

SECTION 3 - DEFINITIONS

3.1 APPLICATION:

For the purpose of this By-law, the definitions and interpretations given in this Section shall govern. Words used in the present tense include the future; words used in the singular number include the plural; and words in the plural include the singular number. The words “used” and “occupied” shall include the words “intended or arranged and designed to be used or occupied”. The word “shall” is mandatory.

3.2 IN THIS BY-LAW:

- 3.2.1 Abattoir, shall mean a slaughter house designated for the purpose of butchering animals, skinning, dressing and cutting up of carcasses, wrapping for sale for human consumption, with cooler and freezer storage and includes indoor confinement of animals while awaiting slaughter and shall include any cooking or processing related to processing plants, such as smoking, curing or the manufacture of meat by-products, but shall not include any process related to rendering plants, such as the manufacture of tallow, grease, glue, fertilizer or any other inedible product.
- 3.2.2 Accessory Building or Structure, shall mean a building, or a structure that is normally incidental and/or subordinate, and is exclusively devoted to a main use and/or building and/or structure, and located on the same lot therewith.
- 3.2.3 Accessory Use shall mean a use, detached building or structure, which is usually incidental, subordinate, exclusively devoted to and located on the same lot as the principle use, building or structure but not include a building or structure which is used for human habitation unless otherwise permitted.
- 3.2.4 Administrative or Rental Office shall mean, in the case of a mobile home park, a building or part thereof, designed, intended or used for the carrying out of the mobile home park business and the administration of the mobile home park.
- 3.2.5 Adult Entertainment Establishment shall mean any premises or part thereof in which is provided, in pursuance of a trade, calling, business, or occupation, services designed to appeal to the erotic or sexual appetites or inclinations; or which a principal feature or characteristic is nudity or partial nudity of any person, or in respect of which the word

“nude”, “naked”, “topless”, “bottomless”, “sexy”, or any other word or picture, symbol or representation having like meaning or implication is used in any advertisement.

- 3.2.6 *Agricultural Building* shall mean any building or structure, other than a barn, that is used to store agricultural equipment and/or to grow specialty crops and/or from which agricultural products are sold and includes a greenhouse.
- 3.2.7 *Agricultural Use, General* shall mean the non-intensive use of lands, buildings or structures for the production of crops or other similar uses normally associated with agriculture.
- 3.2.8 *Agricultural Use, Intensive* shall mean the rearing of domestic livestock such as cattle, horses, swine, poultry, sheep or goats for business purposes and may involve the housing of such livestock in an intensive agricultural building.
- 3.2.9 *Agriculture, Market Garden* shall mean the non-intensive use of lands buildings and structures for the production of crops or other similar uses normally associated with agriculture and may include the keeping of animals including domestic fowl, plus offspring until weaned provided that the animals do not total more than 5 Nutrient Units as defined by the Ontario Ministry of Agriculture and Food.
- 3.2.10 *Animal Shelter* shall mean any land and/or building or structure or part thereof that is used for the care of lost, abandoned or neglected domestic animals, but shall not include long-term pounding facilities.
- 3.2.11 *Antique Shop* means a building or part thereof which is used for the sale of authentic objects which have attained increased value because of their age or rarity.
- 3.2.12 *Apartment Building* shall mean a building containing three or more dwelling units each of which have a common entrance from the street level and the occupants of which have the right to use the common halls, stairs, yards or one or more of them.
- 3.2.13 *Aquaculture* shall mean the farming of aquatic organisms such as fish, crustaceans, mollusks and aquatic plants.
- 3.2.14 *Arena* shall mean a building or structure containing recreational facilities which may include artificial ice surface(s) for hockey or curling but does not include gymnasiums or pools.

- 3.2.15 Assembly Plant shall mean a building or structure in which mechanical or industrial products are assembled but no goods are manufactured on site from raw materials.
- 3.2.16 Auction Centre shall mean any premises used predominantly as an auction facility and may include the auction of agriculturally related chattels on an incidental or accessory basis only.
- 3.2.17 Automobile Body Shop shall mean a building or structure used for the painting or repairing of automobile bodies, but shall not include an automobile wrecking yard or salvage yard.
- 3.2.18 Automobile Gas Bar shall mean a building, land, or structure where vehicle fuel (not including propane), or lubricants, are offered for sale but no provisions are made for the repair of motor vehicles. The sale of sundry items and prepared foods is allowed, provided the gross floor area of the building does not exceed 20m² in gross floor area.
- 3.2.19 Automobile Repair Garage shall mean any building used for the general repair, rebuilding or reconditioning of engines, motor vehicles or trailers.
- 3.2.20 Automobile Sales and Service Establishment shall mean a building or structure or clearly defined space on a lot used for the display, sale, storage and rent of new and used motor vehicles and motor vehicle parts, and may include facilities for the provision of repairs essential to the actual operation of motor vehicles but which does not include the sale of gasoline.
- 3.2.21 Automobile Service Station shall mean a building or place where gasoline, oil, grease, antifreeze, tires, tubes, tire accessories, electric light bulbs, spark plugs or batteries for motor vehicles are stored, or kept for sale, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged, or where only minor or running repairs essential to the actual operation of motor vehicles are executed, or performed, but shall not include an automobile washing establishment or automobile body shop.
- 3.2.22 Automobile Washing Establishment shall mean a building or structure which contains motor vehicle washing facilities utilizing either mechanical, production line, or self-service equipment.
- 3.2.23 Automobile Wrecking Yard shall mean an area where motor vehicles are disassembled, dismantled or junked or are otherwise not in

operable condition, and where the parts of used motor vehicles may be stored.

- 3.2.24 Balcony shall mean a partially enclosed platform attached to or extending horizontally from one or more main walls of a dwelling and used as an outdoor porch or sundeck.
- 3.2.25 Barn shall mean a building that is designed to shelter livestock such as cattle poultry, horses, sheep, goats or swine.
- 3.2.26 Basement shall mean a storey or storeys of a building located below the first storey.
- 3.2.27 Bed and Breakfast Establishment shall mean a dwelling in which not more than three rooms are used to provide overnight accommodation and meals to the travelling public, but is not a hotel or motel.
- 3.2.28 Boat Launching Ramp shall mean an inclined piece of land, either natural or man-made, that enters a navigable water body and is used for the purpose of transferring a boat from a trailer to water”
- 3.2.29 Boathouse shall mean a building or structure or part thereof used for the storage of private boats and equipment accessory to their use.
- 3.2.30 Boat Slip shall mean any facility to which marine craft are intended to be or are customarily attached and include a dock, a pier and a wharf.
- 3.2.31 Building shall mean any edifice other than a lawful boundary wall or fence, used or designed to be used for shelter, accommodation or enclosure of persons, animals or chattels.
- 3.2.32 Building, Main shall mean the building in which is carried on the principal purpose for which the lot is used, and in a Residential Zone, the dwelling is the main building.
- 3.2.33 Bulk Fuel Storage and Supply shall mean facilities and grounds where large quantities of fuel are stored for the purpose of distribution and retail.
- 3.2.34 Business or Professional Office shall mean a building or part of a building in which one or more persons are employed in the management, direction or conducting of a business, or where professionally qualified persons and their staff serve clients or patients who seek advice, consultation or treatment.

- 3.2.35 Cabin Rental Establishment shall mean an establishment specializing in the rental of cabins capable of accommodating one family in a detached building.
- 3.2.36 Campground shall mean a parcel of land used and operated to provide temporary sleeping accommodation for the traveling public for the temporary and seasonal accommodation of persons in tents or travel trailers and includes services and facilities in connection with the campground.
- 3.2.37 Campsite shall mean an area of land within a campground that is used for the temporary and seasonal accommodation of the travelling public in tents or trailers.
- 3.2.38 Carport shall mean a structure whose roof is structurally dependent upon the main building and which has not more than fifty (50) percent of the structure enclosed by walls and is used for the parking or storage of a motor vehicle.
- 3.2.39 Cellar shall mean that portion of a building that is partly or wholly underground, but which has more than one-half of its height, from the finished floor to finished ceiling, below the average finished grade surrounding the exterior walls of the building.
- 3.2.40 Cemetery shall mean land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including crematories, columbiums, mausoleums, and mortuaries, when operated in conjunction with and within the boundaries of such cemetery.
- 3.2.41 Clinic shall mean a building or part of a building used for medical, dental, surgical or therapeutical treatment of human beings, but does not include a public or private hospital.
- 3.2.42 Club shall mean a meeting place for members of an organization not operated for profit or of an athletic, social or recreational club not operated for profit.
- 3.2.43 Commercial Garage shall; mean a building other than an attached or private garage, which is used for the servicing and repairing or equipping essential to the actual operation of motor vehicles or where such vehicles are parked or stored for remuneration, hire or sale, but does not include the repair of motor vehicle bodies.
- 3.2.44 Commercial School shall mean any school conducted for hire or gain, other than a private academic, religious or philanthropic school, and shall include a studio of dancing, a school of music, an art school,

sport or recreation instruction school, school, studio, or spa of fitness or calisthenics, business or trade school, and any other such specialized school conducted for hire or gain.

- 3.2.45 Commercial Use shall mean the use of land, building or structure for the purpose of buying or selling commodities and supplying services as distinguished from such uses as manufacturing or assembling of goods, warehousing and construction.
- 3.2.46 Commercial Self-Storage Facility shall mean a building containing separate, individual self storage units, divided from the floor to the ceiling by a wall with a independent entrance from the exterior of the building, designed to be rented or leased on a short term basis to the general public for the private storage of personal goods, materials and equipment.
- 3.2.47 Community Centre shall mean any lands on which may be erected one or more buildings to be used for community activities, including recreational and institutional uses, with commercial uses incidental thereto.
- 3.2.48 Conservation Use shall mean the preservation, protection and/or improvement of the components of the natural environment through management and maintenance for both the individual and society's uses, both in the present and in the future.
- 3.2.49 Conservation and Wildlife Sanctuary shall mean land left in its natural state for the purpose of providing sanctuary, habitat and/or breeding grounds for wild birds, animals and plant life and includes a forest reserve.
- 3.2.50 Construction Camp shall mean a temporary land use required during the construction of large scale public works projects to house workers and/or store equipment necessary for the cost effective and timely completion of such project.
- 3.2.51 Construction or Building Supply Yard shall mean a lands, buildings or structures in which building or construction and home improvement materials are offered or kept for sale at retail and may include the fabrication of certain materials related to home improvement and may include the stockpiling or storage of supplies or materials for sale.
- 3.2.52 Contractors Yard shall mean a yard, including any accessory buildings, of any building trade or general contractor, where equipment and materials are stored, or where a contractor performs shop or assembly

work, but does not include any other yard or establishment defined or classified herein.

- 3.2.53 Convenience Store shall mean an establishment where foodstuffs, tobacco, patent medicines, periodicals and other similar items of household convenience are kept for retail sale to residents of the immediate neighbourhood, provided the number of persons employed in the establishment for the service of the public during all times the store is open, including the proprietor does not exceed three and the total floor area, used for servicing the public or for selling or displaying to the public in the establishment is less than 220 square metres.
- 3.2.54 Corporation shall mean the Corporation of the Township of Tay.
- 3.2.55 Council shall mean the Council of Corporation of the Township of Tay.
- 3.2.56 County shall mean the Corporation of the County of Simcoe.
- 3.2.57 Craft Shop shall mean a building or part thereof in which a handcraft is produced for gain or profit and may include sales of such handicraft.
- 3.2.58 Crisis Intervention Centre shall mean any land and/or building or structure or parts thereof where short term and temporary accommodation is provided for persons in emergency situations and, without limiting the generality of the foregoing, shall include facilities for battered or abused adults or children, facilities for youth requiring emergency, temporary shelter and facilities for elderly persons.
- 3.2.59 Custom Workshop shall mean a building or part of a building used by a trade, craft or guild for the manufacture in small quantities of made-to-measure clothes or articles and includes upholstery, but does not include metal spinning, or furniture manufacture, or any factory production or any shop or factory otherwise classified or defined in this By-law.
- 3.2.60 Day Care Facility shall mean a premises that receives more than five (5) children who are not of common parentage, primarily for the purpose of providing temporary care and/or guidance, for the continuous period not exceeding twenty-four hours, where the children are:
- a) under eighteen years of age in the case of a day nursery for children with developmental handicap; and
 - b) under ten years of age in all other cases, but does not include:

- i. part of a public school, separate school, private school or a school for challenged children under The Education Act; or
- ii. a place that is used for organized programs of culture, recreation or fitness.

- 3.2.61 Day Care, Private Home means a *dwelling* used for the temporary care of five (5) or fewer children, other than children residing in the *dwelling* as a principle residence, for a continues period not exceeding 24 hours.
- 3.2.62 Deck shall mean 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 for use as an outdoor living area.
- 3.2.63 Driveway shall mean an area of entrance and/or exit for regular use of motor vehicles.
- 3.2.64 Dry Cleaning Establishment shall mean a building or part thereof used for the purpose of receiving, pressing, dyeing, dry cleaning (wherein only non-inflammable solvents are or can be used, no odour or fumes are emitted, no noise or vibration is created which cause nuisance, or inconvenience within or exterior to the premises) and distribution of any such articles, goods or fabric.
- 3.2.65 Dry Industrial Use shall mean a use which does not require a water supply other than that available within the limits of the lot upon which the use is located and requires water only for use by employees.
- 3.2.66 Dwelling, Boarding or Lodging House shall mean any building or portion thereof in which the proprietor resides and supplies for hire, or gain, to more than two (2) persons, lodging and/or meals.
- 3.2.67 Dwelling, Bungalow shall mean a single detached dwelling with no storey and/or partial storey located above the first storey of the dwelling and where the first storey ceiling is more than 1.8 metres above grade and less than 3.3 meters above grade and may include a walkout basement at the rear of the dwelling.
- 3.2.68 Dwelling, Duplex shall mean a building that is divided horizontally into two separate dwelling units, each of which has two independent entrances contained within the building.
- 3.2.69 Dwelling, Fourplex shall mean a building which is divided horizontally and vertically so as to create four (4) dwelling units each of which has an independent entrance.

- 3.2.70 *Dwelling, Low Rise Apartment* shall mean a building consisting of four or more dwelling units which have a common entrance from the street level and the occupants of which have the right to use in the common halls and/or stairs and/or elevators and/or yards and/or storage and/or laundry rooms and facilities.
- 3.2.71 *Dwelling, Semi Detached* means a building containing a pair of attached dwelling units with a common masonry wall dividing the two dwellings vertically.
- 3.2.72 *Dwelling, Single Detached* shall mean a dwelling containing only one (1) dwelling unit.
- 3.2.73 *Dwelling, Stacked Townhouse* shall mean a building that is divided horizontally and vertically by common walls into three or more attached dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule.
- 3.2.74 *Dwelling, Street Townhouse* shall mean a building, as described in Subsection 3.2.74 in which each dwelling unit abuts a public street and where each dwelling unit is located on a separate lot.
- 3.2.75 *Dwelling, Townhouse* shall mean a building that is divided vertically by common walls into three or more attached dwelling units, each of which has an independent entrance to and from a yard immediately adjacent to an exterior wall of each dwelling unit.
- 3.2.76 *Dwelling, Triplex* shall mean a building that is divided horizontally into three separate dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule.
- 3.2.77 *Dwelling Unit* means a residential unit that:
- (a) consists of a self-contained set of rooms located in a building or structure,
 - (b) is used or intended for use as a residential premises,
 - (c) contains kitchen and bathroom facilities that are intended for the use only of the unit, and
 - (d) has a means of egress to the outside of the building or structure in which it is located, which may be a means of egress through another residential unit

- 3.2.78 Dwelling Unit, Accessory shall mean a self-contained dwelling unit accessory to the main use of the property and contained within or attached to a main use building, or as a detached dwelling unit.
- 3.2.79 Equestrian Facility shall mean an area of land where more than five horses are boarded and taken out to be ridden by their owners or rented to others and where riding lessons may be given.
- 3.2.80 Erect shall mean to build, construct, reconstruct and relocate, and, without limiting the generality of the word, also includes:
- (a) Any preliminary physical operation such as excavating, filling or draining, and/or
 - (b) Altering any existing building or structure by an addition, enlargement, extension or other structural change; and/or
 - (c) Any work which requires a building permit under the Building Code of Ontario.
- 3.2.81 Established Building Line shall mean the average setback of at least three existing buildings on each side of a vacant lot on one side of a street as indicated by a survey prepared by an Ontario Land Surveyor. A building line is considered to be established when more than one half of the lots having street access upon said side of such block have been built upon.
- 3.2.82 Existing shall mean existing and continues to exist as of January 1st, 1994.
- 3.2.83 Fabricating Plant shall mean the use of land, building or structures where the primary activities include carving, cutting, dressing and shaping of stone, wood, metal or similar materials.
- 3.2.84 Family Healing Lodge and Learning Centre shall mean any land and/or building or structure or parts thereof in which facilities are provided for a non-profit, community directed, culturally based learning centre intended for the improvement of mental and physical well-being, through the instruction of aboriginal culture and through the provision of individual, group and family counselling in both mainstream and traditional healing practices, and may include group living quarters for a short term residential program for participants and staff with a group kitchen and dining facility to service all the residents.

- 3.2.85 Farm Implement Sales Outlet shall mean the use of land, buildings, or structures for the sale, storage or repair of equipment and machinery directly associated with the operation of an agricultural use.
- 3.2.86 Farm Produce Sales Outlet shall mean a use accessory to an agricultural use which consists of the retail sale of agricultural products produced on the same lot where such outlet is located.
- 3.2.87 Feed Mill shall mean a permanent commercial building or structure that functions as a packaging and distribution centre for livestock and animal feed that is intended for agricultural use.
- 3.2.88 Fertilizer Plant shall mean a building or structure which specializes in the development of fertilizers and may also act as a distributor and retailer for the product.
- 3.2.89 Fill shall mean any type of material deposited or placed on lands and includes but is not limited to sand, soil, stone, granular material, concrete, sod or turf either singly or in combination.
- 3.2.90 Financial Institution shall mean an establishment concerned with the custody, loans, exchange or issue of money, extension of credit and the transmission of funds, either through a chartered bank, trust company or other business or facility.
- 3.2.91 Floating Accommodations means a floating building, structure, or thing, or a combination of floating buildings, structures, or things, equipped or useable for overnight accommodation and not primarily used for navigation, and includes a floating building, structure or thing, or a combination of floating buildings, structures, or things that:
- i. Is primarily designed for or able to be used for residential purposes;
 - ii. Is a raft, barge, or floating platform that has on top of it a building, structure, vehicle, or thing that may be used for overnight accommodation, for camping purposes or as an outdoor accommodation;
 - iii. Would be expected to be towed or pushed to be relocated or is relocated by means of any other type of assistance or is self-propelled.
 - iv. Is equipped with anchor(s) and/or jack-up technology or a similar mechanism used to anchor or rise above the surface of the water, with or without spudcans; or
 - v. Has a floating foundation or a floatation platform which may include floats constructed of any material or substance used to assist with floatation.

- vi. No person shall use any in-water boathouse, barge, marine vessel or any other floating structure or building, for use as a dwelling unit in any zone or appurtenant to a zone.
- vii. Floating accommodations are prohibited in any zone or appurtenant to a zone.

3.2.92 Floor Space Commercial shall mean the total floor area of a commercial building including any basement area designed or used for commercial purposes, but excluding the furnace room, laundry room or washroom, stairwell or elevator shaft or any area, the permanent use of which is designed for storage space.

3.2.93 Forest Reserve shall mean an area of planted trees on private or public land for the purpose of reforesting the property and done so under the guidance and supervision of the County or Ministry of Natural Resources.

3.2.94 Forestry Use shall mean the proper implementation of harvest, renewal and maintenance activities known to be appropriate for the forest and environmental conditions under which it is being applied and which minimizes detriments to forest values including: important fish and wildlife habitat, soil and water quality and quantity, forest productivity and health; and the aesthetic and recreational opportunities of the landscape and the cutting and removal of hazardous, severely damaged, diseased and insect infested trees which must be removed in order to prevent the contamination or infestation of other trees, or which no longer contribute to the achievement of forest values.

3.2.95 Funeral Home shall mean a building designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for interment or cremation.

3.2.96 Garage shall mean an accessory building or portion of a building including a carport which is designed or used for the temporary parking or storage of motor vehicles and the storage of household equipment incidental to residential occupancy and where there are no facilities for repairing or servicing of such vehicles for remuneration or commercial use.

3.2.97 Garage, Attached shall mean a garage, accessory to a dwelling unit on the same lot, and separated therefrom by a common wall and/or common roof structure.

- 3.2.98 Garden Centre shall mean the use of lands, buildings or structures or part thereof for the purpose of buying or selling lawn and garden equipment.
- 3.2.99 Garden Suite shall mean a temporary detached dwelling unit which is considered secondary and incidental to an existing single detached dwelling unit.
- 3.2.100 Gasoline Pump Island shall mean an area containing one or more gasoline pumps, which may or may not include a shelter having a floor area of not more than 10 square metres, in addition to any washroom, mechanical or storage area. This shelter area shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles and shall not be used for repairs, oil changes or greasing or any other motor vehicle repair or service.
- 3.2.101 General Storage Compound shall mean, in the case of a mobile home park, an enclosed area, designed for the storage of material or equipment that is non-toxic and environmentally secure and intended for use by the owners and tenants of the mobile home park
- 3.2.102 Golf Course shall mean a public or private area operated for the purposes of playing golf and includes a par three golf course, club house and recreational facilities, accessory driving ranges and miniature golf courses and similar uses.
- 3.2.103 Golf Driving Range shall mean an open air recreation facility where the sport of golf is practiced from individual tees and which may include accessory structures to house the tees, a kiosk for golf balls and golf club rentals, a structure from which the golfers tee off and a residence for the grounds keeper.
- 3.2.104 Grade, Finished or Established the average of the finished ground level at the centre of all walls of a building or structure.
- 3.2.105 Grinding Site shall mean land, buildings or parts of buildings where the treatment of waste is undertaken by uniformly reducing the waste to particles of controlled maximum size is conducted.
- 3.2.106 Gross Floor Area shall mean the aggregate of the areas of each floor above grade, except in the case of an apartment building where part of a basement is used for habitation purposes, in which case such area shall constitute part of the gross floor area, measured between the exterior faces of exterior walls of the building or structure at the level of each floor, but excluding any private garage, breezeway, porch,

verandah, balcony, attic or cellar, unless such attic is habitable in all seasons.

3.2.107 Ground Floor Area shall mean the maximum area of a building or structure to the outside wall measurement, excluding in the case of a dwelling, any private garage, porch, verandah or sun room, unless such sun room is habitable in all seasons.

3.2.108 Group Home shall mean a single housekeeping unit in a residential dwelling in which three to six residents, excluding staff, live under reasonable supervision consistent with the requirements of its residents. The home is licensed or approved under Provincial statute in compliance with municipal By-laws.

3.2.109 Guest Room shall mean a room or suite of rooms which is used or maintained for gain or profit by providing accommodation to the public.

3.2.110 Habitable shall mean a room designated for living, sleeping, eating or food preparation.

3.2.111 Heavy Equipment Sales shall mean a building or part of a building or structure in which heavy machinery and equipment are offered or kept for sale, rent, lease or hire under agreement for compensation.

3.2.112 Height of Building shall mean the vertical height from the average finished grade on all sides of the structure and shall be calculated as follows:

- (a) In the case of a flat roof, the highest point of the roof surface on the parapet, whichever is the greater; and
- (b) In the case of a mansard roof, the deck roof line; and
- (c) In the case of a gable, hip or gambrel roof, the average heights between the eaves and ridge;

exclusive of any accessory roof construction such as a chimney, tower, steeple, television antenna or mechanical penthouse.

3.2.113 High Water Mark means the location where the high-water level of a lake or river meets the land. For Georgian Bay, this level shall be measured as 178.0 Geodetic Survey of Canada (G.S.C) datum.

3.2.114 Hobby Farm means the keeping of no more than five (5) livestock units kept for recreational purposes on the same lot as a single detached dwelling but does not include an intensive agricultural use or a kennel.

For this definition, (1) livestock unit shall mean one horse, cattle, sheep, pig, goat, chicken, turkey, or similar domestic livestock animal.

- 3.2.115 Home Industry shall mean a small-scale dry industrial use, such as a carpentry shop, a metal working shop, a welding shop or an electrical shop that provides services or wares to the rural community and which is accessory to a rural or agricultural use or a single detached dwelling. For the purposes of this By-law, the repairing of motor vehicles, mobile homes and/or trailers is not a home industry.
- 3.2.116 Home Occupation shall mean the use of part of a dwelling unit for skilled pursuits that are compatible with a domestic household and that are undertaken by owners or tenants of the dwelling.
- 3.2.117 Hospital shall mean an institution, building or other premises or place established for the maintenance, observation, medical and dental care and supervision and skilled nursing care of persons afflicted with or suffering from sickness, disease or injury or for the convalescent of ill persons.
- 3.2.118 Hotel shall mean a building designed for the accommodation of the traveling or vacationing public wherein no room within the establishment shall be occupied by the same guest for a period of time exceeding 31 consecutive days and shall contain therein three or more guest rooms, that may include culinary facilities and individual sanitary facilities for each guest room being served by a common entrance together with an office and/or lobby serving the patrons of the hotel. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, recreational facilities, meeting rooms or similar uses.
- 3.2.119 Independent Retirement Home "shall mean a residential building(s) containing dwelling units, designed to provide residence primarily for senior citizens and others with special needs such as barrier-free accessibility and assisted mobility requirements, who do not require assistance with daily living, and which may provide ancillary health, personal service, and/or recreational services to serve the residents of the home. The definition of retirement home shall not include a long-term care facility or semi-independent retirement home
- 3.2.120 Industrial Use shall mean the use of land, building or structure designed for the purpose of manufacturing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing or storing or adapting, for sale of any goods, substance, article or thing, of any part thereof, and the storage of building and construction equipment and materials, as distinguished

from the buying and selling of commodities and the supply of personal services and shall include printing and food processing.

3.2.121 Industrial, Extractive shall mean land including accessory buildings and structures, used for the removal, refinement and/or processing of sand, gravel, stone or other aggregate resources and includes a borrow pit, a gravel pit and a stone quarry.

3.2.122 Institutional Use shall mean the use of land, building, structure or part thereof used by an organization, group or association for the promotion of charitable, religious, educational, medical or benevolent objectives.

3.2.123 Kennel, Commercial Means a premises primarily for the boarding and/or training of dogs for hire or gain.

3.2.124 Kennel, Private Means the accessory use of land, building or structure for the keeping and/or training of more than three (3) but less than nine (9) dogs as pets for personal use, and there is no boarding and no revenue derived from the kennel

3.2.125 Landscaped Open Space shall mean the open unobstructed space at grade on a lot accessible by walking from the street on which the lot is located and which is suitable for the growth and maintenance of grass, flowers, bushes, trees and other landscaping and includes any surfaced walk, patio or similar area, but does not include any driveway or ramp, whether surfaced or not, any curb, retaining wall, parking area or any open space beneath or within any building or structure.

3.2.126 Landscaping shall mean a combination of trees, shrubs, flowers, grass or other horticultural elements, together with decorative stonework, paving, screening or other architectural elements, all of which is designed to enhance the visual amenity of a property.

3.2.127 Laundromat shall mean an establishment containing one or more washers, each having a capacity not exceeding 30 kilograms, and drying, ironing, finishing and incidental equipment in which only water and detergents or soaps are or can be used, and which emit no odour or fumes, noise or vibration, causing nuisance or inconvenience within or exterior to the premises.

3.2.128 Lot shall mean a parcel or tract of land:

- (a) Which is a whole lot having a good and marketable title in fee simple as shown on a Registered Plan of Subdivision and which has been registered pursuant to Section 51 of the Planning Act R.S.O. 1990 c.P.13, but a Registered Plan of

Subdivision for the purposes of this paragraph does not include a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a by-law passed pursuant to Section 50 of The Planning Act, R.S.O., c.P.13, as amended; or,

- (b) Which is a separate parcel of land without adjoining lands being owned by the same owner or owners as of the date of the passing of this by-law; or,
- (c) The description of which is the same as in a deed which has been given consent pursuant to Section 53 of The Planning Act, R.S.O. 1990, c.P. 13, as amended; or,
- (d) Is the whole remnant parcel remaining to an owner or owners after a conveyance made with consent pursuant to Section 53 of The Planning Act, R.S.O. 1990, c.P.13; Ontario 1990, as amended from time to time; or,
- (e) Was created by a will, prior to the passage of Section 50.1 of the Planning Act, R.S.O. 1990, Ch. P11, as amended; or,
- (f) Which is a unit of a registered Vacant Land Condominium.

but for the purpose of this paragraph, no parcel or tract of land ceases to be a lot by reason only of the fact that a part or parts of it has or have been conveyed to or acquired by any public agency.

3.2.129 Lot Area shall mean the total horizontal area within the lot lines of a lot, excluding the horizontal area of such lot covered by water or marsh or between the rim of the banks of a river or watercourse or filled areas over what was navigable waters or areas shown as Environmental Protection. Only the lot area lying within the Zone in which a proposed use is permitted may be used in calculating the minimum lot area under the provisions of this By-law for such permitted use.

3.2.130 Lot Coverage shall mean that percentage of the total lot area covered by the horizontal area of all buildings, exclusive of canopies, balconies and overhanging eaves which are not less than 2.5 metres above finished grade.

3.2.131 Lot, Corner shall mean a lot situated at the intersection of two streets, of which two adjacent sides that abut the intersecting streets contain an angle of not more than 135 degrees; where such adjacent sides are curved, the angle of the intersection of the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to

the street lines, drawn through the extremities of the interior lot lines, provided that in the latter case, the corner of the lot shall be deemed to be that point on the street line nearest to the point of intersection of the said tangents. A lot shall be deemed not to be a corner lot where the exterior lot line is on an unopened municipal road allowance.

- 3.2.132 Lot Depth shall mean the horizontal distance between the front and rear lot lines. If the front and rear lot lines are not parallel, "lot depth" means the length of a straight line joining the middle of the front lot line with the middle of the rear lot line. If there is no rear lot line, "lot depth" means the length of a straight line joining in the middle of the front lot line with the apex of the triangle formed by the side lot lines.
- 3.2.133 Lot Frontage shall mean the horizontal distance between the side lot lines, such distance being measured perpendicularly to the line joining the middle of the front lot line with either the middle of the rear lot line or the apex of the triangle formed by the side lot lines and at a point therein distant from the front lot line a distance equal to the minimum required front yard depth in the Zone in which the lot is located
- 3.2.134 Lot, Interior shall mean any lot other than a corner lot.
- 3.2.135 Lot Line shall mean any boundary of a lot, or the vertical projection thereof.
- 3.2.136 Lot Line, Exterior shall mean a side lot line which abuts the street on a corner lot.
- 3.2.137 Lot Line, Front shall mean in the case of an interior lot, the 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 and the longer lot line abutting a street shall be deemed to be flankage lot line. In the case of a through lot, the shorter lot line abutting a street shall be deemed to be the rear lot line. In the case of a through lot or corner lot whose exterior lot lines are the same length, the lot line where the principal access to the lot is provided shall be deemed to be the front line. In the case of a waterfront lot, the lot line abutting a public or private street shall be the front lot line.
- 3.2.138 Lot Line, Rear shall mean in the case of a lot having four or more lot lines, the lot line farthest from and opposite to the front lot line. If a lot has less than four lot lines, there is no rear lot line.
- 3.2.139 Lot Line, Side shall mean a lot line other than a front or rear lot line.
- 3.2.140 Lot, Through shall mean a lot which has a front and rear lot line fronting on a street.

- 3.2.141 Lot, Waterfront shall mean a lot which fronts on Georgian Bay.
- 3.2.142 Machine Shop shall mean the use of a building or structure where power-driven tools are used for making, finishing, or repairing machines or machine parts or where metal is shaped by cutting, filing or tuning.
- 3.2.143 Main Wall shall mean the exterior front, side or rear wall of a building and all structural members essential to the support of a fully enclosed space or roof.
- 3.2.144 Manufacturing Plant shall mean the use of land, buildings or structures for the purpose of manufacturing, assembly, making, preparing, inspecting, finishing, treating, altering, repairing, warehousing or storing or adapting for sale of any goods, substance, article, thing or service.
- 3.2.145 Marina shall mean a building, structure or place that may contain docking facilities where boats and boat accessories may be stored, serviced, repaired and/or kept for sale or rent and where facilities for the sale of marine fuels and lubricants and facilities for waste water pump out may be provided and may also contain facilities for the sale of food goods accessory to the marina.
- 3.2.146 Marine Heritage use shall mean a building or part of a building or a former ship, to be used for the appreciation of historical marine activity, together with any ancillary retail, ancillary offices and ancillary private functions.
- 3.2.147 Marine Sales and Service Establishment shall mean a building or structure or clearly defined space on a lot where marine craft and snowmobile and marine craft and snowmobile parts are stored and kept for sale, and may include facilities for the provision of repairs essential to the actual operation of marine craft and snowmobiles.
- 3.2.148 Medical Clinic shall mean a building or a part thereof used solely for the purpose of consultation, diagnosis, and treatment of human beings by two or more qualified medical practitioners, dentists, optometrists, chiropodists, chiropractors or other drugless practitioners, but shall not include a hospital.
- 3.2.149 Marihuana/Cannabis Production Facility shall mean a wholly enclosed *building, structure* or part thereof, *used* to possess, produce, sell, provide, ship, deliver, transport or destroy marihuana or cannabis by a Licensed Producer authorized by Health Canada according to the

Marihuana for Medical Purposes Regulations SOR/2013-119 and any successor thereto.

- 3.2.150 Mobile Home shall mean a dwelling unit that is designed to be made mobile and constructed or manufactured in accordance with the Ontario Building Code Act to provide a permanent residence for one or more persons, but does not include a motor home, camper trailer, travel trailer or trailer otherwise defined.
- 3.2.151 Mobile Home Park shall mean a lot under single ownership which has been improved for the placement of mobile homes for non-transient use.
- 3.2.152 Mobile Home Site shall mean that portion of land used for the placement of a single mobile home and the exclusive use of its occupants. For the purposes of Section 14, a mobile home site is a lot as herein defined.
- 3.2.153 Motel shall mean a building designed for the accommodation of the traveling or vacationing public wherein no room within the establishment shall be occupied by the same guest for a period of time exceeding 31 consecutive days and shall contain therein three or more guest rooms, that may include culinary facilities and individual sanitary facilities for each guest room having a separate entrance directly from outside the building together with an office serving the patrons of the motel. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, recreational facilities, meeting rooms or similar uses.
- 3.2.154 Motor Home shall mean a self-propelled vehicle capable of being used for the living, sleeping, eating or accommodation of persons.
- 3.2.155 Motor Vehicle shall mean vehicles designed to transport people, goods or objects, and without limiting the generality of the foregoing, shall include automobiles, motorcycles, trucks, buses, and recreation oriented vehicles such as snowmobiles and boats.
- 3.2.156 Motor Vehicle, Commercial shall mean a motor vehicle having attached thereto a truck or delivery body and includes pick-up trucks, vans, cube vans, medium duty straight frame trucks, heavy duty straight frame trucks, tractors used for hauling purposes on the highways and buses.
- 3.2.157 Non-Complying shall mean a building, structure or lot existing which does not comply with a provision or provisions of the Zone within which it is located.

- 3.2.158 Non-Conforming shall mean a use which is not permitted in the Zone in which the use is located.
- 3.2.159 Nursery shall mean a place where young trees, shrubs, flowers and other bedding plants are grown for transplanting or for sale, and may also include the sale of related accessory supplies.
- 3.2.160 Nursing Home shall mean a building in which the proprietor supplies for hire or gain, lodging with or without meals and, in addition, provides nursing, medical or similar care and treatment if required, and includes a rest home or convalescent home and any other establishment required to operate under The Nursing Home Act, R.S.O. 1990, c.N.7, as amended.
- 3.2.161 Obnoxious Use shall mean a use which may be a nuisance to the occupants or owners of any neighbouring land or buildings by reason of the emission from the said land or any part thereof, or the creation therefrom of odours, gases, dirt, smoke, noise, vibration, fumes, cinders, soot or depositing or leaving unsightly particulate objects or chattels thereon or otherwise.
- 3.2.162 Outdoor Display and Sales Area shall mean an area set aside outside a building or structure, used in conjunction with a business located within the building or structure on the same lot for the display or sale of products.
- 3.2.163 Open Space shall mean the open, unobstructed space on a lot, including the open, unobstructed spaces accessible to all occupants of any residential or commercial building or structure on the lot, which is suitable and used for the growth and maintenance of grass, flowers, bushes and other landscaping and may include any surface pedestrian walk, patio, pools or similar areas but does not include any driveway, ramp or parking area.
- 3.2.164 Outdoor Recreation shall mean the use of land for parks, playgrounds, tennis courts, lawn bowling greens, outdoor skating rinks, athletic fields, picnic areas, swimming pools, snow skiing and all similar uses.
- 3.2.165 Outdoor Solid-fuel-combustion Appliance shall mean an outdoor wood burning appliance or solid-fuel-burning appliance, which is used for the space heating of buildings, the heating of water or other such purpose and which is located in a separate building or on the exterior of the building which it serves and for the purposes of this definition:
- (a) "Solid Fuel" means wood or any other non-gaseous or non-liquid fuel.

(b) “Wood burning appliance” means a solid fuel burning device including, without limitation, a stove, a fireplace, or any similar device.

3.2.166 Outside Storage shall mean the storage of equipment, goods, chattels, raw or processed materials outside of any building or structure. For the purpose of this By-law, the overnight parking of vehicles shall not be deemed to be outside storage.

3.2.167 Park shall mean an area, consisting largely of open space, which may include a recreational area, playground, playfield or similar use, but shall not include a mobile home park, a campground or trailer park.

3.2.168 Park, Commercial shall mean a park which is privately owned or controlled and which is operated for profit.

3.2.169 Park, Private shall mean a park other than a public park or commercial park, which is not operated for profit.

3.2.170 Park, Public shall mean a park owned or controlled by the Corporation or by any Ministry, Board, Commission or Authority established under any statute of Ontario or Canada.

3.2.171 Parking Area shall mean an area or structure provided for the parking of motor vehicles and includes any related aisles, parking spaces, ingress and egress lanes, but shall not include any part of a street. This definition may include a private garage.

3.2.172 Parking Lot shall mean any parking area other than a parking area accessory to a permitted use on the same lot.

3.2.173 Parking Space shall mean a portion of a parking area exclusive of any aisles or ingress and egress lanes, usable for the temporary parking or storage of a motor vehicle and may include a private garage.

3.2.174 Personal Service Shop shall mean a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons and includes barber shops, beauty shops and parlours, laundromats, shoe repair shops and depots for collecting dry cleaning and laundry, haberdashery and similar uses.

3.2.175 Pet Cemetery shall mean any land used for the burial and/or internment of dead companion animals or pets and may include ornamental buildings or structures as part of the cemetery.

- 3.2.176 Pit shall mean a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside pit.
- 3.2.177 Place of Amusement shall mean any premises or separate part of a premises wherein, for profit or gain, two or more amusement machines are provided for use by the public.
- 3.2.178 Place of Entertainment shall mean a motion picture theatre 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.
- 3.2.179 Place of Worship shall mean any building or buildings dedicated to religious worship and includes a church, synagogue, mosque, or assembly hall, and may include such accessory uses as a school of religious education, a convent, a monastery or parish hall.
- 3.2.180 Planting Strip shall mean an area which shall be used for no purpose other than planting a row of trees or a continuous hedgerow of evergreens or shrubs, immediately adjacent to the lot line or portion thereof along which such planting strip is required herein. The remainder of such planting strip shall be used for no purpose other than planting shrubs, flowers, grass or similar vegetation.
- 3.2.181 Playground shall mean an area of landscaped open space equipped with children's play equipment such as slides, swings or similar equipment.
- 3.2.182 Point of Intersection shall mean the point at which two street lines abutting a corner lot intersect or if the two street lines meet a curve, then it is the point at which the projection of the two lot lines abutting the streets intersect.
- 3.2.183 Post Office shall mean a building that is capable of receiving and sending mail, and selling stamps. The building may be government or privately owned but must be operated by a government sanctioned employee.
- 3.2.184 Porch shall mean a structure abutting a building having a roof but with walls that are open and unenclosed to the extent of at least 50% thereof except for removable screens and storm sashes or awnings, used as an outdoor living area.

- 3.2.185 *Pre-Fabricated Shipping Container* means a pre-fabricated metal container that is conventionally *used* for the purpose of shipping goods, but does not include a truck body, *trailer* or transport *trailer*, and does not have wheels and cannot be capable of human habitation.
- 3.2.186 Processing Plant shall mean the use of lands, buildings, or structures where agricultural produce including meat and poultry products are washed, cleaned, dusted, waxed, or otherwise prepared and packaged and from which such produce is shipped to a wholesale or retail outlet.
- 3.2.187 Public Swimming or Bathing Area or Beach shall mean any open or closed body of water as designated by a public authority for use by the public.
- 3.2.188 Public Use shall mean a building, structure or lot used for public services by the Corporation or the County, any local board of either the Corporation or the County, any Conservation Authority established by the Government of Ontario, any Ministry or Commission of the Government of Ontario or Canada, and any telephone or telegraph company.
- 3.2.189 Quarry shall mean a place where consolidated rock has been or is being removed by means of an open excavation and the crushing, screening or washing of sand, gravel, ballast or any other surface or subsurface material, to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry or open metal mine.
- 3.2.190 Recreational Centre shall mean, in the case of a mobile home park, lands, buildings or structures designed or intended for passive or active recreational use, and without limiting the generality of the foregoing, shall include swimming pools, swings or play structures when used in connection with the recreational facility for the owner or tenants of a mobile home park.
- 3.2.191 Recreational Trail shall mean, a path or track to be used for generally passive recreation and fitness but may include active recreational uses.
- 3.2.192 *Recreation Vehicle Sales and Service* shall mean a building or structure or clearly defined space on a lot where recreational vehicles, being self propelled motor vehicles in a form that is equipped as a temporary travel home, are stored and kept for sale, and may include facilities for the provision of repairs essential to the actual operation of recreational vehicles but which does not include the sale of gasoline.

- 3.2.193 Recreation Facilities shall mean lands, buildings or structures designed or intended for passive or active recreational use, and without limiting the generality of the foregoing, shall include swimming pools, swings or structures when used in connection with the recreational facility.
- 3.2.194 Private Recreation Facility shall mean land(s), building(s) or structure(s) which is accessory to the main use and designated or intended for passive or active residential use, and without limiting the foregoing may include an artificial ice surface for privately endorsed sport activities such as figure skating, hockey or curling.
- 3.2.195 Rectory shall mean a building used as a residence, operated as a single housekeeping unit, solely by and for an individual or a group of persons who are associated with the religious functions of a church, temple, synagogue, or other religious institution.
- 3.2.196 Recycling Establishment shall mean a building and/or lands in which used material is separated and processed prior to shipments to others who will use those materials to manufacture new products.
- 3.2.197 Refuse Construction Bin shall mean a uncovered refuse receptacle used for the collection of construction waste.
- 3.2.198 Refuse Transfer Station Site shall mean a waste disposal site used for the purpose of transferring waste from a collection vehicle to another carrier for transportation to another waste disposal site.
- 3.2.199 Renovation shall mean the structural or cosmetic alteration of a building or structure.
- 3.2.200 Residential Use shall mean the use of a building or structure or parts thereof as a dwelling.
- 3.2.201 Restaurant shall mean a building or part of a building where food is offered for sale or sold to the public for immediate consumption either on or off the premises, and includes such uses as a restaurant, cafe, cafeteria, ice cream parlour, tea or lunchroom, dairy bar, coffee shop, snack bar, or refreshment room, or stand, but does not include a boarding or lodging house.
- 3.2.202 Retail Store shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail, but does not include any establishment otherwise defined or classified herein.

- 3.2.203 Retirement Home shall mean a residence providing accommodation primarily for private persons or couples where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of foods are provided, and common lounges, recreation rooms and medical care facilities may also be provided.
- 3.2.204 Salvage Yard shall mean a lot where goods, wares, merchandise, articles or things are processed for further use, and where such goods, wares, merchandise, articles or things are stored wholly or partly in the open and includes a junk yard, a scrap metal yard, an automobile wrecking yard, and a used lumber yard, and where such materials are bought, sold, exchanged, baled, packed, disassembled or handled.
- 3.2.205 Saw or Planing Mill shall mean a building, structure or area where timber is cut or milled, and temporarily stored either to finish lumber, or as an intermediary step.
- 3.2.206 School shall mean a school or a private school as defined by the Education Act, R.S.O. 1990, c.E2, as amended.
- 3.2.207 Seed Cleaning Plant shall mean a permanent commercial building or structure designed to separate seed lots to ensure seeds are pure for farm use.
- 3.2.208 Service Repair Shop shall mean a building or part of a building not otherwise classified or defined in this By-law and whether conducted in conjunction with a retail shop or not, for the servicing or repairing or renting of articles, goods or materials and includes an appliance store, auto and tire supply, dry cleaners, electrical store, plumber, radio and television sales, sign painter and tool sharpener, but does not include the manufacture of articles, goods and/or materials.
- 3.2.209 Sewage Outfall Pipe shall mean a pipe or pipes which lay on the bottom of a lake or river whose function is to transfer treated waste water from a treatment plant to a lake or river.”
- 3.2.210 Sewage Treatment Plant shall mean any facility either publicly or privately owned and/or operated for the purpose of collection, treatment and disposal of sewage.
- 3.2.211 Shoreline shall mean any lot line or portion thereof which abuts a navigable waterway, or which abuts a twenty (20) metre road or shoreline allowance adjacent to a navigable waterway.

- 3.2.212 Sign shall mean a name, identification, description, device, display or illustration which is affixed to or represented directly or indirectly upon a building, structure or lot, which directs attention to an object, product, place, activity, person, institute, organization or business.
- 3.2.213 Sight Triangle shall mean the triangular space formed by the street lines of a corner lot and a line drawn from a point being measured in accordance with Section 4.26 from the point of intersection of the street lines, measured along the street lines. Where the two 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 tangents to the street line.
- 3.2.214 Storey shall mean the portion of the building which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it.
- 3.2.215 Storey, First shall mean the storey of a building with its floor closest to grade and having its ceiling more than 1.8 metres above grade.
- 3.2.216 Storey, One-Half shall mean the portion of building situated wholly or in part within a sloping roof and in which there is sufficient space to provide a height between finished floor and finished ceiling sufficient to meet the requirements of the Ontario Building Code, over a floor area equal to at least 50 percent of the area of the floor next below.
- 3.2.217 Street, Public, shall mean a highway:
- a) As defined under The Highway Traffic Act, R.S.O. 1990, c.H8, as amended, and The Municipal Act, R.S.O. 1990, c.M.45, as amended, which has been assumed for the public use; or
 - b) Within a Registered Plan of Subdivision that has not been deemed not to be a Registered Plan of Subdivision under a by-law passed pursuant to and the provisions of The Planning Act, R.S.O. 1990, Ch. P.13, as amended.
- 3.2.218 Street Line shall mean the limit of the road or street allowance and is the dividing line between a lot and a street.
- 3.2.219 Street, Private shall mean a street or right-of-way other than a public street which provides the primary means of access to a lot.
- 3.2.220 Structure shall mean anything constructed or erected, the use of which requires location on or in the ground, or which is attached to something

having location on or in the ground. For the purpose of this By-law, fences and retaining walls are deemed not to be structures.

- 3.2.221 Swimming Pool shall mean any body of water over 45 centimetres in depth constructed outdoors, contained by artificial means and used or maintained for the purpose of diving, swimming or bathing.
- 3.2.222 Tavern shall mean a building or part thereof where, in consideration of payment thereof, liquor, beer, or wine or any combination thereof are served for consumption on the premises, with or without food as licensed under The Liquor License Act, R.S.O. 1990, c.L.19, as amended.
- 3.2.223 Tent shall mean a portable and temporary shelter composed of a fabric or material supported by a pole, or poles, and stretched by cords secured to the ground, or some object on or in the ground.
- 3.2.224 Tourist Lodge shall mean a building designed for the accommodation of the traveling or vacationing public wherein no room within the establishment shall be occupied by the same guest for a period of time exceeding 31 consecutive days and shall contain therein no more than ten (10) guest rooms, that may include sanitary facilities for each guest room. All guest rooms shall be served by a common entrance together with an office and/or lobby serving the patrons of the lodge. Accessory uses may include accommodation for staff, which may include the owners, and one or more beverage rooms, dining rooms, recreational facilities, conference/meeting rooms or similar uses and may include educational and recreational programming.
- 3.2.225 Trailer, Camper shall mean any vehicle so constructed as to be suited for attachment to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, and capable of being used for the temporary living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked up or that its running gear is removed.
- 3.2.226 Trailer, Travel shall mean any vehicle so constructed as to be suited for attachment to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, and capable of being used for the temporary living, sleeping or eating accommodation of persons, and is currently licensed under the Highway Traffic Act and has its running gear and towing equipment are permanently attached and is capable of being towed and is not permanently affixed to the ground.
- 3.2.227 Trailer, Utility shall mean a non-motorized vehicle which is generally pulled by a motorized vehicle and features a rear cargo area (bed) and

is used for the hauling of light loads, or boats, off road recreational vehicles and other recreational equipment and includes a boat trailer, an off road recreational trailer and a snowmobile trailer.

- 3.2.228 Trailer Park shall mean an establishment comprising land or premises under single ownership for the use of tents, camper trailers, travel trailers and motor homes as temporary accommodations and includes services and facilities in connection with the trailer park. A trailer park may also include an accessory residential dwelling unit for use by the trailer park owner and/or manager.
- 3.2.229 Transportation Terminal shall mean the use of land, buildings or structures for the purpose of storing, servicing, repairing or loading trucks, transport trailers and/or busses, but does not include automobile service stations or transportation sales or rental outlets.
- 3.2.230 Uncovered Private Dock shall mean an uncovered structure for the mooring of boats, attached to or forming part of the mainland or used in conjunction with a use on the mainland at which boats or other floating vessels are berthed or secured.
- 3.2.231 Use shall mean the purpose for which any land, building or structure, or any part or combination thereof is designed, arranged, intended, occupied or maintained.
- 3.2.232 Vacant Land Condominium shall mean a freehold condominium, as defined in the Condominium Act, meaning a corporation in which all of the units and their appurtenant common interests are held in fee simple by the owners, and the units are not part of a building or structure and are not located above or below any other unit.
- 3.2.233 Veterinary Establishment shall mean a building or part of a building used as the premises of a veterinary surgeon where domestic animals, birds or other livestock are treated, but shall not include a boarding kennel.
- 3.2.234 Warehouse shall mean a building used primarily for the storage of goods and materials but shall not include facilities for a truck or transport terminal or yard or fuel storage tank.
- 3.2.235 Waste Disposal Site shall mean land, buildings or parts of buildings used for the disposal of waste by deposit, under controlled conditions and includes compaction of the waste into a cell and covering the waste with cover materials at regular intervals.
- 3.2.236 Watercourse shall mean the natural or man-made channel, for a stream of water and/or an intermittent stream of water and, for the

purposes of this By-law, includes all watercourses shown on the schedules of this By-law.

- 3.2.237 Water Intake Pipe shall mean a pipe or pipes which lie on the bottom of a lake or river whose purpose is to transfer water from a lake or river to a water treatment plant, water reservoir, or private water system.
- 3.2.238 Water Reservoir shall mean a pond, lake, tank or basin, natural or man-made and used for the storage, regulation and control of water.
- 3.2.239 Water Setback shall mean the straight line horizontal distance from the high water mark of a watercourse or lake, to the nearest part of any excavation, building, or structure or open storage use on the lot.
- 3.2.240 Water Supply shall mean a distribution system of underground piping and related storage, including pumping and purification appurtenances owned and operated by or on behalf of the Corporation of the Township of Tay for public use.
- 3.2.241 Water Treatment Plant shall mean any facility, either publicly or privately owned and/or operated, where the quality of water is improved through filtering or chemical treatments for distribution.
- 3.2.242 Waste Disposal Assessment Area shall mean an area identified in the Township of Tay Official Plan that identifies areas of potential environmentally sensitivity for future development due to the disposal of waste in the area.
- 3.2.243 Wayside Pit or Wayside Quarry shall mean a temporary pit or quarry opened and used by 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.
- 3.2.244 Wellness Centre shall mean the use of lands buildings and structures for wellness training and activities such as meditation, psychotherapy, pilates, tai chi, yoga and similar activities, and may include passive outdoor recreation and accommodation and food service facilities for guests, but does not include a treatment centre for persons placed on probation or parole.
- 3.2.245 Wholesale shall mean relating to, or engaged in the sale of goods in quantity usually for resale by a retail merchant.
- 3.2.246 Wildlife Rehabilitation Centre shall mean any land and/or building or structure or part thereof in which facilities are provided for the cure and alleviation of disease and injury to wild animals and in conjunction with

which there may be shelter provided within the buildings or structures during the period of rehabilitation. The release of rehabilitated animals shall not occur on site.

- 3.2.247 Wildlife Sanctuary shall mean lands that are used for the preservation of wildlife species.
- 3.2.248 Yard shall mean an open area of land, adjacent to a main building or structure and which is unoccupied and unobstructed except as otherwise provided or required by this By-law.
- 3.2.249 Yard, Exterior Side shall mean the side yard of a corner lot which side yard extends from the front yard to the rear yard between the exterior lot line and the nearest main wall of any building or structure.
- 3.2.250 Yard, Front shall mean a yard extending across the full width of the lot between the front lot line and the nearest main wall of the main building or structure on the lot.
- 3.2.251 Yard, Interior Side shall mean a side yard immediately adjacent to an abutting interior side lot line, or in the case of reversed corner lots and key lots, also means a side yard immediately adjacent to a rear lot line.
- 3.2.252 Yard, Rear shall mean a yard extending across the full width of the lot between the rear lot line and the nearest main wall of the main building on such lot.
- 3.2.253 Yard, Required shall mean the minimum distance of a yard required from a lot line. In calculating minimum required yards, the minimum horizontal distance from the respective lot lines to the nearest main wall of the main building on the lot shall be used. In the case of a lot which has no rear lot line, the required side yard shall extend from the required front yard to the opposite required side yard.
- 3.2.254 Zone shall mean a designated area of land use shown on a Schedule or Schedules of this By-law.
- 3.2.255 Zoning Administrator shall mean the officer or employee of the Corporation of the Township of Tay for the time being charged with the duty of administering and enforcing the provisions of this By-law.