

SECTION 2 : DEFINITIONS

In this By-law unless the context otherwise requires:

- 2.1 **ABATTOIR** – means a building or structure, designed and used, or part thereof for the commercial slaughtering of animals.
- 2.2 **ACCESSORY** when used to describe a use, building or structure means a use, building or structure which is clearly secondary and devoted to the permitted use, building or structure located on the lot.
- 2.2.1 **"ACCESSORY BUILDING OR STRUCTURE"** - means a building or structure which is incidental, subordinate and exclusively devoted to the principal use of the land, building or structure, is located on the same lot as such principal use, building or structure and is not attached to such principal structure in any way.
- 2.2.2 **"ACCESSORY USE"** - means a use which is incidental, subordinate and exclusively devoted the principal uses of the land upon which, or of the building or structure within which the ACCESSORY use is located but does not include an amenity area.
- 2.2.3 **“ATTACHED STRUCTURES”** – means attached accessory structures in all zones shall include structures that are rigidly joined by structural components comprising of above ground walls and a roof.
- 2.3 **AGRICULTURE** - see "Farming - Production of Food".
- 2.3A **AGRICULTURE EQUIPMENT** – means equipment used for the sole purpose of farming.
- 2.4 **AIRPORT** - means an airport as defined in The Air Regulations Canada and any airport required by the Crown for military purposes.
- 2.5 **ALTER** - means any alteration in a bearing wall or partition, column, beam, girder or other supporting member of a building or structure or any increase in the area or cubic content of a building or structure (see "Construct").
- 2.6 **AMENITY AREA** - means that area of the lot not occupied by buildings, parking and driveway areas and may include patios and landscaped areas on the site, swimming pools and other areas which can be used for recreational purposes.
- 2.7 **ANIMAL HOSPITAL** - see "Veterinary Clinic or Office".
- 2.8 **APARTMENT BUILDING** - see "Residential Building -Apartment".
- 2.9 **ATTIC** - means the space between the roof and the ceiling of the top storey, or between a dwarf wall and a sloping roof. Any floor area with a clearance of 1.8 metres (6 feet) or less between the floor and ceiling shall be considered as attic space.

- 2.10 **AUTOMOBILE SERVICE STATION** - means a building or place where automotive fuel is kept for sale and where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed and where minor parts or products required for such repairs may be stored or kept for sale. This definition shall not be deemed to include a public garage, body shop or wrecking establishment. The washing of vehicles may be conducted within a service station building as a use accessory to the main use.
- 2.11 **BACHELOR UNIT** - see "Dwelling - Bachelor Unit".
- 2.12 **BASEMENT** - means that portion of a building partially below ground level and which has more than one-half (1/2) of the area of the exterior wall between finished grade and first floor level exposed. No part of the basement floor area shall be used in calculating any minimum floor area as required in this By-law, except as specifically permitted under the definition of "Floor Area".
- 2.13 **BATCHING PLANT, TEMPORARY ASPHALT, PORTABLE** - means an industrial facility used for the production of asphalt products, or asphalt and concrete products, used in building or construction, which is not of permanent construction but is designed to be dismantled and moved to another location as required; and is associated with a specific contract for work undertaken by or on behalf of a public road authority.
- 2.14 **BED AND BREAKFAST ESTABLISHMENT (B&B)** – shall mean a single detached dwelling in which the proprietor resides and supplies up to four furnished rooms to overnight guests on a temporary basis for monetary gain. It does not include a restaurant, hotel, motel, lodging, rooming or boarding establishment or any other form of dwelling as defined by this By-law.
- 2.16 **BOARDING HOUSE** - see "Lodging, Rooming or Boarding House or Tourist Home".
- 2.17 **BUILDING** - means any structure occupying an area greater than 9.3 square metres consisting of a wall, roof and floor or any one or more of them, of a structural system serving the function thereof, including all the works, fixtures and service systems appurtenant thereto.
- 2.17.1 **BUILDING - ONE STOREY** means a building which has nothing more than attic and roof area above the first storey.
- 2.17.2 **BUILDING - TWO STOREY** means a building which has a second storey above all or part of the first storey.
- 2.17.3 **BUILDING - THREE STOREY** means a building which has a second and third storey above all or part of the first storey.
- 2.17.4 **BUILDING - FOUR STOREY** means a building which has a second, third and fourth storey above all or part of the first storey.
- 2.17.5 **BUILDING – PORTABLE** – means any building or structure that is not permanently affixed to a foundation and which is designed to be moved from location to location.
- 2.18 **BUILDING BY-LAW** - means the Building By-law of the municipality as amended from time to time.

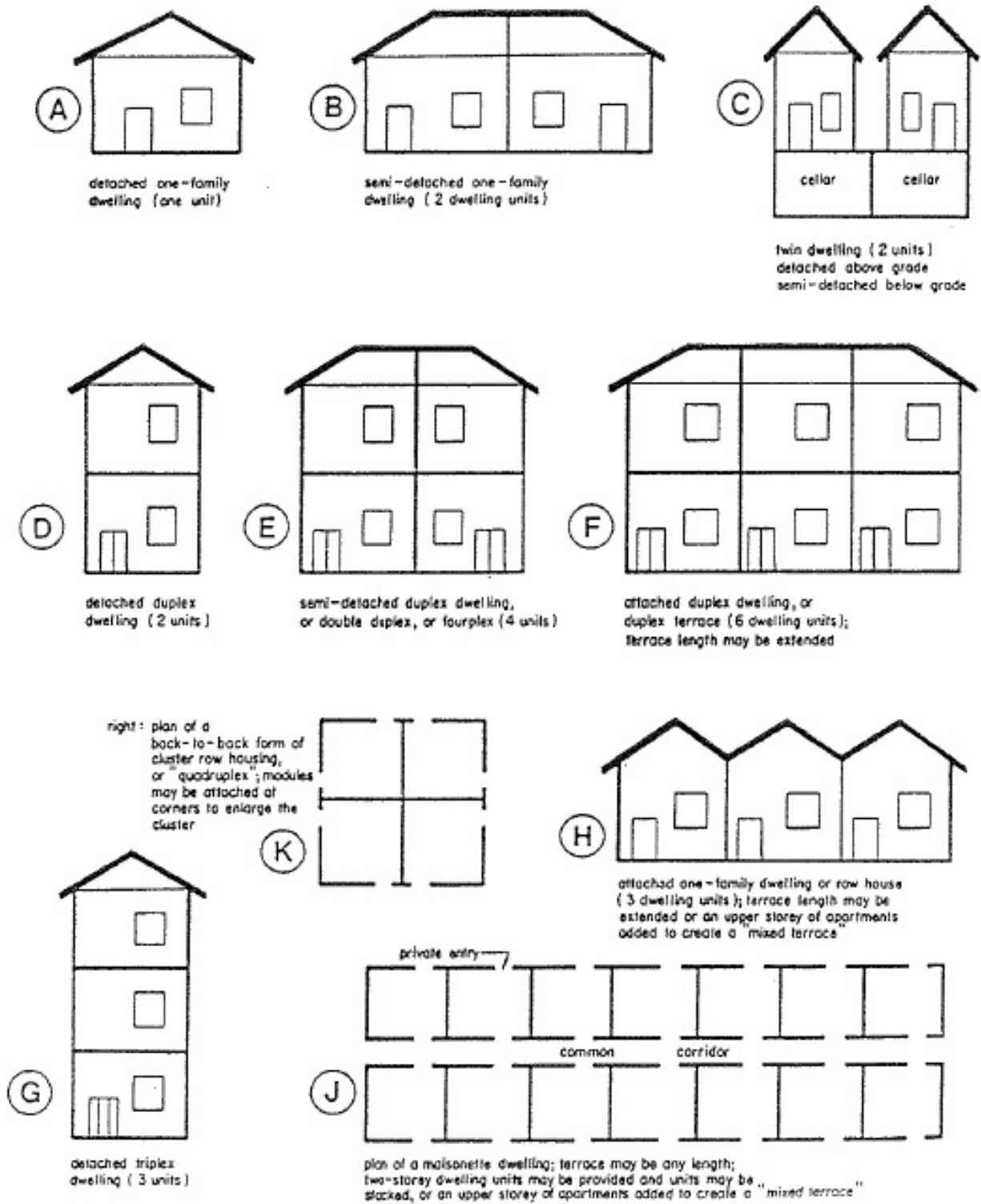
- 2.19 **BUILDING FLOOR AREA** - see "Floor Area".
- 2.20 **BUILDING CODE** - means regulations made under the Building Code Act as they may from time to time be amended or replaced.
- 2.21 **BUILDING CODE ACT** - means the Building Code Act, S.O. 1992, c.23, as amended.
- 2.22 **BUILDING HEIGHT** – means in the case of the principal building or structure, or accessory building or structure, on a lot,
- a) the vertical distance between the average finished grade
- and the higher point of:
- i) the roof surface of a flat roof; or
- ii) the deckline of a mansard roof; or
- iii) the mean level between the eaves and the ridge of a gable, hip, gambrel or cottage roof.
- b) 60% of the vertical distance between the average finished grade and the highest point of a building or structure where the transition between wall and roof is undefined, such as in a quonset hut or inflatable structure;
- Chimneys, towers, spires, cupolas, grain elevators or other similar structures shall be disregarded in calculating the height of the building.
- 2.23 **BUILDING SUPPLIES DEALER** - means such merchandise as wall panelling, wood products, sheet glass products, windows and mirrors, floor, wall and ceiling tiles, paint and wallpaper, bathroom and kitchen cupboards and fixtures, landscaping materials and similar goods when offered for sale in a retail commercial establishment.
- 2.24 **BUILDING LINE OR SETBACK REQUIREMENT** - means a line, the location of which is established in sub-section 6.10 of this By-law and the purpose of which is to establish the closest points to a road or street at which a building or structure, other than a legal fence or wall, may be located.
Amended by By-law 763-84
- 2.25 **BUILDING - NON-RESIDENTIAL** - shall mean a building designed, intended or used for purposes other than that of a dwelling unit.
- 2.26 **CARPORT** - see "Garage - Private".
- 2.27 **CAR WASH** - means a service commercial establishment for washing, cleaning and polishing motor vehicles and included a coin-operated self-service car wash, but does not include an automobile service station or gas bar, a public garage or a motor vehicle dealership where car washing operations are incidental to the principal activity of the business.
- 2.28 **CATERING SERVICE** - means an establishment in which food and beverages are prepared for consumption off the premises and are not served to customers on the premises or to take out, but does not include a restaurant.

- 2.29 **CELLAR** - means any enclosed portion of a building wholly or partially below grade level and which has less than one-half (1/2) of the area of the area of the exterior wall between finished grade and first floor level exposed. No dwelling unit shall be located in a cellar and no part of a cellar floor area shall be used in calculating any minimum floor area as required in the By-law.
- 2.31 **CEMETERY** - means a cemetery or columbarium within the meaning of chapter C.3/C.4 (revised) of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.31 **CHIEF BUILDING OFFICIAL** – means any person or persons appointed by the Council of the Township, who is charged with the duty of enforcing the provisions of the Building By-law.
- 2.32 **CHILDREN'S MENTAL HEALTH SERVICES ACT** - means chapter 69 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.33 **CHILDREN'S RESIDENTIAL SERVICES ACT** - means chapter 71 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.34 **CHURCH** - means a building designed for and within which a religious ceremony is conducted for a congregation on a regular basis.
- 2.35 **CLINIC** - means an establishment within which a medical or medically related practice is carried on for the treatment of humans by one or more practitioners but shall not include a veterinary clinic.
- 2.36 **CLUB - COMMERCIAL** - means any club other than a "Club - Private".
- 2.37 **CLUB - PRIVATE** - means an association of persons, whether incorporated or not, united by some common interest, meeting periodically for co-operation and conviviality but not for business or profit. Club shall also mean, where the context requires, a premises owned or occupied by the members of such association within which the activities of the club are conducted.
- 2.38 **COMMERCIAL** – means the use of land, building or structure for the purposes of buying and selling commodities, and supplying of services as distinguished from industrial uses defined herein.
- 2.39 **COMMERCIAL OR TRADE SCHOOL** - means a service commercial establishment which provides instruction in any subject for profit or gain; and without limiting generality of the foregoing, includes a secretarial college or school, a dance school or studio, a school of music, a modelling school, a charm school, a ceramics school or studio, etc., but does not include a public school, separate school or private school as defined in the Education Act.
- 2.40 **COMMITTEE OF ADJUSTMENT** - means the Committee of Adjustment for the Township of North Dumfries as constituted by By-law of the Council pursuant to provisions of chapter P.13 of the Planning Act, R.S.O. 1990 as it may from time to time be amended or replaced.
- 2.41 **COMMUNAL WATER** - see "Water Supply".
- 2.42 **COMMUNITY CENTRE** - means a building or structure owned and operated by the municipality which provides social, recreational and other facilities for the general public.

- 2.43 **CONDOMINIUM** - means of building in which each individual unit is held in separate private ownership and all floor space, facilities and outdoor areas used in common by all tenants are owned, administered and maintained by a corporation created pursuant to the provisions of the Condominium Act.
- 2.44 **CONDOMINIUM ACT** - means chapter C.26 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.45 **CONFORMING** - when used to describe a use, building or structure, means a use, building or structure which falls within the uses permitted in this By-law for the zone in which such use, building or structure is located.
- 2.46 **CONSERVATION AREA** - means an area of land owned by Grand River Conservation Authority and any other environmentally significant area designated by this by-law as an OS zone.
- 2.47 **CONSERVATION AUTHORITY ACT** - means chapter C.27 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.48 **CONSTRUCT** - means to do anything in the erection, installation or extension or material alteration or repair of a building and includes the installation of a building unit fabricated or moved from elsewhere, and 'construction' has a corresponding meaning.
- 2.49 **CONTRACTOR'S YARD** - means the yard of a construction company or contractor used as depot for the storage and maintenance of equipment used by the contractor or company, and includes facilities for the administration or management of the business and the stockpiling or storage of supplies used by the business, but does not include the wholesale or retail sale of construction materials or supplies or building supplies dealer.
- 2.50 **CONVALESCENT HOME** - see "Nursing or Convalescent Home".
- 2.51 **COUNCIL** - means the Council of The Corporation of the Township of North Dumfries.
- 2.52 **CUSTOM WORKSHOP** - means 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 shall include upholstering but shall not include metal spinning, woodworking or furniture manufacture.
- 2.53 **DAYLIGHT TRIANGLE** - means an area free of buildings or structures and shall be determined by measuring from the point of intersection of street lines (lot lines) on a corner lot, the distance required by this By-law along each street line and joining such points with a straight line. The triangular-shaped land between the intersection of two street lines (in the case of a radius from the projected intersection of the two street lines) and the straight line joining the points the required distance along the street lines shall be known as the "Daylighting Triangle".

- 2.54 **DAY NURSERY** - means a premises that receives more than five (5) children who are not of common parentage primarily for the purpose of providing temporary care or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four (24) hours, where the children are:
- 2.54.1 under eighteen (18) years of age in the case of a day nursery for children with a developmental handicap;
 - 2.54.2 under ten (10) years of age in all other cases;
- but does not include:
- 2.54.3 part of a public school, separate school, private school or school or trainable retarded children under The Education Act, chapter E.2 R.S.O. 1990 as amended;
 - 2.54.4 a place that is used for recreation and that is supervised by a municipal recreation director who holds a certificate issued pursuant to section 10 of the Ministry of Culture and Recreation Act, or
 - 2.54.5 children's mental health centre under the Children's Mental Health Services Act.
- 2.55 **DAY NURSERIES ACT** - means chapter D.2 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.56 **DERELICT MOTOR VEHICLE** - means any vehicle that is incapable of operating under its own motor power, is unlicensed and/or is in a state of disrepair making its normal use impossible.
- 2.56.1 **DEVICE POWERING AN ELECTRICAL GENERATOR** – means a machine that converts energy stored in a Non-renewable Source of Energy into mechanical energy for use by an Electrical Generator.
- 2.57 **DOG KENNEL** - means a building or buildings and/or area of land which is provided for the purpose of breeding, raising, keeping or boarding of dogs which is licensed by the municipality.
- 2.58 **DRIVE-IN RESTAURANT** - see "Restaurant - Drive-In or Take-Out".
- 2.59 **DRY INDUSTRY** - means use permitted within any zone which permits industrial uses, provided that the applicant for a building permit and/or occupancy permit can provide the municipality with written confirmation from the Waterloo Regional Health Unit indicating that the site and on-site sewage treatment facility proposed can adequately and satisfactorily accommodate the effluent which the proposed use will generate in a manner satisfactory to the Health Unit. In any case where a water supply system and/or a sewage treatment facility is provided by the Regional Municipality of Waterloo, written confirmation shall be provided by the Regional Municipality of Waterloo that the water supply system operated by the Region can adequately provide the required water supply and that the sewage treatment facility operated by the Region can accommodate the effluent which the proposed use will generate.
- 2.60 **DUPLEX** - see "Residential Building - Duplex".
- 2.61 **DWELLING** - see "Residential Building".

FIGURE 1- TYPICAL DWELLING TYPES



- 2.62 **DWELLING - BACHELOR UNIT** - means a dwelling unit in which only one (1) room or part thereof contains sleeping accommodation and which room is used as a living or a dining room, or as both, as well as for sleeping purposes, but does not include a dwelling unit containing one or more rooms designed exclusively for sleeping accommodation.
- 2.63 **DWELLING - CONVERSION** - means a Residential Building which existed on the day of the passing of the By-law and which may be converted to dwelling units in accordance with the provisions of this By-law.
- 2.64 **DWELLING - CONVERTED FARM-RELATED** - means a Residential building containing one (1) only farm-related dwelling unit existing on the day of the passing of this By-law which may be converted to dwelling units in accordance with the provisions of this By-law.
- 2.65 **DWELLING - FARM-RELATED** - means a residential building containing one (1) only dwelling unit as the primary residence for an active and operating farmer or a dwelling unit for a full-time farm employee of an active farm on which the dwelling unit is located;
- 2.66 **DWELLING - SEMI-DETACHED** - see "Residential Building - Semi-Detached".
- 2.67 **DWELLING - SPLIT LEVEL** - means a dwelling containing three (3) or more sections at different levels with the difference in elevation shall not be less than 0.3 metres (1 foot) nor more than 1.8 metres (6 feet) between any such section and the next horizontal adjoining section and two or more of such sections shall contain one or more habitable rooms.
- 2.68 **DWELLING UNIT** - means a room or group of rooms occupied or designed to be occupied for human habitation, which provides cooking, sleeping and sanitation facilities for one or more persons living as an independent and separate housekeeping establishment and which may include those accessory uses specifically permitted in this By-law.
- 2.69 **DWELLING UNIT - PRIVATE** - means a dwelling unit within which no service, accommodation or care is provided for a monetary consideration to more than two (2) persons.
- 2.69.1 **ELECTRICAL GENERATOR** – means a machine that converts mechanical energy into electrical energy.
- 2.70 **EMERGENCY CARE FACILITY** - means any type of group living facility other than a group home as defined by this By-law.
- 2.71 **ERECT** - see "Construct".
- 2.72 **EXISTING** - means existing legally on the day of the passing of this By-law.
- 2.73 **FARM** - means an a parcel of land on which the predominant activity is farming.
- 2.74 **FARM BUILDING** – means a building or part thereof which does not contain residential occupancy, which is classed as low human occupancy, and which is associated with the practice of farming and used essentially for the housing of equipment or livestock, or the production, storage, or processing of agriculture and horticulture produce or feeds.
- 2.75 **FARMER** - means an individual, family, association or corporation engaged in farming.

- 2.76 **FARMING - PRODUCTION OF FEED** - means the production of plants and animals useful to man including the breeding, raising or maintaining of livestock, fur farming, fruit growing, the keeping of bees, fish farming, greenhouse farming, vegetable growing, Christmas tree growing and sod farming.
- 2.76.1 **FARMEQUIPMENT SALES AND SERVICE** – means the use of land, buildings, or structures, or portions thereof, where farm machinery, farm vehicles and related equipment are stored for the purposes of sale, lease, or hire and where such machinery, vehicles and equipment are repaired or serviced for purposes of being maintained in an operable condition.”
- 2.77 **FARM - RELATED OCCUPATION** - means a trade, occupation or service which is oriented primarily toward the needs of the agricultural community and which is located on a lot having an area not less than 4.0 hectares (10 acres) as a use clearly accessory use to the main use of farming.
- 2.78 **FIRE CODE** - means regulations made under the Fire Marshalls Act as they may from time to time be amended.
- 2.79 **FIRE MARSHALLS ACT** - means chapter F.17 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.80 **FLANKAGE** - see "Yard Flankage".
- 2.81 **FLOOD CONTROL** – means land use practices or structures deemed necessary by the Conservation Authority for the reduction or prevention of flooding.
- 2.82 **FLOOR AREA** - means the space on any storey of a building between exterior walls and required firewalls, including the space occupied by interior walls and partitions but not including exits and vertical service spaces that pierce the storey. No private garage, breezeway, porch, veranda or sunroom, balcony, space requirements for heating and laundry facilities, mechanical equipment, cellar, attic or basement area may be used to calculate minimum floor areas as required by this By-law.
- 2.83 **FLOOR AREA - GROUND** - means that area of a lot covered or intended to be covered by the floor area of a building as defined above.
- 2.84 **FRONTAGE** - see "Lot Frontage".
- 2.85 **GARAGE - PRIVATE** - means an accessory building or that part of a main building used for the storage of a motor vehicle or vehicles of the owner, tenant or tenants, occupant or occupants of the lot upon which such garage is located and wherein neither servicing nor repairing is carried on for a monetary consideration.
- 2.86 **GARAGE - PUBLIC** - means a building or place where motor vehicles are kept for hire, stored for remuneration or repaired. This definition shall not include an automobile service station, a car washing establishment, a car sales lot, a body shop or a wrecking yard.
- 2.87 **GARDEN SUITE** - means a detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable. The floor area of the detached garden suite shall not exceed 30 percent (30%) of the existing living area of the primary residence or 1,200 square feet in floor area, or whichever is the lesser.

- 2.88 **GAS BAR** - means a building or place where automotive fuel and lubricants are kept for sale but where no other service of an automobile service station or public garage is provided.
- 2.89 **GOLF COURSE** - means a parcel of land used for the playing of the game of golf but shall not include miniature golf courses or golf driving ranges. Golf courses may include such accessory uses as a clubhouse and associated recreation and accessory uses.
- 2.90 **GRADE** - means
1. when used with reference to a building or structure, the average elevation of the finished surface of ground where it meets the exterior face of such building or structure, exclusive of any artificial embankment;
 2. when used with reference to a street, highway or roadway, the elevation of the street, highway or roadway established by the Township of North Dumfries or other designated authority.
- 2.91 **GRANNY FLAT** - means an additional dwelling unit intended for the sole occupancy of one or two adult persons who are 62 years of age or over. The floor area of the attached granny flat dwelling unit shall not exceed 30 percent of the existing living area of the primary residence or 1,200 square feet in a floor area or whichever is the lesser.
- 2.92 **GRAVEL PIT** - see "Pit".
- 2.93 **GROCERY STORE** - means a retail food store and, without limiting the generality of the foregoing, includes a baker's shop, fruit and vegetable store and delicatessen.
- 2.94 **GROUND FLOOR AREA** - see "Floor Area - Ground".
- 2.95 **GROUP HOME TYPE 'A'** - means a Residential Building - One Unit in which three (3) to six (6) residents (excluding staff or the receiving family) live as a single housekeeping unit under responsibility supervision consistent with the requirements of its residents. The home is licensed or approved by Provincial authority and is in compliance with municipal by-law. The following specific types of facilities are defined by this By-law to be group homes:
- 2.95.1 Satellite Residence for Seniors established under The Homes for Aged and Rest Homes Act, as amended;
 - 2.95.2 Accommodation Services for Mentally Retarded established under The Homes for Retarded Persons Act, as amended;
 - 2.95.3 Children's Residence established under The Children's Residential Services Act, as amended;
 - 2.95.4 Homes for Special Care established under The Homes for Special Care Act, as amended.
- 2.96 **GROUP HOME TYPE 'B'** - means the same as Group Home Type 'A' except that it may contain up to ten (10) residents (excluding staff or the receiving family). Any form of group housing facility other than those specifically provided for in the foregoing paragraphs is defined by this By-law as an "Emergency Care Facility".

- 2.97 **GROUP MULTIPLE HOUSING DEVELOPMENT** - means a development containing two (2) or more Residential Buildings - Row or Apartment on the same lot.
- 2.98 **HABITABLE ROOM** - means any room used or intended for human habitation, except a bathroom, hallway, stairwell, laundry or storage room.
- 2.99 **HAIRDRESSER AND/OR BARBER** - means a service commercial establishment providing a personal service to men, women or children by shampooing, cutting, styling, tinting or treatment of hair, by giving manicures, pedicures or facial treatment or by the use of cosmetic products, and, without limiting the generality of the foregoing, includes a barber shop and beauty salon.
- 2.100 **HEIGHT** - see "Building Height".
- 2.101 **HOME OCCUPATION** - means an occupation for gain or support conducted entirely within a dwelling unit as a secondary use.
- 2.102 **HOMES FOR RETARDED PERSONS ACT** - means chapter H.11 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.103 **HOMES FOR SPECIAL CARE ACT** - means chapter H.12 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.104 **HOMES FOR THE AGED AND REST HOMES ACT** - means chapter H.13 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.105 **HOSPITAL - PRIVATE** - means a hospital as defined by The Private Hospital Act, chapter P.24 R.S.O. 1990, as it may from time to time be amended or replaced.
- 2.106 **HOSPITAL - PUBLIC** - means a hospital as defined by The Private Hospitals Act, chapter P.40 R.S.O. 1990, as amended.
- 2.107 **HOTEL OR MOTEL** - means a building or group of buildings used for the purpose of catering to needs of the public by providing accommodation for transient lodgers, with or without meals, but shall not include a Lodging, Rooming or Boarding House or Tourist Home.
- 2.108 **HOUSEHOLD PET** - means any form of livestock which could normally be purchased in a pet store, which would normally spend all or part of its life within a dwelling unit, which is owned by a resident of the dwelling unit and which is not kept for profit or gain.
- 2.109 **INSTITUTION** - means any group, organization or society organized for the promotion of a public project or a scientific, educational, literary or similar objective. Institution shall also mean, where the context requires, premises owned or occupied by the members of such association within which the activities of the institution are conducted.
- 2.109.1 **INVERTER** – means an electrical device that converts direct current electricity to alternating current electricity where such device is a part of a Renewable Electricity Generation Unit.
- 2.110 **LANDSCAPING AREA** - means an area that shall not be built upon and shall not be used for any purpose other than as a landscaped area which may include grass, shrubs, trees, flowers and similar types of vegetation and paths, walks, patios, fences and similar appurtenances, but shall

exclude parking areas, parking lots, automobile driveways and ramps.

- 2.111 **LANE** - means a public thoroughfare which affords a secondary means of access to the abutting lots.
- 2.112 **LIVESTOCK** - means any living organism that obtains sustenance by means of a mouth, other than human beings.
- 2.113 **LIVESTOCK FACILITIES** – means barns, buildings or structures where animals are housed and shall also include beef feedlots and the associated manure storage facilities.
- 2.114 **LOADING SPACE** - see "Off-Street Loading Space."
- 2.115 **LODGING, ROOMING OR BOARDING OR TOURIST HOME** - means a Residential Building within which sleeping quarters are regularly let or meals are regularly served for a consideration to three (3) or more persons other than the owner, lessee or tenant of the dwelling unit.
- 2.116 **LOT** - means a parcel or tract of land which may be legally conveyed by way of deed, transfer, mortgage, charge or agreement of sale and purchase without consent under the provisions of The Planning Act, R.S.O. 1990, as amended (see Recognized Lot).
- 2.117 **LOT AREA** - means the total horizontal area of a lot contained within the boundaries of the lot.
- 2.118 **LOT - CORNER** - means a lot situated at the intersection of and abutting upon two streets, or upon two parts of the same street, the adjacent sides of which street or streets (or, in the case of a curved corner, the tangents at the street extremities of the side lot lines) contain an angle of not more than one hundred and thirty-five (135) degrees. In the case of a curved corner, the corner of the building lot shall be deemed to be the point of the street line nearest to the point of intersection of the said tangents.
- 2.119 **LOT DEPTH** - means the distance measured from the midpoint of the front lot line to the midpoint of the rear lot line or, in the case of a triangular lot, between the midpoint of the front lot line to the apex of the triangle formed by the intersection of the side lot lines, as illustrated in Figure 3.
- 2.120 **LOT FRONTAGE** - means
1. in the case of a lot abutting a straight street line, the distance between the side lot lines measured along a line drawn parallel to the street line at the distance specified in this by-law for the minimum front yard, as illustrated in Figures 4A, 4B and 4C.
 2. in the case of a corner or interior lot abutting a curved street line other than a corner eyebrow or cul-de-sac, the distance between the side lot line measured along a line drawn parallel to the tangent of the front lot line at the distance specified in this by-law for the minimum front yard, as illustrated in Figure 4D.
 3. in the case of a lot abutting a corner eyebrow or cul-de-sac, the distance between the side lot lines measured along a line drawn perpendicular to the mean bearing of the side lot lines the radial distance of which line, at its closest point to the street line, if not less than the distance specified in this by-law for the minimum front yard, as illustrated in Figure 4E.

2.121 **LOT-INTERIOR** - means a lot other than a corner lot.

2.122 **LOT LINE, FRONT** - means the lot line that divides the lot from the street, provided that in the case of a corner lot, the shorter lot line that abuts a street shall be deemed to be the front lot line and longer lot line that abuts a street shall be deemed to be an exterior side lot line, as illustrated in Figure 5.

FIGURE 2- CORNER LOT

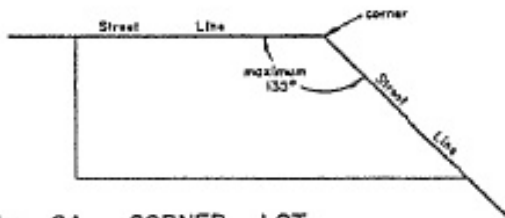


Fig. 2A CORNER LOT
(straight sides)

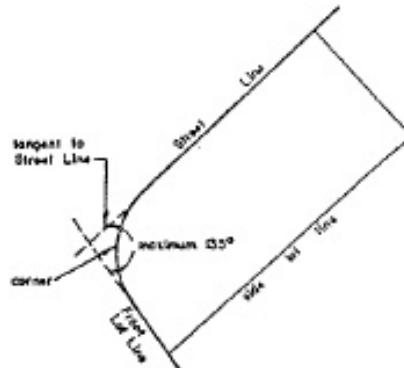


Fig. 2B CORNER LOT
(curved side)

FIGURE 3- LOT DEPTH

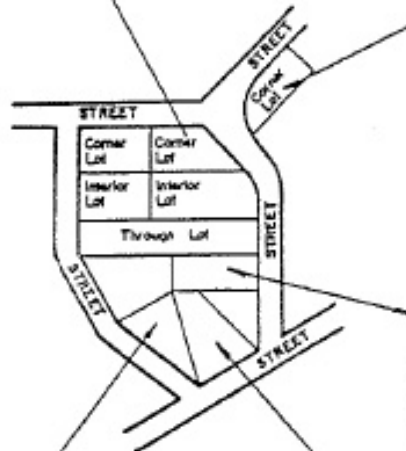


Fig. 3A LOT DEPTH
(front and rear lines are parallel)

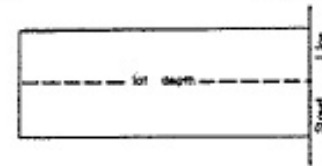


Fig. 3B LOT DEPTH
(front and rear lot lines are not parallel)

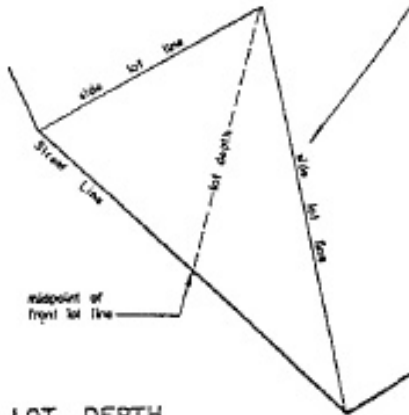


Fig. 3C LOT DEPTH
(no rear lot line)

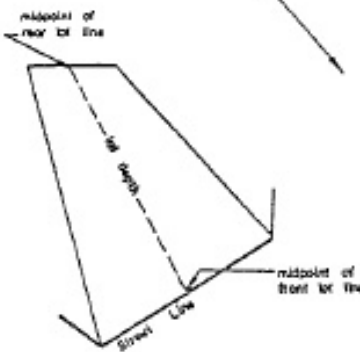
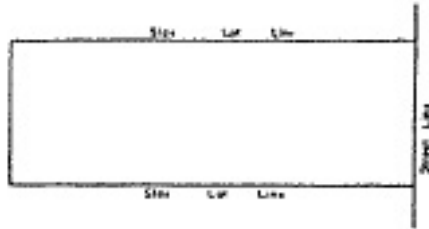


FIGURE 4- LOT FRONTAGE

{ NOT TO BE CONFUSED WITH REGULATORY BUILDING LINE }



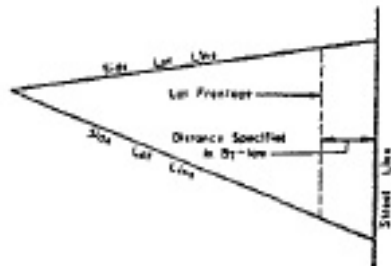
- (A) SIDE LOT LINES ARE PARALLEL; STREET IS STRAIGHT

THE LOT FRONTAGE IS MEASURED ALONG THE STREET LINE BETWEEN THE SIDE LOT LINES



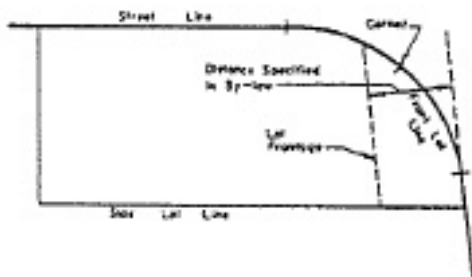
- (B) FRONT AND REAR LOT LINES ARE NOT PARALLEL

THE LOT FRONTAGE IS MEASURED ALONG A LINE DRAWN BETWEEN THE SIDE LOT LINES PARALLEL TO THE FRONT LOT LINE AT THE DISTANCE SPECIFIED IN THE BY-LAW FOR THE MINIMUM FRONT YARD



- (C) NO REAR LOT LOT LINE

THE LOT FRONTAGE IS MEASURED ALONG A LINE DRAWN BETWEEN SIDE LOT LINES PARALLEL TO THE FRONT LOT LINE AT THE DISTANCE SPECIFIED IN THE BY-LAW FOR THE MINIMUM FRONT YARD



- (D) CORNER OR INTERIOR LOT ON A CURVE

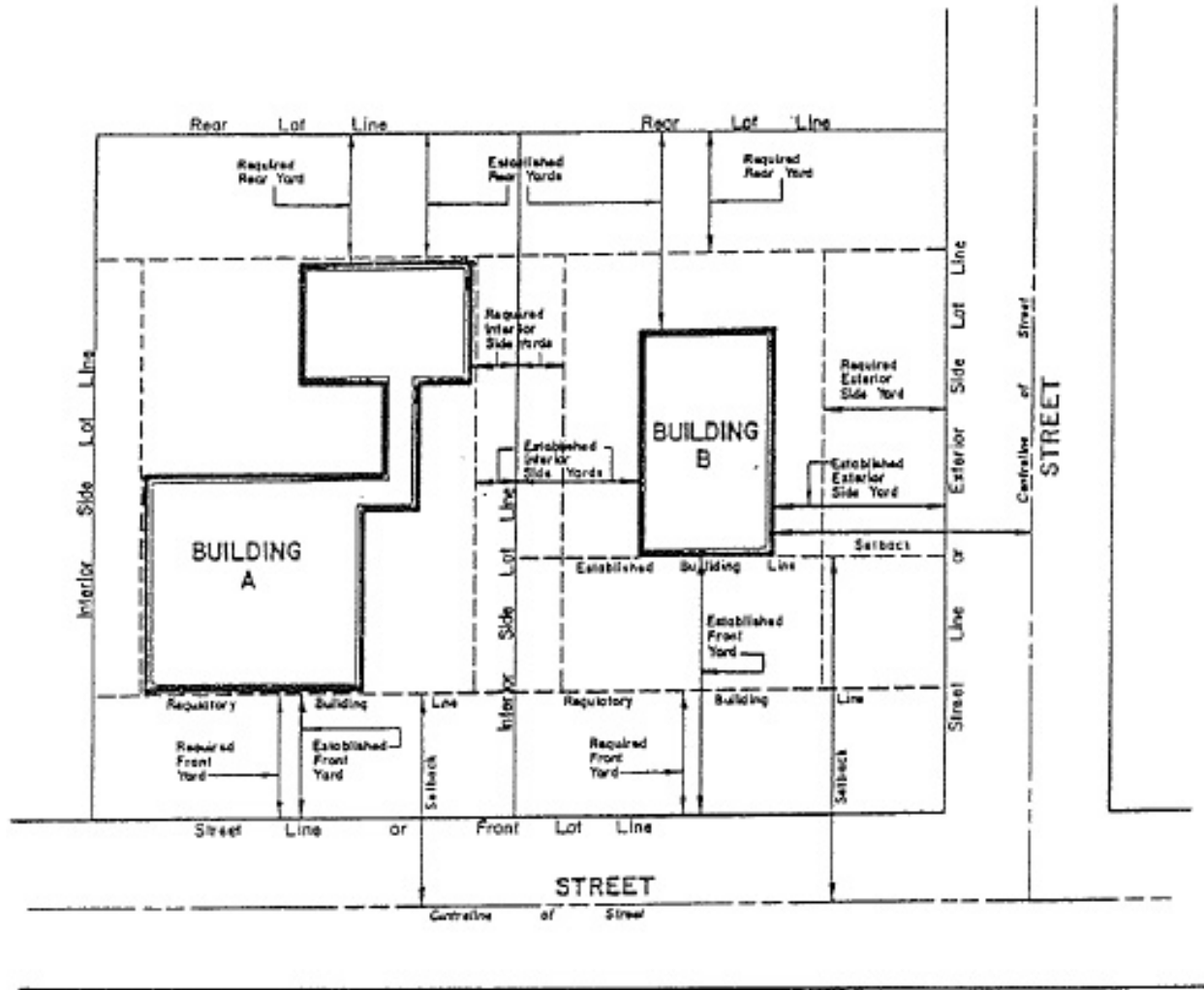
THE LOT FRONTAGE IS MEASURED ALONG A LINE DRAWN PARALLEL TO THE TANGENT OF THE FRONT LOT LINE AT THE DISTANCE SPECIFIED IN THE BY-LAW FOR THE MINIMUM FRONT YARD



- (E) LOT ON A CUL-DE-SAC OR EYEBROW

THE LOT FRONTAGE IS MEASURED ALONG A LINE DRAWN PERPENDICULAR TO THE MEAN BEARING OF THE SIDE LOT LINES THE RADIAL DISTANCE OF WHICH LINE, AT ITS CLOSEST POINT TO THE STREET LINE, IS NOT LESS THAN THE DISTANCE SPECIFIED IN THE BY-LAW FOR THE MINIMUM FRONT YARD

FIGURE 5- YARDS & SETBACKS



Building A meets the minimum requirements for front yard, side yards, rear yard and setback

Building B has voluntarily increased all yards and setbacks beyond the required minimum

- 2.123 **LOT LINE, REAR** - means the lot line opposite the front lot line, as illustrated in Figure 5.
- 2.124 **LOT LINE, SIDE** - means a lot line other than a front or rear lot line.
- 2.125 **LOT LINE, SIDE, EXTERIOR** - means a side lot line that abuts a public street, as illustrated in Figure 5.
- 2.126 **LOT LINE, SIDE, INTERIOR** - means a lot line, other than a rear lot line, that does not abut a public street.
- 2.127 **LOT – THROUGH** - means a lot bounded on two opposite sides by streets, provided however, that if any lot qualifies as being both a “lot-corner” and a “lot-through” as herein before defined, such lot shall be deemed a “lot-corner” for the purpose of this by-law.
- 2.128 **LOT WIDTH** - means the horizontal distance between the side lot lines measured along the front lot line.
- 2.129 **MAIN BUILDING** - means the building containing the principle use of which in its existing location is permitted by this By-law. Except as provided elsewhere in this By-law, all other buildings on the same lot shall be accessory buildings.
- 2.130 **MINISTRY OF CULTURE AND RECREATION ACT** - means chapter 276 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.131 **MOBILE HOME** - means a Residential Building that is designed to be made mobile and constructed or manufactured to provide a permanent residence for one or more persons, but does not include travel trailer or tent trailer or trailer otherwise designed or recreational vehicle.
- 2.132 **MOBILE HOME - DOUBLE WIDE** - means a mobile home, consisting of two sections, separately towable but designed to be joined together into one integral unit.
- 2.133 **MOBILE HOME SITE** - means a parcel of land within a Mobile Home Subdivision having an area of not less than 370 square metres (4000 square feet) and having a width of not less than 12 metres (40 feet) at the point where the closest part of the mobile home is situated in respect to the public street or highway or approved private road which gives access to the mobile home and to which approved water supply and approved sewage disposal systems available and is intended for the location of one (1) mobile, modular or manufactured home for the exclusive use of the occupant.
- 2.134 **MOBILE HOME SUBDIVISION** - means a development zoned, designed and intended to accommodate mobile, modular or manufactured homes and may include uses accessory thereto including commercial, social and recreational facilities and such buildings, structures and facilities required to provide an approved water supply and approved sewage disposal system all designed and intended for the exclusive use of the residents of the Mobile Home Subdivision.
- 2.135 **MOTEL** - see "Motor Hotel" or "Hotel or Motel".
- 2.136 **MOTOR HOME** - means any motor vehicle so constructed as to be a self-contained, self-propelled unit, capable of being utilized for the living, sleeping or eating accommodation of persons.

- 2.137 **MOTOR VEHICLE** - means an automobile, motorcycle, motor assisted bicycle and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric, steam or diesel railways or other motor vehicles running only upon rails, traction engines, farm tractor, self-propelled implement of husbandry or road building machine.
- 2.138 **MUNICIPAL ACT** - means chapter M.45 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.139 **MUNICIPAL FRANCHISES ACT** - means Chapter M.55 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.140 **MUNICIPAL SERVICE** - means a sewage collection and treatment facility operated by or for the municipality or a water supply and distribution system operated by or for the municipality.
- 2.141 **MUNICIPAL SERVICES** - means both a sewage collection and treatment facility operated by or for the municipality and a water supply and distribution system operated by or for the municipality.
- 2.142 **MUNICIPAL SEWAGE** - see "Sewage Collection and Treatment".
- 2.143 **MUNICIPAL WATER** - See "Water Supply".
- 2.144 **NON-COMPLYING** - means a use, building or structure which does not conform, comply or agree with the regulations for the zone within which such use, building or structure is located, but does conform, comply and agree with the permitted uses for the zone within which it is located.
- 2.145 **NON-CONFORMING** - means a use, building or structure which does not conform, comply or agree with the permitted uses for the zone within which such use, building or structure is located.
- 2.145.1 **NON-RENEWABLE ELECTRICITY GENERATION (PEAKING POWER) STATION** – means a building, structure or enclosed area wherein electrical power is produced by Non-Renewable Electricity Generation Unit(s) when dispatched by the Independent Electric System Operator, or successor organization (per Subsection 2(7) of the *Electricity Act*, 1998, S.O. 1998, c. 15 Sched. A or its successor legislation), so as to promote a more reliable and consistent electrical supply in the local electrical power grid (i.e., only a so called “peaking power” supply) where such electricity is offered for sale and distribution via Ontario’s Independent Electricity System Operator and the applicable electrical utility company, and does not operate regularly on a continuous basis. In this definition, the phrase ‘does not operate regularly on a continuous basis’ shall mean ‘does not operate without cessation, and shall only operate in accordance with the requirements of the Independent Electric System Operator.’
- 2.145.2 **NON-RENEWABLE ELECTRICITY GENERATION UNIT** – means a series of devices and equipment that together produces and transmits electricity whereby the series typically includes:
- a) combustion of a Non-renewable Source of Energy by a Device Powering an Electrical Generator;
 - b) an Electrical Generator; and
 - c) a Step-up Transformer.
- 2.145.3 **NON-RENEWABLE ELECTRICITY GENERATION UNIT HEIGHT** – means the vertical distance between the mean average finished grade and the highest point of any device, equipment,

exhaust or emissions stack or vent, machine, building or structure being a part of a Non-Renewable Electricity Generation Unit.

- 2.145.4 **NON-RENEWABLE SOURCE OF ENERGY** – means an energy source that is not renewed by natural processes and is instead a result of human intervention through extraction, processing, refining, and / or shipment such as coal, oil, and natural gas.
- 2.146 **NON-RESIDENTIAL** - see "Building - Non-Residential".
- 2.147 **NURSERY SCHOOL** - see "Day Nursery".
- 2.148 **NURSING HOME ACT** - means chapter N.7 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.149 **NURSING OR CONVALESCENT HOME** - means any building or portion of a building other than a private or a public hospital where persons are housed or lodged and furnished with meals and nursing care.
- 2.150 **OBNOXIOUS USE** - means an offensive trade within the meaning of the Public Health Act or any use which is offensive or dangerous by reason of the emission of odour, smoke, dust, noise, gas, fumes, liquid, vibration or refuse matter.
- 2.151 **OFF-STREET LOADING SPACE** - means a space on a lot on which a truck may be parked for standing, loading or unloading services, having minimum dimensions of not less than 3.5 metres (11.5 feet) by 10.5 metres (15 feet). Such space shall have adequate means of ingress and egress to and from a public street or lane, shall be located to the rear of the building line as established by this By-law and shall be so arranged so as to avoid undue interference with public use of streets or lanes.
- 2.152 **OFF-STREET PARKING SPACE** - means a space to the rear of the building line or lines on which a motor vehicle may be parked and having dimensions of not less than 3 metres (10 feet) by 6 metres (20 feet). Each off-street parking space shall have an adequate means of ingress and egress to and from a public street or lane.
- 2.153 **ONTARIO HERITAGE ACT** - means chapter O.18 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.154 **PARKING LOT - COMMERCIAL** - means a lot, building or structure on or in which licensed motor vehicles are parked for compensation and which is not ancillary to another use or other uses on the same lot.
- 2.155 **PARKING SPACE** - see "Off-Street Parking Space".
- 2.156 **PLANNING ACT, 1990** - means chapter P.13 the Revised Statutes of Ontario, 1990, as it may from time to time be amended or replaced.
- 2.157 **PERSON** - means an individual or any association, partnership, corporation, municipal corporation, agent or trustee and the heirs, executors or other legal representatives of a person to whom the context may apply according to law.
- 2.158 **PIT** - means a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other

material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside pit.

- 2.159 **PLACE FOR DISPENSING REFRESHMENT TO THE PUBLIC** - see "Restaurant".
- 2.160 **PRIVATE HOME DAY CARE** - means the temporary care for reward or compensation of five (5) children or less who are under ten (10) years of age 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 (24) hours.
- 2.161 **PRIVATE SEWAGE TREATMENT** - see "Sewage Collection and Treatment".
- 2.162 **PRIVATE WATER SUPPLY** - see "Water Supply".
- 2.163 **PUBLIC HEALTH ACT** - means chapter 409 of the Revised Statutes of Ontario, 1990 as it may time to time be amended or replaced.
- 2.164 **PUBLIC LANDS ACT** - means chapter P.43 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.165 **PUBLIC STREET OR PUBLIC ROAD** - see "Street or Road".
- 2.166 **QUARRY** - means a place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry or open pit metal mine.
- 2.167 **QUONSET HUT** - means a prefabricated shelter of bolted steel trusses, set on a foundation, and built of a semi-circular arching roof of corrugated metal.
- 2.168 **RECOGNIZED LOT** - means a parcel or tract of land:
- 2.168.1 which is the whole of a lot on a plan of subdivision which has been registered pursuant to the provisions of The Planning Act, R.S.O. 1990, as amended, and which has not been deemed not to be a registered plan of subdivision under the provisions of The Planning Act, R.S.O. 1990, as amended; or,
 - 2.168.2 which comprises all the land described in a conveyance by way of a deed, transfer, mortgage, charge or agreement of sale and purchase to which consent has been given under the provisions of The Planning Act, R.S.O. 1990, as amended; or,
 - 2.168.3 which might be legally conveyed by way of deed, transfer, mortgage, charge or agreement of sale and purchase without consent under the provisions of The Planning Act, R.S.O. 1990, as amended, and which conforms to the minimum lot area and width for the zone within which the lot is located in accordance with the requirements of this By-law, provided however that no parcel or tract of land ceases to be a Recognized Lot by reason only of the fact that part or parts of it have been conveyed or acquired by the Township, the Regional Municipality of Waterloo, Her Majesty in Right of Ontario or Her Majesty in Right of Canada.
- 2.169 **RECREATIONAL VEHICLE** - means a vehicle which provides sleeping and other facilities for short periods of time, while travelling or vacationing, designed to be towed behind a motor

vehicle, or self-propelled, and includes such vehicles commonly known as travel trailers, camper trailers, pick-up coaches, motorized campers, motorized homes or other similar vehicles.

- 2.170 **REGIONAL ROAD** - means a public highway under the jurisdiction of the Regional Municipality of Waterloo.
- 2.170.1 **RENEWABLE ELECTRICITY GENERATION UNIT** – means a series of devices and equipment that together produce and transmit electricity whereby the series may include:
- a) ‘Type 1’ Solar Panel Array(s);
 - b) ‘Type 2’ Solar Panel Array(s);
 - c) an Inverter; and / or
 - d) a Step-up Transformer.
- 2.170.2 **RENEWABLE ELECTRICITY GENERATION UNIT HEIGHT** – means the vertical distance between the Grade of the land and the highest point of any device, equipment, exhaust or emissions stack or vent, machine, building or structure being a part of a Renewable Electricity Generation Unit.
- 2.170.3 **RENEWABLE SOURCE OF ENERGY** – means an energy source that is renewed by natural processes captured and converted by human intervention including radiant energy such as that obtained by sunlight.
- 2.171 **REPAIR, SHOP, AUTO BODY** - means a general industrial establishment for the repair of damage to a motor vehicle caused by collision, accident, corrosion or age, and, without limiting the generality of the foregoing, includes the reconstruction of motor vehicles, the painting or repainting of motor vehicles and the rebuilding or conversion of automotive engines or engine parts, but does not include a motor vehicle repair shop, an impounding yard, an automobile service station or gas bar.
- 2.172 **REPAIR SHOP, MOTOR VEHICLE** - means a service commercial or general industrial establishment for the repair or replacement of parts in a motor vehicle and, without limiting the generality of the foregoing, includes the repair or replacement of mufflers, exhaust systems, shock absorbers, transmission, gears, brakes, clutch assemblies, steering assemblies, radiators, heating or cooling systems, ignition systems, electrical systems, tires, wheels, windshields, windows and other mechanical or electrical parts or systems, the installation of undercoating, engine tuning, lubrication and engine conversion or replacement, but does not include an auto body repair shop, an impounding yard, an automobile service station or a gas bar.
- 2.173 **RESIDENTIAL BUILDING** - means a separate building designed, intended or used to contain a dwelling unit or units. (See Figure 1)
- 2.173.1 **RESIDENTIAL BUILDING – APARTMENT** means a Residential Building containing three (3) or more dwelling units which share common hall or halls and common entry at grade.
- 2.173.2 **RESIDENTIAL BUILDING - DUPLEX** means a Residential Building divided horizontally to contain two (2) dwelling units.
- 2.173.3 **RESIDENTIAL BUILDING MULTIPLE** see "Residential Building - Apartment".
- 2.173.4 **RESIDENTIAL BUILDING - ONE UNIT** means a Residential Building containing

- one (1) only dwelling unit.
- 2.173.5 **RESIDENTIAL BUILDING – ROW** means a Residential building containing three (3) or more dwelling units, each of which faces onto a public street and each of which has a separate entrance at grade level and is separated from its neighbour by a continuous vertical party wall without opening and extending from the base of the foundation to the roof.
- 2.173.6 **RESIDENTIAL BUILDING - SEMI-DETACHED** means a Residential Building divided vertically into two (2) dwelling units by a solid common wall extending from the base of the foundation to the roof line and said common wall shall have a horizontal distance of not less than fifty percent (50%) of the horizontal depth of the building.
- 2.173.7 **RESIDENTIAL BUILDING - TRIPLEX** means a Residential Building divided horizontally to contain three (3) dwelling units.
- 2.173.8 **RESIDENTIAL BUILDING - TWIN DWELLING (LINK)** - means two dwelling units each completely separate from the other above grade but connected below grade by a common wall or common footings.
- 2.174 **RESTAURANT OR PLACE FOR DISPENSING REFRESHMENT** - means a service commercial establishment in which food and/or beverages are served to the public and, without limiting the generality of the foregoing, includes such establishments the principle business of which is the operation of a restaurant, dining room, cafe, cafeteria, lunch counter, snack bar, dining lounge, cocktail lounge, tavern, beverage room, public house, doughnut shop or ice cream parlour, but does not include a grocery store, variety store or catering service.
- 2.175 **RESTAURANT - DRIVE-IN OR TAKE-OUT** - means a restaurant where food and/or drink is served for consumption in a vehicle or on the site.
- 2.176 **RETAIL** - means the selling of articles to the general public for its use.
- 2.177 **RETAIL COMMERCIAL ESTABLISHMENTS** - means include any establishment or premises in which goods, produce or merchandise are held and offered for sale directly to the consumer or user at retail as the principle activity of the establishment.
- 2.178 **RIDING ACADEMY OR STABLE** - means a stable for the housing of horses for hire or boarding or for a private riding club which may include a building where equestrian skills are practised.
- 2.179 **ROAD** - see "Street or Road".
- 2.180 **ROOMING HOUSE** - see "Lodging, Rooming or Boarding House or Tourist Home".
- 2.181 **ROW** - see "Residential Building - Row".
- 2.182 **SALVAGE YARD** - means the storage yard of a dealer in salvaged materials and may include facilities for the administration and management of the business and for the storage and maintenance of equipment used in the business.
- 2.183 **SAND AND GRAVEL PIT** - see "Pit".

- 2.184 **SCHOOL** - means an elementary or secondary school under the jurisdiction of a County Board of Education or School Board or a private school under Provincial charter.
- 2.185 **SCHOOL - NURSERY** - see "Day Nursery".
- 2.186 **SEMI-DETACHED** - see "Residential Building - Semi-Detached".
- 2.187 **SENSITIVE LAND USE** – means a use associated with residences, schools, hospitals, and senior citizen homes or other land uses such as outdoor recreational activities, where humans or the natural environment may be adversely affected by off-site impacts from nearby industrial uses.
- 2.188 **SERVICE STATION** - see "Automobile Service Station".
- 2.189 **SETBACK LINE** - See "Building Line".
- 2.190 **SEWAGE COLLECTION AND TREATMENT:**
- 2.190.1 **MUNICIPAL SEWAGE COLLECTION AND TREATMENT** means a sewage collection and treatment system owned and operated by a municipal authority (or authorities) which is capable of providing a sewage collection system and sewage treatment facilities to a Settlement or a portion thereof.
- 2.190.2 **PRIVATE SEWAGE TREATMENT** means a sewage treatment facility provided by means of individual septic tank installations on each lot. Approval for each such septic tank installation shall be obtained from the Waterloo Regional Health Unit. Private Sewage Treatment also means other means of collection and treatment facilities, acceptable and approved by all Provincial authorities having jurisdiction, including the Township, or by a combination of the above.
- 2.191 **SEWER** - means a part of a sewage disposal system owned and operated by a municipality.
- 2.192 **SIGN** - means any letters, words or figures used or intended to advertise, identify, announce or to draw attention to anything or to give directions.
- 2.192.1 **SIGNS, ACCESSORY** means a sign identifying, advertising or directing attention to a business, profession, commodity, service or entertainment which is conducted, sold or offered on the lot upon which such sign is located.
- 2.192.2 **SIGN, NON-ACCESSORY** means a sign identifying, advertising or direction attention to a business, profession, commodity, service or entertainment which is not conducted, sold or offered on the lot upon which the sign is located and shall include a billboard or poster panel.
- 2.192.3 **STEP-UP TRANSFORMER** – means a machine that alters the electricity created by an Electrical Generator so that its frequency remains the same while its voltage and current may change and thereby regulates any differences between the electricity in a Non-Renewable Electricity Generation Unit or a Renewable Electricity Generation Unit and the electrical grid under the authority of Ontario’s Independent Electricity System Operator (per Subsection 2(7) of the *Electricity Act*, 1998, S.O. 1998, c. 15 Sched. A or its successor legislation) and the applicable electrical utility company.”

- 2.192.5 **SOLAR PANEL** – means a sealed device in which a photovoltaic reaction occurs when exposed to radiant energy such as sunlight through at least one side of such device.
- 2.192.6 **SOLAR PANEL ARRAY(S), ‘TYPE 1’** – means a series of Solar Panels contained together in a structure or structures that:
- a) tracks the sun’s movement each day by mechanical means moving the reactive surface of each Solar Panel contained in the series by one-hundred and eighty degrees (180⁰) from facing east in the morning to facing west in the evening, and then automatically returns it back that same 180⁰ in the opposite direction;
 - b) orients the reactive surface of the Solar Panels towards the sky and on a southward angle of twenty-three degrees (23⁰) to forty-five degrees (45⁰) from Grade; and
 - c) includes a maximum of 2,400 Solar Panels per array mounted in a Structure comprised of metal racks and poles set in concrete footings.
- 2.192.7 **SOLAR PANEL ARRAY (S), ‘TYPE 2’** – means a series of Solar Panels contained together in a structure or structures that:
- a) does not track the sun’s movement each day;
 - b) orients the reactive surface of the Solar Panels towards the sky and on a southward angle of twenty-three degrees (23⁰) to forty-five degrees (45⁰) from Grade; and
 - c) includes a maximum of 2,400 Solar Panels per array mounted in a Structure comprised of metal racks and poles set in concrete footings.
- 2.193 **STOREY** - means a portion of a building which is situated between the top of any floor and the top of the floor next above it, or if there is no floor above it that portion between the top of such floor and the ceiling above it.
- 2.194 **STOREY - FIRST** - means the storey with its floor closest to grade and having its ceiling more than 1.8 metres (6 feet) above grade.
- 2.195 **STREET OR ROAD** - means a public thoroughfare other than a lane which is maintained by a public road authority and which is open and passable during all seasons of the year.
- 2.196 **STRUCTURE** - means anything constructed or erected, the use of which requires location on or in the ground, or an attachment to something having location on the ground. It does not include a fence, pavement, curbs, walks, retaining walls under 0.91 metres in height, or signs.
- 2.197 **TOURIST HOME** - see "Lodging, Rooming or Boarding House or Tourist Home".
- 2.198 **TOWNSHIP** – means the Corporation of the Township of North Dumfries.
- 2.199 **TRAILER** - 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 capable of being used for living, sleeping or eating accommodation of persons notwithstanding that such vehicle is jacked up or that its running gear is removed.
- 2.200 **TRANSPORTATION OPERATION AND/OR DISTRIBUTING** - means a terminal, warehouse or other facility which is used primarily by a company chiefly engaged in the business

of transporting goods for such purposes as the transshipment of goods between intercity and local delivery vehicles or the storage or maintenance of a vehicle fleet and in which storage space is not usually leased to others for a specified period of time.

- 2.201 **TRIPLEX** - see "Residential Building - Triplex".
- 2.202 **TWIN DWELLING (LINK)** - means two dwelling units each completely separate from the other above grade but connected below grade by a common wall or common footings (see Figure IC).
- 2.203 **USE** - means the purpose for which a lot, building or structure or any combination thereof is designed, arranged, intended, occupied or maintained and "Used" shall have a corresponding meaning.

- 2.204 **VARIETY STORE** - means a retail commercial establishment in which goods or materials such as tobacco products and smokers' supplies, confections, soft drinks, stationery supplies, reading materials, patent medicines and first aid supplies, houseware and notions, souvenirs and similar goods are offered for sale to the general public, and may include groceries and dairy products as a secondary line.
- 2.205 **VEHICLE** - means a motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include the cars of electric, steam or diesel railways running upon rails (see also Motor Vehicle).
- 2.206 **VETERINARY CLINIC OR OFFICE** - means a facility where animal care or treatment is provided by one or more veterinarians and may include the temporary housing of animals so cared for or treated.
- 2.207 **WATER SUPPLY**
- 2.207.1 **COMMUNAL WATER SUPPLY** means a water supply and distribution system built and operated in accordance with the statutory provisions of chapter 0.40 of The Ontario Water Resources Act, R.S.O. 1990, as amended and in accordance with the standards for such systems adopted by the Regional Municipality of Waterloo.
- 2.207.2 **MUNICIPAL WATER SUPPLY** means a water supply and distribution system owned and operated by a municipal authority (or authorities) which is capable of providing water supply to a Settlement or to a proposed development within a Settlement;
- 2.207.3 **PRIVATE WATER SUPPLY** means a water supply provided by means of privately owned wells. Approval for each such well shall be obtained from the Waterloo Regional Health Unit or the Ministry of the Environment where required.
- 20.208 **WAYSIDE PIT OR WAYSIDE QUARRY** - means a temporary pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.
- 2.209 **WHOLESALE** - means the selling of articles to persons in the trade.
- 2.210 **WHOLESALE COMMERCIAL ESTABLISHMENTS** - includes any establishment which provides a service or goods to business or industry.
- 2.211 **WRECKER'S YARD** - means the storage yard of a dealer in derelict motor vehicles and salvaged motor vehicles parts and includes facilities for the administration or management of the business and for the storage and maintenance of equipment used in the business.
- 2.212 **YARD** - means a space open from the ground to the sky on the same lot with a building, unoccupied except for such accessory buildings as are specifically permitted in this By-law.
- 2.212.1 **YARD, FRONT** - means a yard extending from side lot line to side lot line and from and parallel to the street line, to the nearest part of the main building or structure on the lot, disregarding open terraces or steps.

- 2.212.2 **YARD, REAR** - means a yard extending across the full width of the lot from side lot line to side lot line and extending from the rear lot line (or, in the case of a triangular lot, between the apex of the triangle formed by the intersection of the side lot lines) to the rear wall of the main building located on the lot. The depth of the rear yard, measured horizontally from the rear lot line (or, in the case of a triangular lot, from the apex of the triangle formed by the intersection of the side lot lines) to the closest point at which a main building may be located is defined in the zoning category under the heading "Minimum Rear Yard".
- 2.212.3 **YARD, SIDE** - means a yard advance to the side lot line and extending from the building line to the rear yard. The width of the side yard (from the side lot line to the closest point at which a building may be located) is defined in each zoning category under the heading "Minimum Side Yard".
- 2.213 **YARD FLANKAGE** - means a yard on a corner lot lying adjacent to that street line which by definition is a side lot line and which extends from the said street line to the building line.
- 2.214 **YARD - REQUIRED** - means that portion of a yard abutting the lot line or lines required to fulfil the minimum yard regulations as established by this By-law for the specific zone.