Unserviced means a *lot* which is served by neither a *public water system* nor a *public sanitary sewer system*.

Lot Line means any boundary of a *lot* or the vertical projection thereof.

Lot Line, Exterior Side means any *lot line* other than a *front lot line* which is also a *street line*. In the case where a *lot line* abuts a 0.3 metre Reserve Block, which in turn abuts a *street line*, such *lot line* shall be considered an *Exterior Side Lot Line* and the *lot* shall be considered as a *corner lot*.

Lot Line, Front means, in the case of an *interior lot*, the *lot line* dividing the *lot* from the *street*. In the case of a *corner lot*, the shorter *lot line* abutting a *street* shall be deemed to be the *front lot line* except, where the *lot lines* abutting a *street* are the same length, the *lot line* used for the principal *entrance* to the *lot* shall be deemed to be the *front lot line*. In the case of a *through lot*, the *lot line* used for the principal *entrance* to the *lot* shall be deemed to be the *front lot line*.

Lot Line, Interior Side means, except for *corner lots*, a *lot line* which intersects a *front lot line*. For *corner lots*, "*Interior side lot line*" means a *lot line*, other than an *exterior side lot line*, which intersects the *front lot line*.

Lot Line, Rear means, except for *corner lots*, any *lot line* which is not a *front lot line*, an *exterior side lot line* or an *interior side lot line*. For *corner lots*, "*Rear lot line*" means a *lot line* which intersects an *exterior side lot line*. If a *lot* has less than four *lot lines*, there shall be deemed to be no *rear lot line*.

Maintenance Building means a *building* associated with an existing permitted *use* where vehicles or equipment owned or leased by the owner are maintained, repaired and stored.

Medical Centre means an establishment having as the main *use* a *clinic*, which may include an optometrist with or without an accessory optician. Such *medical centre* may include a *restaurant*, one *pharmacy* and a *medical laboratory* only, but shall not include a *hospital*.

Merchandise Service Shop means an establishment wherein articles or goods such as appliances, furniture or similar items may be repaired or serviced. This definition shall not include any manufacturing operation or establishment used for the service or repair of vehicles.

Mezzanine means the floor within a building situated between the floor level of the first storey and the floor, ceiling or roof next above such floor level and open to the first storey below. The *mezzanine* shall be situated at least 3 metres above the floor level of the first storey and the floor area of the *mezzanine* shall not exceed 10% of the area of the floor level of the first storey. A *mezzanine* shall only be used for administrative functions and associated administrative storage, and shall not be used for retailing or the storage of merchandise.

Mobile Home means a prefabricated *building* meeting CSA standards, designed to be transported on its own chassis (notwithstanding that its running gear is or may be removed), or by other means, and designed and equipped for year-round occupancy, containing therein facilities for cooking or for the installation of cooking equipment as well as sanitary facilities including a flush toilet and a shower or bathtub. This definition shall not include any tourist vehicle nor any trailer which has a *gross floor area* of less than 30 square metres.

Mobile Home Park means land which has been provided and designed for the location of 2 or more occupied *mobile homes*.

Motel means a *premises* used to provide temporary accommodation to the traveling public with some of the rooms being accessed from the outside and may include accessory services such as *restaurants*, meeting facilities, recreation facilities, banquet facilities and accommodation for staff.

Motocross Circuit means an off-road racing facility conducted on a closed dirt circuit over primarily natural, outdoor terrain and may include spectator facilities such as grandstands or concourses.

Motor Vehicle means an automobile, truck, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a trailer, *tourist vehicle*, bus, all-terrain vehicle, motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine within the meaning of The Highway Traffic Act.

Motor Vehicle Body Shop means a *premises* used for the painting or repairing of *motor vehicle* bodies, exterior and under-carriage, and in conjunction with which there may be a towing service or *motor vehicle rental establishment* but shall not include *salvage yard*.

Motor Vehicle Compound means a *lot* containing a *building* or portion of a *lot* containing a *building*, which *premises* are used for the temporary storage and impounding of *motor vehicles* taken from a collision scene or otherwise towed or conveyed and awaiting repair or demolition, retrieval, or disposal.

Motor Vehicle Gas Bar means a *premises* where gasoline or other motor fuels and oil are kept for sale and delivery directly into a *motor vehicle*, and may include an *accessory retail store*, but shall not include a *motor vehicle repair facility*, *motor vehicle washing establishment* or a *motor vehicle service centre*.

Motor Vehicle Race Track means a purpose-built facility for the conducting of races of human-operated *motor vehicles* and may include spectating facilities such as grandstands or concourses and a racetrack that may be paved or not paved.

Motor Vehicle Rental Establishment means a *premises* where *motor vehicles* are kept for rent, lease or hire under agreement for compensation and shall also include an office used to administer the rental of such *motor vehicles* and may include accessory facilities for the repair or maintenance of *motor vehicles*.

Motor Vehicle Repair Facility means a *premises* used to conduct repairs of *motor vehicles* of a mechanical or structural nature and may include an associated towing service, *motor vehicle service centre* and *motor vehicle* rentals but does not include a *motor vehicle body shop*.

Motor Vehicle Sales Establishment means a *premises* where new *motor vehicles*, boats, ATV's, RV's, and similar vehicles are kept for display, lease or sale, and may include an associated *Motor Vehicle Service Centre* and the sale of used *motor vehicles*.

Motor Vehicle Service Centre means an establishment primarily engaged in the retail sale of fuels or lubricants for *motor vehicles*. *Accessory uses* may include a towing service and the sale of *motor vehicles* provided that not more than 2 *motor vehicles* are kept on the *premises* at any one time for such purposes, automotive accessories and minor maintenance or repair operations for such *motor vehicles*, other than bodywork or painting.

Motor Vehicle Towing Facility means a *building, structure* or part thereof where trucks specifically designed for the towing or hauling of disabled *motor vehicles* are dispatched for hire.

Motor Vehicle Used Sales Establishment means a *premises* including a sales office where only used *motor vehicles* are kept for display, lease or sale.

Motor Vehicle Washing Establishment means an establishment having facilities for washing *motor vehicles* by production line methods which may include a conveyor system or similar mechanical devices. This definition may also include a self-service operation.

Museum means a *building* used for the preservation of a collection of paintings and/or other works of art, and/or objects of natural history, and/or mechanical, scientific and/or philosophical inventions, instruments, models and/or designed and dedicated to the instruction and enjoyment of the public, together with libraries, laboratories and/or other offices.

Natural Area means an area that no *person* shall *alter* the surface of the land; or *alter*, disturb, destroy, remove, cut or trim any vegetation, whether living or dead, or *alter*, disturb, destroy, or remove any wildlife habitat, whether in use or not.

Nature Research Centre means a *building* or *structure* used for the purpose of natural environment research and education.

Nature Trail means an area used for walking, hiking or other similar un-motorized recreational travel.

Net, where applied to a measurement of area or density, shall exclude any area devoted to open space, public *streets*, or other public facilities.

Night Club means a *place of assembly*, which offers the sale of liquor in conjunction with live entertainment and/or dancing and which is licensed in accordance with the relevant Act or amendments thereto. A *Night Club* shall not include a *Live Adult Entertainment Parlour*.

Non-Complying means a *lot, building* or *structure* which is permitted by this By-law and lawfully existed as of the effective date of this By-law, but which does not comply with the standards of the *zone* in which it is located.

Non-Conforming means a *use* which lawfully existed as of the effective date of this By-law, but is not a permitted *use* for the *zone* in which it is located.

Non-Food Store Retail means a *retail store*, as classified by Statistics Canada pursuant to the North American Industrial Classification System ("NAICS") which includes pharmacies and stores selling goods

in the category known as “GAFO” (general merchandise, apparel, furnishings, home and auto supply stores and other miscellaneous retail stores).

Noxious Use means a *use* which, from its nature or operation, creates a nuisance or is liable to become a nuisance or offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust or objectionable odour, or by reason of the matter, waste or other material generated by the *use*, and shall include any *uses* which may be declared to be a noxious or offensive trade or business under the Public Health and Promotion Act, as amended.

Nursery means land used for the growing of sod, flowers, bushes, trees, shrubs, or other gardening, landscaping or orchard stock for use only on lands specifically zoned for such *use*, and not for wholesale or retail sale.

Nursery, Commercial means land used partly as a *horticultural nursery* but which also offers or keeps for wholesale or retail sale other articles, goods or materials.

Nursery, Horticultural means land used for the growing of sod, flowers, bushes, trees or other gardening, landscaping or orchard stock for wholesale or retail sale.

Open Storage Area, Accessory means land used for the outside storage of equipment, goods or materials accessory to a permitted non-residential *use*. This definition shall not include a *parking area*, a *delivery space* or a *loading space* or any *use* otherwise defined in this By-law.

Open Storage – Wellhead means land in the WP5 area used for outside storage of large quantities of pesticides, herbicides, fertilizers, manure and other substances that have the potential to contaminate groundwater. Large quantities of pesticides, herbicides and fertilizers are amounts in excess of 1000 kg. Large quantities of manure are amounts in excess of 10,000 kg.

Outdoor Seasonal Garden Centre, Accessory means an outdoor open space area enclosed by a temporary fence containing one or more gates, which may be operated on a temporary basis in conjunction with a business located within a *building* or *structure* on the same *lot* for the display and sale of flowers, plants, shrubs, trees or similar vegetation and related garden supplies, but shall not include a nursery or the bulk storage of unpacked sand, gravel, soil, fertilizers or similar material, or the storage or sale of motorized equipment.

Outside Display or Sales Area, Accessory means an outdoor open space area where produce or merchandise is displayed and/or sold and/or where services are provided in conjunction with a business located within a *building* or *structure* on the same *lot*.

Park means an open space area, owned, operated or maintained in whole or in part, by a *public authority* as a recreational area for public use, including *intensive recreation* and *non-intensive recreation*.

Park, Private means an open space area not under public jurisdiction used for *intensive recreation* and *non-intensive recreation*.

Parking Area means an open area of land, *accessory* to a permitted *use*, not located on a public *street*, private *street* or *lane* which is used for the parking of *motor vehicles*, but shall not include any area where *motor vehicles* for sale or repair are kept or stored.

Parking Area Setback means the least horizontal distance permitted between a *parking area* and an adjacent *lot line*.

Parking Garage means a *building* or part thereof, used for the storage or parking of *motor vehicles*.

Parking Lot, Commercial means an area of land used for the parking of *motor vehicles*, other than commercial motor vehicles with a gross registered vehicle weight of more than 2000 kilograms, for a fee, with such use forming the principal land use of a lot.

Parking Lot, Municipal means an area of land used for the parking of *motor vehicles* that is owned and/or controlled by a *public authority*.

Parking Space means an unobstructed space for the parking of a *motor vehicle*.

Patio, Outdoor means an outdoor eating area accessory to a *restaurant* where, on a seasonal basis, food and/or refreshments prepared on the *premises* are consumed.

Person means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executor or other legal representatives of a *person* to whom the context can apply.

Personal Service Shop means a *premises* where health and grooming services are provided and may include a spa, a barber shop, a beauty salon, a dressmaking shop, a tailor, a pet grooming facility, a photographic studio, or similar use.

Pharmacy means a *retail store* devoted primarily to the dispensing of medication and may also include the sale of medical supplies and other sundry items.

Place of Assembly means a *premises* used for the gathering of groups of people and may include facilities for the preparation and consumption of food or drink but shall not include a *place of worship* or *place of entertainment*.

Place of Entertainment means a *premises* where entertainment is offered for gain or profit such as an *amusement arcade*, a cinema, billiard or pool rooms, bowling alley, dance hall, public hall, theatre or similar activity for the enjoyment of the general public.

Place of Worship means a *premises* used by one or more religious groups for the practice of religious services.

Planting Strip means an area which shall be used for no purpose other than landscaping, including decorative rock treatments or other required structural features, a row of trees or a continuous unpierced hedgerow of evergreens or shrubs. The remainder of such *planting strip* shall be used for no purpose other than landscaping features, planting trees, shrubs, flowers, grass or similar vegetation.

Planting Strip Width means the least horizontal dimension of a *planting strip* measured perpendicularly to the *lot line* abutting such *planting strip*.

Play Facility Area means that portion of a *lot* dedicated to children's outdoor equipment and associated play area.

Porch means a roofed open structure projecting from an exterior wall of a *building* and having at least seventy percent of the total area of the vertical planes forming its perimeter unobstructed in any manner except by railings and stairs with access to grade.

Premises means the area of a *building* and *lot* occupied by a business or enterprise. In a multiple tenancy *building* occupied by more than one business, each business area shall be considered a separate *premises*.

Printing Plant means a *building* or part thereof used for the primary purpose of reproducing material in a printed or electronic form and may also include the binding or processing of such material.

Printing and Processing Service Shop means a *building* or part of a *building* used by one or more persons who are employed in the management, direction or conducting of an activity, specifically undertaken to aid an industrial or business office use including photocopying, mail processing, receiving, distribution, document finishing, laminating, faxing, and packaging. *Accessory uses* to any industrial or business office activity such as computer graphic services and data processing may also be permitted as part of this operation. This definition shall not include any establishment otherwise defined herein.

Privacy Yard means a *yard* adjoining an exterior wall of a *dwelling unit* or *mobile home*, clear and unobstructed by any public or common pedestrian access, *driveway* or surface *parking area*, other than a private *driveway* serving only such *dwelling unit* or *mobile home*.

Private Club means a non-profit or not-for-profit, non-commercial organization which carries on cultural, social, athletic or recreational activities and includes the *premises* of a fraternal or charitable organization.

Private Road means a private thoroughfare not under the jurisdiction of the *Corporation*, the Region of Peel or the Province of Ontario and created through the registration of a plan of condominium.

Produce Storage Building means a *building* or *structure* used for the storage of *farm* or garden products especially fruits and vegetables, but shall not include the retail sale of produce.

Public Authority means any department, appointed agency or commission of the Government of Canada, Province of Ontario, Regional Municipality of Peel or Town of Caledon.

Public Transit Depot means the *use* of land and/or buildings for the loading and unloading of passengers on and off of trains and/or buses and for the storage or parking of trains and buses, including ticket offices, restaurants, luggage checking facilities, and other related uses.

Public Use means any *use* of land, *buildings* or *structures* by or on behalf of a *public authority*.

Quarry means an open excavation made for the removal of any limestone, sandstone, shale or consolidated rock or mineral to supply such material for construction, industrial or manufacturing purposes. This definition shall not include:

- a) any excavation incidental to the construction of a *building* or *structure* for which a Building Permit has been issued; or
- b) any excavation incidental to any public works; or
- c) any asphalt plant, cement manufacturing plant or *concrete batching plant*.

Queuing Lane means an area of land that is used exclusively for *motor vehicles* whose occupants are waiting to be provided with goods, materials or services.

Queuing Space means an unobstructed space used by a *motor vehicle* for the purpose of waiting to be provided with goods, materials or services.

Recreation, Intensive means recreational and open space development and uses, including related facilities, operations and programs, which involve a relatively high degree of human activity, maintenance or management and may include such uses as *parks*, *playing fields*, *fairgrounds*, *campgrounds*, *golf courses*, ski clubs and other similar *uses*.

Recreation, Non-Intensive means recreational and open space development and uses, including related facilities, operations and programs, involving a relatively low degree of human activity, maintenance or management which, can reasonably be expected to have minimal negative effects on the form, function, or integrity of environmentally sensitive areas when assessed either individually or

cumulatively and may include uses such as trails, nature viewing and interpretative opportunities, but does not include uses primarily dependent on the use of motorized vehicles.

Recreational Trailers and Vehicles means vehicles or trailers which provide short term occupancy intended and used exclusively for travel, recreation and vacationing, designed to be towed or propelled by a *motor vehicle* or self-propelled, and includes such vehicles commonly known as travel trailers, camper trailers, truck campers, motor homes, boats or other similar vehicles but does not include a *mobile home*.

Region means The Regional Municipality of Peel.

Research Establishment means a *building* or *structure* or part of a *building* or *structure* used for scientific research, tests or investigations, data collection and manipulation or technical development of information, products or devices for scientific application.

Resort Complex means a destination establishment that provides accommodation throughout all or part of the year and generally provides facilities for *persons* on vacation. The facility shall be self contained and provide guest rooms, rental villas, accommodation for permanent staff, beverage rooms, health and therapy spa, dining rooms, meeting rooms, recreational amenities, accessory retail facilities and related uses, *structures* and facilities.

Restaurant means a *premises*, not including a *drive-through service facility*, in which the principal business is the preparation and serving of food and refreshments to the public for consumption at tables within or outside the *building* and which may include the preparation of food in a ready-to-consume state for consumption off the *premises*.

Retail Store means a *building* or part of a *building* in which goods, wares, merchandise, substances, articles or things including antiques, collectibles and convenience items are offered or kept for retail sale or rental to the public.

Retail Store, Accessory means a *retail store* accessory to a permitted non-residential use.

Rooming Unit means a room or rooms rented as sleeping and living quarters, without cooking facilities and may include an individual bathroom. All rooming units are to be located on the *first* and second *storey*.

Sales, Service and Repair Shop means a shop for selling, servicing, repairing, installing or renting items and equipment, including but without limiting the generality of the foregoing: radio or television shop, locksmith shop, small appliance shop, household and carpenter tool shop, shoe repair, a copy shop but shall not include a small engine shop.

Salvage Yard means an area outside of an enclosed *building* where scrap metal and *motor vehicles* are disassembled and dismantled, or where *motor vehicles* in an inoperable condition or used *motor vehicle* parts are stored or re-sold.

School means a Provincially-approved institution for academic instruction and shall include a public, private or separate *school*, a vocational *school*, or a post secondary *school* such as a college or university.

Seniors Retirement Facility means a facility providing accommodation primarily for *persons* or couples where each private unit has a separate entrance from a common hall. Food and lodgings are provided, common lounges, recreation rooms and light care facilities may also be provided.

Service Building means a *building* or *structure* used for the purpose of storing or parking maintenance equipment or vehicles, for the purpose of a maintenance workshop, and for the purpose of housing pumps and other works associated with a septic system.

Services Designed to Appeal to Erotic or Sexual Appetites or Inclinations means:

- i) services characterized by any *person* or *persons* involved or engaging in specific sexual activities or by an emphasis on the display of specified body area; or
- ii) services in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “sexy”, or any other word or any other picture, symbol or representation having like meaning or implication is used in any advertisement, or in respect of which is advertised the availability of “table dancing” or any other form of entertainment held out to be, by reason of its sexual content, not suitable for minors.

Setback means the horizontal distance from a property line or defined physical feature measured at right angles from such line or feature to the nearest part of any *building* or *structure* on the *lot*.

Sewage Treatment Facility means a *building* or *structure*, approved by the Ministry of the Environment, where domestic or industrial waste is treated.

Sewer System, Sanitary, Public means a system of underground conduits, operated by the Region of Peel or by the Ministry of the Environment, which carries sewage to a *sewage treatment facility*.

Sewer System, Storm means a sewer which carries storm surface water and storm drainage, but does not carry sewage or industrial waste.

Shopping Centre means an integrated commercial development, the function of which shall be to permit a wide range of retail, service and office commercial uses.

Sight Triangle means the triangular space on a *lot* formed by 2 intersecting *street lines* and a line drawn from a point on one *street line* across such *lot* to a point in the other *street line*, each such point being the required distance from the point of intersection of the *street lines* (measured along the *street lines*). Where the 2 *street lines* do not intersect at a point, the point of intersection of the *street lines* shall be deemed to be the intersection of the projection of the *street lines* or the intersection of the tangent to the *street lines*.

Ski Area means land used for snow skiing and may include ski lifts, tows, maintenance shops, ski equipment sales shops, dining rooms, beverage rooms and similar *accessory uses*. This definition shall not include a *tourist establishment*.

Small Scale Concrete Batching Plant means an operation primarily involved with the mixing of ingredients to produce concrete. The maximum capacity of a *small scale concrete batching plant* shall be limited to 40 cubic metres per hour, with a maximum batch hopper capacity of 1 cubic metre.

Special Care Home means a facility where *persons* reside for the primary purpose of receiving 24 hour supervised shelter, support, and/or treatment for psychiatric problems, memory impairment or affective brain disorders where cooking and dining, laundry, cleaning and other facilities are provided on a shared basis and where specialist care is provided, but not to any *persons* not resident in the *Special Care Home*.

Specialty Food Store means a *retail store* engaged in the business of selling a limited range of food products such as, but not limited to, a meat shop, a butcher, a fish shop, a cheese shop, a shop selling baked goods, a catering shop selling frozen meals or prepared foods, and may include *accessory retail* and service uses.

Specified Body Areas means one or more of the following:

- i) in the case of a female *person*, her nipples and areolae; and
- ii) in the case of all *persons*, the pubic, perianal, perianal areas, the genitals, anus and the buttocks.

Specified Sexual Activities means one or more of the following: actual or simulated sexual intercourse, masturbation, urination, defecation, ejaculation, sodomy, including bestiality, anal intercourse, oral sexual intercourse, direct physical stimulation of genital organs, and flagellation, bondage or torture in the context of a sexual relationship or activity.

Sports Arena means a *building* or part of a *building*, in which the principal facilities provide for indoor recreational activities such as curling, skating, hockey, lacrosse, broomball, soccer, swimming, tennis or other similar athletic activities, and which facilities may include dressing rooms, concessions for the provision of food and refreshments to the general public, bleachers, equipment for making artificial ice and other such accessory facilities and may include the sale and repair of sports equipment and clothing.

Storey means that portion of a *building* or *structure* between any floor level and the floor, ceiling or roof immediately above.

Storey, First means the *storey* with its floor closest to *finished grade* and having its ceiling at least 1.8 metres above *finished grade*.

Stormwater Management Facility means an end-of-pipe management facility being a detention or retention basin, which may include a permanent pool, designed to temporarily store and treat collected stormwater runoff and release it at a controlled rate.

Street means a public thoroughfare under the jurisdiction of either the *Corporation*, the Region of Peel or the Province of Ontario. This definition shall not include a private *lane*, a private right-of-way or a *private road*. Street allowance and "Public Highway" shall have a corresponding meaning.

Street Access means, when referring to a *lot*, that such *lot* has a *lot line* or portion thereof which is also a *street line*.

Street Line means the limit of a street allowance and is the dividing line between a *lot* and a *street*.

Street Setback means the least horizontal distance required between the centre line of a street allowance and the nearest part of any *building envelope* on a *lot* (measured at right angles to such centre line).

Structure means anything constructed, the *use* of which requires location on or in the ground, or attached to something having location on or in the ground. Unless otherwise specified, this definition shall not include private septic sewage disposal systems.

Supermarket means a *retail store* engaged in the business of selling groceries, meat, fruit and vegetables to the general public and having a minimum *gross floor area* of 2,231m².

Topsoil Manufacturing Business means the storage, screening and sale of topsoil, mulch, firewood, stone and related products.

Tourist Camp means an establishment providing accommodation for overnight camping in tents or the parking of mobile camper trailers, motorized *mobile homes*, or other tourist vehicles for recreational or vacation use whether or not a fee is charged or paid for such accommodation *use*. This definition shall not include a *mobile home park*.

Tourist Establishment means a commercial establishment designed for the traveling or vacationing public and that has facilities for accommodation and may serve meals or provide kitchen facilities and may furnish equipment, supplies or services to *persons* for recreational purposes, but does not include a *tourist camp* or *park*.

Trailer, Tourist means a trailer capable of being used for the temporary living, sleeping or eating accommodation of *persons* (notwithstanding that its running gear is or may be removed).

Trailer, Vehicular means any vehicle so constructed that it is suitable for being attached to a *motor vehicle* for the purpose of being drawn or propelled by the *motor vehicle* and is capable of being used for the transport of goods, materials, equipment or livestock notwithstanding that such vehicle is jacked up or that its running gear is removed.

Training Facility means an establishment where training is conducted for profit or gain, which is not under the jurisdiction of a Board as defined in the Education Act and which is not otherwise defined herein.

Transportation Depot means a *lot* used principally for the storage, servicing, hiring, loading or unloading of trucks, buses or other fleet vehicles and must include a *building* containing a use directly related to the parking, storing, servicing, hiring, loading or unloading of such fleet vehicles. This may include the temporary storage of goods or wares prior to shipment.

Use means the purpose for which any portion of a *lot*, *building* or *structure* is designed, arranged, intended, occupied or maintained. Unless otherwise specified, this definition shall not include private septic sewage disposal systems.

Use, Accessory means a *use* which is clearly incidental, subordinate in size and exclusively devoted to a *main building* or *main use* and located on the same *lot* therewith.

Vehicle, Tourist means a self-propelled vehicle capable of being used for the temporary living, sleeping or eating accommodation of persons. This definition may include, but is not limited to, a bus, motor home, truck or van if equipped as above.

Veterinary Hospital means a *building* or part of a *building* that is used by a veterinarian and associated staff for the purpose of treatment, care or grooming of large and small animals, including livestock and birds. This definition shall not include any *Kenel* as defined in this By-law.

Video Outlet/Rental Store means an establishment where pre-recorded video tape, video discs, game cartridges, DVD's or other similar pre-recorded materials are offered for rent or sale and where video cameras or video players/recorders may be offered for rent and may include the accessory sale of snack foods, but shall not include the sale of electronic video equipment and other electronic home entertainment products or an *Adult Video Store*.

Walkway, Private means a walkway created through the registration of a plan of condominium.

Walkway, Public means a walkway which is owned, operated and maintained by a *public authority* for use by the general public.

Warehouse means a *premises* used primarily for the storage and distribution of goods, wares, merchandise, substances or articles but shall not include facilities for a *transportation depot*.

Warehouse, Public Self-Storage means a *warehouse* where individual, indoor storage areas are made available to the public for the temporary storage or keeping of goods.

Warehouse, Retail means a *warehouse* where the entire *floor area* of the *use* is occupied by a single user and features the integrated storage and retail sale of goods to the general public in a *warehouse* format and which serves a large trade area.

Warehouse, Wholesale means a *warehouse* or portion thereof in which goods, wares, merchandise or articles are stored or kept for sale in large bulk or quantity for supply from the *premises* primarily to a

person other than the ultimate consumer. The display of items for sale is permitted provided it is clearly accessory to the primary *warehouse* or *wholesale use*.

Waste Processing Facility means a facility that receives, stores and/or processes waste materials for the purpose of creating new products or materials.

Waste Transfer Facility means the use of a *building* where waste materials are collected into bulk containers for the further transport to a landfill site, recycling facility or other waste disposal facility.

Water Supply Plant means a *building* or *structure*, approved by the Ministry of the Environment, where water is treated for human consumption.

Water System, Public means a distribution system of underground piping and related storage, including pumping and purification appurtenances, owned and operated by the Region of Peel or by the Ministry of the Environment.

Wayside Pit or Quarry means a temporary pit or *quarry* opened and used by or for 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.

Wellhead Protection Areas means those areas around municipal wells, as identified by the Region of Peel, in which policies and provisions may be implemented in order to protect the integrity of the groundwater resource. The extent of wellhead protection areas is defined by the travel time for flows of groundwater to the municipal well. The WP5 area is that area within which the travel time for a potential contaminant would be between 0 and 5 years. The WP10 area is that area within which the travel time for a contaminant would be between 5 and 10 years.

Wellness Centre means a *premises* devoted to the actively sought goal of good health and includes the teaching and practice, in both individual and group sessions, of a range of holistic, alternative and integrative natural health practices and may include meditation, acupuncture, shiatsu, massage therapies, yoga, and healthy eating programs.

Yard means an open, uncovered space on a *lot*, appurtenant to a *building* and unoccupied by *buildings* except as specifically permitted in this By-law.

Yard, Exterior Side means the *yard* extending from the *exterior side lot line* to the nearest wall of the *main building* on the *lot* but does not include any portion of the *front* or *rear yards*.

Yard, Front means a *yard* extending across the full width of the *lot* between the *front lot line* and the nearest front wall of the *main building* located on the *lot*.

Yard, Interior Side means a *yard* extending from the *interior side lot line* to the nearest side wall of the *main building* on the *lot* but does not include any portion of the *front* or *rear yards*.

Yard, Rear means a *yard* extending across the full width of the *lot* between the *rear lot line* and the nearest rear wall of the *main building* located on the *lot* but does not include any portion of the *exterior side yard*.

Zone means a designated area of *land use* shown in Schedule A in this By-law.

