

Section 35 – Definitions

For the purposes of this By-law, the definitions and interpretations given in this Section shall govern unless otherwise specified in this By-law. Words used in the present tense include the future; words used in the singular tense 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.

- 35.1. **Abattoir** shall mean a slaughter house designed 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 manufacturing 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.
- 35.2. **Accessory**, when used to describe a use, building or structure, shall mean a use, building or structure that is normally incidental and/or subordinate, and is exclusively devoted to a main use and/or building and/or structure, and is located on the same lot therewith.
- 35.3. **Additional Residential Unit** shall mean a separate and self-contained dwelling unit that is subordinate to the Primary Dwelling and located within the same building or within a detached accessory building on the same lot as the Primary Dwelling.
- 35.4. **Adult Entertainment** use shall mean any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic sexual appetites or inclinations (hereinafter called “Adult Entertainment Services”) and for the purpose of this definition.
- a) “to provide” when used in relation to services includes to furnish, perform, solicit or give such services in pursuance of a trade, calling, business or occupation and “providing and provision” have corresponding meanings;
 - b) “services” include activities, facilities, performances, exhibitions, viewings and encounters, but does not include the exhibition of film approved under the Theatre Act;
 - c) “services designed to appeal to erotic or sexual appetites or inclinations” includes:
 - i. services of which a principal feature or characteristic is the nudity or partial nudity of any person,

- ii. services in respect to which the word “nude”, “naked”, “topless”, “bottomless”, “sexy” or “nu” or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement.
 - d) Any premises in which, in pursuance of a trade, calling, business or occupation, more than 20% of the gross floor area is devoted to the display of sexually explicit goods, other than video tapes or where more than one area of the premises is used to display sexually explicit goods.
 - e) “Sexually explicit”, in relation to any goods, means goods depicting or portraying the nude human body, or parts thereof, in such a pose or posture that the viewer’s attention or concentration is focused on the female breasts or male or female genital areas which are exposed or provocatively emphasized or both.
- 35.5. **Agriculturally Related Commercial Use** shall mean a use directly related to agriculture and requiring proximity to farm operations and includes such uses as animal husbandry services, produce or grain storage facilities or farm machinery sales and service outlets.
- 35.6. **Agricultural Use** shall mean a use of land, buildings, or structures for the purpose of beekeeping, dairying, fallow, field crops, forestry, fruit farming, horticulture, market gardening, pasturage, raising of livestock, or any other farming use.
- 35.7. **Alter**, when used in reference to a building or structure or part thereof, means to change any bearing wall or partition, column, beam, girder, or other supporting member of a building or structure, or any increase in the area or cubic contents of a building or structure.
- 35.8. **Antique Store** shall mean a building or part of a building where goods, merchandise, substances and articles generally acknowledge as being old, rare, old fashioned, authentic, of classic beauty and time honored such as furniture, household items, curios, jewelry, books and other similar items are offered or kept for sale directly to the general public.
- 35.9. **Arena** shall mean a building enclosing an artificial ice surface, with toilet facilities, change rooms and concessions.
- 35.10. **Auction Barn** shall mean premises used for the storage of goods, livestock or materials which are to be sold on the premises by auction, and may also include accessory, open air, retail and refreshment uses (flea market).
- 35.11. **Bake Shop** shall mean a shop where products of a bakery are baked on the premises and sold or offered for sale at retail.

- 35.12. **Balcony** shall mean a structure attached to and projecting from a permitted use at a greater height than the bottom of the first floor ceiling joists and generally has no access stairs to grade.
- 35.13. **Banquet Hall** shall mean a building or structure, which may include an area for the preparation and serving of food, and which is designed for the gathering of persons for social, civic, educational, religious, recreational or similar purposes.
- 35.14. **Basement** shall mean that portion of a building between two floor levels which is partly below grade, but which has at least one-half of its height, measured from the finished floor to finished ceiling, above the average established grade surrounding the exterior walls of the building, or has at least one wall from finished floor to finished ceiling exposed above the ground level and where a permanent point of access is provided in the said wall.
- 35.15. **Bed and Breakfast Establishment** shall mean a dwelling in which rooms are provided, with or without meals, for hire or pay, for the traveling or vacationing public.
- 35.16. **Building** shall mean a structure having a roof supported by columns or walls and used for the shelter, accommodation or enclosure of persons, goods, animals, or chattels.
- 35.17. **Building By-law** shall mean any building By-law within the meaning of the Planning Act, as amended and the Ontario Building Code Act as amended.
- 35.18. **Building Height** shall mean the vertical distance between the established grade and:
- a) The highest point of a flat roof;
 - b) The deck or line of a mansard or gambrel roof; or
 - c) The mean height between the eaves and ridge of a gabled or hip roof.
- Refer to General Provisions, Height Exceptions, for additional provisions.
- 35.19. **Building Line** shall mean any line regulating the position of a building or structure on a lot.
- 35.20. **Building, Main** shall mean the building in which is carried on the principal purpose for which the building lot is used, and in a Residential Zone, the dwelling is the main building.
- 35.21. **Building Supply Outlet** shall mean a building or structure in which building or construction and home improvement materials are offered or kept for sale at

retail and may include the fabrication of certain items related to home improvements, and may include outside storage.

- 35.22. **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, and in addition may include a radio or broadcasting station, veterinary clinic, post office and tourist information centre.
- 35.23. **Bus Space** shall mean an accessible parking area of not less than 35 square metres, having a minimum perpendicular width of 3.5 metres, excluding aisle space and driveways of the parking lot, for the temporary parking of buses.
- 35.24. **Camp, Sports or Recreational** shall mean the use of lands, buildings and structures for sport and recreational training and educational purposes and may include accommodation and food service facilities for camp staff and patrons.
- 35.25. **Cannabis Production Facility** shall mean any building or structure license and/or authorized to possess, sell, provide, ship, deliver, transport, destroy, produce, export and/or import cannabis for medical or non-medical purposed, including related research as defined in applicable Federal Regulation as amended from time to time.
- 35.26. **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.
- 35.27. **Car Wash** shall mean a building or structure for the operation of automobile washing.
- a) Automatic Car Wash means a car wash where the labor is not supplied by the patron.
 - b) Coin Operated Car Wash means a car wash where the patron supplies the labor.
- 35.28. **Cellar** shall mean that portion of a building between two floor levels which is partly or wholly underground and which has more than one-half of its height from finished floor to finished ceiling, below the established grade level adjacent to the exterior walls of the building.
- 35.29. **Cemetery** shall mean a cemetery or columbarium within the meaning of the Cemetery Act, as amended, and includes a chapel and/or accessory vault.

- 35.30. **Chief Building Official** shall mean the Officer or employee of the Township appointed by Council under the Ontario Building Code Act to enforce the Ontario Building Code Act in the area in which the Municipality has jurisdiction.
- 35.31. **Clinic** shall mean a building or part thereof used by qualified medical practitioners, dentists, osteopaths, or drugless practitioners, for public or private medical, surgical, physiotherapeutic or other human health purposes but does not include a private or public hospital,
- 35.32. **Club, Commercial** shall mean any club other than a private club.
- 35.33. **Club, Private** shall mean a meeting place for members of an organization not operated for profit or of an athletic, social or recreational nature not operated for profit.
- 35.34. **Commercial** shall mean the use of land, buildings or structures for the purpose of buying and selling commodities, and supplying of services as distinguished from such uses as manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar uses.
- 35.35. **Commercial Accommodation** shall mean any building or buildings including a hotel, motel, tavern, inn, lodge, motor court, motor hotel or public house designed and used for the purpose of catering to the needs of the traveling public by furnishing sleeping accommodation with or without supplying food and/or other refreshments.
- 35.36. **Commercial Educational Establishment** shall mean a school conducted for hire or gain such as a studio of dancing, music, art school, drama school, school of calisthenics, sport or recreational instruction, business or trade school or any other specialize school.
- 35.37. **Commercial Recreational Establishment** shall mean a health club, indoor racquet sports, billiard or bowling establishment, games parlour or other similar uses.
- 35.38. **Community Centre** shall mean any Township owned lands, buildings or structures used for community activities.
- 35.39. **Concrete Manufacturing** shall mean the use of land, buildings or structures wherein concrete items such as pipes, containers, beams, forms, bricks and similar products are manufactured and stored.
- 35.40. **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.

- 35.41. **Conservation and Wildlife Sanctuary** shall mean land generally left in its natural state for the purpose of providing sanctuary, habitat and/or breeding grounds for wild birds, animals and plant life native to Canada, and includes a forest reserve.
- 35.42. **Contractor's 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 otherwise defined or classified herein.
- 35.43. **Council** shall mean the Municipal Council of the Corporation of the Township of Springwater.
- 35.44. **County** shall mean the Municipal Corporation of the County of Simcoe.
- 35.45. **Court** shall mean an open, uncovered, unoccupied space appurtenant to any building and bounded on two or more sides by the walls of the said building, when used to describe an architectural element.
- 35.46. **Custom Workshop** shall mean a building or part of a building used by a trade, craft or guild for the sale and manufacture in small quantities of goods such as made-to-measure clothes or custom made articles and includes upholstery, but does not include any factory production or any shop or factory otherwise classified or defined in this By-law.
- 35.47. **Day Nursery** shall mean a premises that receives more than 5 children who are not of common parentage for temporary care or guidance for a continuous period not exceeding 24 hours and as may be further defined by The Day Nurseries Act, as amended.
- 35.48. **Deck** shall mean a structure attached to or located abutting a permitted use and which is unenclosed and uncovered and may have access stairs to grade.
- 35.49. **Domestic Animal** shall mean a dog, cat or similar pet which is generally understood to be domesticated and is typically kept indoors at a residence.
- 35.50. **Domestic Animal Boarding Facility** shall mean any building or structure or part thereof used for the boarding for hire of more than one (1) domestic animal but does not include a veterinarian clinic.
- 35.51. **Dog** shall mean any member of the species *Canis familiaris* and shall include a male or female, spayed or neutered dog over the age of sixteen weeks.
- 35.52. **Dwelling, Attached Accessory** shall mean a dwelling unit, accessory to the main use of the property and contained within or attached to a main building.

- 35.53. **Dwelling, Apartment Building** shall mean a building containing more than four (4) dwelling units, each unit having access only from an internal corridor system, and may include administrative, maintenance, storage, laundry, garage and other similar accessory facilities provided for the convenience of the occupants.
- 35.54. **Dwelling, Detached Accessory** shall mean a dwelling unit, accessory to the main use of the property and in the form of a Dwelling, Single Detached.
- 35.55. **Dwelling, Duplex** shall mean a building of more than one (1) storey containing not more than two (2) dwelling units separated horizontally and each of which has an independent entrance.
- 35.56. **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.
- 35.57. **Dwelling, Seasonal** shall mean a detached building used as an occasional resort for recreation, rest or relaxation but not occupied continuously or as a principal residence.
- 35.58. **Dwelling, Semi-Detached** shall mean one of a pair of two (2) dwelling units attached vertically along a common wall, each of which has an independent entrance.
- 35.59. **Dwelling, Single Detached** shall mean a building occupied or capable of being occupied as a dwelling unit.
- 35.60. **Dwelling, Sixplex** shall mean a building which is divided horizontally and vertically so as to create six (6) dwelling units each of which has an independent entrance.
- 35.61. **Dwelling, Street Townhouse** shall mean a townhouse building, as described in 35.58 in which each dwelling unit abuts a public street and where each unit is located on a separate lot.
- 35.62. **Dwelling, Townhouse** shall mean a separate building divided vertically into three (3) or more dwelling units, each of which has direct access from the outside ground level and shares above ground party walls with abutting dwelling units.
- 35.63. **Dwelling, Triplex** shall mean a building which is divided horizontally and/ or vertically so as to create three (3) dwelling units each of which has an independent entrance.

- 35.64. **Dwelling Unit** shall mean one or more rooms in a building, designed as, or intended as, or capable of being used or occupied as a single independent housekeeping unit and containing living, sleeping, sanitary and food preparation facilities or facilities for the installation of kitchen equipment and has an independent entrance. For the purpose of this By-law, a dwelling unit does not include any commercial accommodation or a recreational trailer.
- 35.65. **Dwelling Unit, Area** shall mean the floor area of each floor above finished grade contained within a dwelling unit.
- 35.66. **Dwelling Unit, Bachelor** shall mean a dwelling unit consisting of one bathroom and not more than two (2) habitable rooms and providing therein living, dining, sleeping and cooking facilities.
- 35.67. **Environmental Impact Assessment** shall mean a study or studies, conducted to examine the environmental impact of any proposed development on the inherent natural attributes and functions of a site or area. The general purpose of these studies is to accurately assess the potential impact on the natural flora, fauna, local eco system and natural process to determine if environmental features or functions will be impaired and such studies shall be carried out in conformity with the policies of the Official Plan,
- 35.68. **Equestrian Facility** shall mean land, buildings and structures where horses are boarded, trained or kept for hire and may include accessory uses such as a tack shop, exercise facilities, meeting facilities and other similar uses.
- 35.69. **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 altering any existing building or structure by an addition, enlargement, extension or other structural change; and.or
 - b) any work which requires a building permit under the Ontario Building Code Act.

“Erected” and “Erection” shall have corresponding meanings.

- 35.70. **Established Building Line** shall mean the average distance from the street line of existing buildings on one side of one block where more than one-half of the lots having street access upon the said side of the block have been built upon.
- 35.71. **Existing** shall mean any building, structure, or use in existence at the date of passing of this By-law.

- 35.72. **Fairground** shall mean land devoted to entertainment on a seasonal or temporary basis, and may include grandstands, barns and other accessory buildings normally associated with such a use.
- 35.73. **Farm Implement Dealer** shall mean an establishment for the storage, repair or sale of agricultural implements, equipment and machinery and includes the sale of parts, accessories or lubricants for agricultural equipment on the same premises as an accessory use.
- 35.74. **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 farm where such outlet is located and which may be supplemented by local agricultural products.
- 35.75. **Feed Mill/Seed Cleaning Plant** shall mean a building or structure where food for livestock is kept, mixed or refined and offered for sale and where grain or similar agricultural produce is processed, separated and prepared for market.
- 35.76. **Fertilizer Plant** shall mean a building or structure used primarily for the purpose of blending, mixing and storing fertilizers, but does not include the manufacturing of fertilizer.
- 35.77. **Finished Grade** shall mean the average elevation of the finished surface of the ground at the base of a structure or of the main front wall of a building, exclusive of any embankment in lieu of steps.
- 35.78. **First Floor** shall mean the floor of a building at or immediately above the established grade.
- 35.79. **Flood Plain** shall mean the land adjacent to a water course or water body which would be inundated by water in the event of a flood or as a result of the regional storm, to a point referred to as a floodline.
- 35.80. **Floor Area** shall mean, with reference to a building, the total habitable floor area within a building which area is measured between the exterior faces of the exterior walls or from the centre line of a common or party wall, but excluding any private garage, breezeway, porch, verandah, balcony, sun room, attic or cellar.
- 35.81. **Floor Area, Gross** shall mean the aggregate of the floor areas of all the storeys of all buildings on a lot and including the floor area of any basement, which floor areas are measured between exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building, and, for the purpose of this paragraph, the walls of an inner court are and shall be deemed to be exterior walls.

- 35.82. **Floor Area, Ground** shall mean the maximum habitable floor area of that floor of a building or structure at and/or first above established grade, to the outside wall measurement, excluding in the case of a dwelling unit, any private garage, porch, verandah or sun room, unless such sun room is habitable in all seasons.
- 35.83. **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 exterior walls of the building, furnace room, laundry room or washroom, stairwell, or elevator shaft or any area, the permanent use of which is designed for storage space.
- 35.84. **Forestry Use** shall mean the cultivation and harvesting of trees, and without limiting the generality of the foregoing, shall include the harvesting of fuel wood, pulp wood, saw logs (lumber), Christmas trees and other forest products.
- 35.85. **Fruit and Vegetable Market** shall mean the commercial use of land, buildings or structures, predominantly involved in the sale of fresh farm produce.
- 35.86. **Games Parlour** shall mean a building or part of a building where the predominant commercial use involves the provision of video, electronic, billiards, manual or other similar games, for recreation and entertainment.
- 35.87. **Garage, Attached** shall mean a private garage, accessory to a dwelling on the same lot, and separated therefrom by a common wall and/or common roof structure, an attached garage may be considered "common" as long as at least forty (40) percent of the length of the garage wall is common with the dwelling wall.
- 35.88. **Garage, Private** shall mean a building or part thereof used for the temporary parking or storage of motor vehicles or commercial motor vehicles and wherein neither servicing, repairing nor dismantling is carried on for remuneration.
- 35.89. **Gasoline Bar** shall mean one or more pump islands, each consisting of one or more gasoline pumps, and 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.
- 35.90. **Go-Cart Driving Course** shall mean an asphalt circuit or track around which motorized go-carts equipped with up-to-date noise suppression equipment are driven at regulated speed,

- 35.91. **Golf Course** shall mean a public or private area operated for the purpose of playing golf and may include a driving range, a miniature course, or similar uses operated for commercial purposes.
- 35.92. **Golf Driving Range** shall mean an outdoor public or private facility used for the practice of golf by the driving of golf balls from fixed golf tees.
- 35.93. **Grade Established** shall mean, with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of the front of such building and when used with reference to a structure, means the average elevation of the finished grade of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment or entrenchment and when used with reference to a street, means the elevation of the street, established by the Municipality or other designated authority.
- 35.94. **Group Home** shall mean a dwelling in which not less than three or more than ten people receive specialized or sheltered residential care and accommodation by virtue of their physical, mental, emotional or social status and which is approved or licensed in accordance with any Act of the Parliament of Canada or Ontario. This does not include an establishment operated primarily for persons who have been placed on probation, released on parole or admitted for correctional purposes.
- 35.95. **Hereafter** shall mean after the date of the passing of this By-law.
- 35.96. **Herein** shall mean in this By-law and shall not be limited to any particular section of this By-law.
- 35.97. **Highwater Mark** shall mean the mark made by the action of water under natural conditions on the shore or bank of a body of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on the other side of the mark.
- 35.98. **Hobby Farm** shall mean the use of land for the keeping of animals for the personal enjoyment, use and/or consumption by the resident and the use is not a functioning agricultural farm use in the traditional sense and does not include a Commercial Breeding Kennel, Domestic Animal Boarding Facility or Hobby Kennel.
- 35.99. **Home for the Aged** shall mean an institution to which the Home For the Aged Act, or the Rest Homes Act as amended, applies.
- 35.100. **Home Industry** shall mean a small scale industrial use, such as a machine shop, welding and repair shop, farm implement and machinery repair shop,

carpentry shop, fabrication of wood and metal products, craft and art studio, that provides services or wares to the rural community and which is an accessory use to an agricultural use or a single detached dwelling. For the purpose of this By-law, the repairing of motor vehicles, mobile homes and trailers is not a home industry.

- 35.101. **Home Occupation** shall mean a use which is clearly incidental, accessory or secondary to the residential use of a dwelling and is conducted entirely within such a dwelling, unless otherwise specifically permitted herein, by an inhabitant thereof, such as agent, hairdresser, dressmaker, dentist, doctor, drugless practitioner, professional office or studio. In the case of a studio, the sale of crafts or products shall be limited to items produced on site.
- 35.102. **Hospital** shall mean a Public or Private Institution as defined under the Public Hospitals Act, or under the Private Hospitals Act.
- 35.103. **Hotel** which includes a motel, motor hotel, or inn, shall mean a building or structure used for the purpose of catering to the needs of the travelling public by supplying sleeping accommodation, food and/or refreshments. It does not include rooming or boarding houses or apartments.
- 35.104. **Industrial** shall mean the use of land, buildings or structures 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, or 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 a printing plant or establishment and food processing.
- 35.105. **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.
- 35.106. **Institutional** shall mean the use of land, buildings or structures for government, religious, charitable, educational, health or welfare purposes, and includes churches, places of worship, public or private schools, nursery schools and government facilities.
- 35.107. **Kennel** shall mean any building, structure, dog run or other facility, or part thereof where:

Purebred dogs are kept for breeding or show purposes; or
Dogs are kept solely for the purpose of routinely entering into dogsled or other similar races; or

Hunting dogs are kept for hunting purposes.

- 35.108. **Kennel, Commercial Breeding** shall mean any kennel used for the keeping of eight (8) or more dogs, but does not include a veterinarian clinic.
- 35.109. **Kennel, Hobby** shall mean any kennel used for the keeping of more than three (3) but less than eight (8) dogs, but does not include a veterinarian clinic. In addition to the maximum number of dogs set out above, a maximum of two litters of pups up to 16 weeks of age may be permitted.
- 35.110. **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 and to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land.
- 35.111. **Landscape 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.
- 35.112. **Lane** shall mean a public thoroughfare which affords only a secondary means of vehicular access to abutting lots, and which is not intended for general traffic circulation.
- 35.113. **Library** shall mean a building containing printed and pictorial material for public use for purposes of study, reference and recreation.
- 35.114. **Livestock Facilities** shall mean barns, buildings or structures where animals are housed and shall also include beef feedlots and associated manure storage facilities.
- 35.115. **Livestock Housing Capacity** shall mean the total maximum number of livestock that can be accommodated in a livestock facility at any one time.
- 35.116. **Livestock Unit** shall mean the equivalent values for various types of animals and poultry based upon manure production and production cycles.
- 35.117. **Live-Work Unit** shall mean a dwelling unit having a residence and business in the same location which consists of a ground floor commercial unit and an upper level residential unit.

- 35.118. **Loading Space** shall mean an area of land which is provided for the temporary parking of one commercial motor vehicle, while merchandise or materials are being loaded or unloaded from such vehicle and such parking is not for the purpose of offering commodities for sale or display.
- 35.119. **Lodge** shall mean an establishment catering to the vacationing public by providing meals and sleeping accommodation to at least 5 guest rooms or cabins, but shall not include any establishment otherwise defined or classified herein.
- 35.120. **Lot** shall mean a parcel or tract of land having a good and marketable title in fee simple:
- a) which is a whole lot as shown on a registered plan of subdivision, which registered plan of subdivision has been registered pursuant to the Planning Act, but a registered plan of subdivision for the purpose 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 the Planning Act, as amended, or
 - b) which fronts on a public street, or
 - c) the description of which is the same as in a deed which has been given consent pursuant to the Planning Act, or which is the whole remnant remaining to an owner or owners after a conveyance made with consent pursuant to the Planning Act, 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.
- 35.121. **Lot Area** shall mean the total horizontal area within the lot lines of a lot.
- 35.122. **Lot, Corner** shall mean a lot situated at the intersection of and abutting on two or more streets, or a lot abutting on one or more parts of the same street or on two or more streets in which an interior angle of less than one hundred and thirty-five (135) degrees is contained by the two straight lines which join the foremost point of the lot with the two points at which the interior side lot line and the rear lot line meet the street or streets.
- 35.123. **Lot, Coverage** shall mean the percentage of the lot area covered by all buildings or structures above ground level and shall include canopies, balconies and overhanging eaves which are less than 2.5 metres (8.20 ft.) above the finished grade.
- 35.124. **Lot, Depth** shall mean the horizontal distance between the front and rear lot lines, but where the front and rear lot lines are not parallel the lot depth is the length of a line joining the mid-points of such lot lines. If there is no rear lot

line, "lot depth" means the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.

- 35.125. **Lot, Frontage** shall mean the horizontal distance between the side lot lines, such distance being measured along a line which is parallel to the front lot line and a distance equal to the minimum required front yard depth. Lot frontage shall not include the extent to which a lot abuts the end of a street, other than a street which terminates in a cul-de-sac.
- 35.126. **Lot, Interior** shall mean a lot other than a corner lot.
- 35.127. **Lot Line** shall mean a boundary of a lot.
- 35.128. **Lot Line, Exterior Side** shall mean the longer of the lot lines of a corner lot which abuts a street or adjoining a 0.3 metre reserve abutting a public street.
- 35.129. **Lot Line, Front** shall mean:
- a) the lot line that divides the lot from the street, but
 - b) in the case of a corner lot the shorter street line shall be deemed to be the front lot line and the longer street line shall be deemed to be a side lot line, but
 - c) in the case of a corner lot with two street lines of equal length, the lot line that abuts the wider street, or abuts a County Road or Highway shall be deemed to be the front lot line, and in the case of both streets being under the same jurisdiction, or of the same width, the owner of such corner lot may designate either street line as the front lot line.
 - d) in the case of a corner lot abutting a 0.3 metre reserve the line so abutting a 0.3 metre reserve shall be deemed to be an exterior side lot line.
 - e) in the case of a residential unit accessed by a rear laneway or rear public road, the parallel lot line located opposite the rear laneway or rear public road shall be deemed to be the front lot line.
- 35.130. **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, the rear lot line shall be deemed to be the apex of the triangle formed by the side lot lines.
- 35.131. **Lot Line, Side** shall mean a lot line other than a front or rear lot line.
- 35.132. **Lot, Through** shall mean a lot other than a corner lot, having separate frontages on two streets.

- 35.133. **Lumber or Planing Mill** shall mean land, buildings or structures where harvested forest products are cleaned, milled, cut, planed, dried and stored and which are kept for sale to the public or shipment to market.
- 35.134. **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, where such members are nearer to a lot line than the said exterior wall.
- 35.135. **Manufacturing and Processing** shall mean a building used for the assembly or development of a product.
- 35.136. **Marina** shall mean a building, structure or place where boats, personal watercraft, and snowmobiles and related accessories are stored and/or serviced and/or repaired and/or kept for sale and hire, and where facilities for the sale of fuels and lubricants may be provided.
- 35.137. **Market Garden** shall mean an area of land that is used for the growing of vegetables and/or berry fruit crops and/or flowers that are then sold at retail on the lot to customers who either purchase the product after it has been picked or pick the product themselves.
- 35.138. **Miniature Golf Course** shall mean a place where a game is played with a golf ball and clubs on a small scale course having a varied number of holes and differing degrees of difficulty.
- 35.139. **Mobile Home** shall mean any dwelling 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 a year-round recreational trailer or trailer otherwise designed.
- 35.140. **Motor Home** shall mean a year-round recreational trailer that is self propelled. This includes a van conversion containing a least one of the following: plumbing fixtures, or fuel burning appliances, or 120 volt electrical component.
- 35.141. **Motor Vehicle** shall mean a motorized vehicle 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.
- 35.142. **Motor Vehicle, Body Shop** shall mean a building or structure used for the painting or repairing of motor vehicle bodies or fenders within the enclosed building or structure, but shall not include a salvage yard.
- 35.143. **Motor Vehicle, Commercial** shall mean a motor vehicle used in connection with any industry, business or commercial use within the meaning of the Highway Traffic Act, as amended.

- 35.144. **Motor Vehicle, Repair Garage** shall mean a building other than a 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.
- 35.145. **Motor Vehicle, Sales or Rental Establishment** shall mean an establishment having as its main use the sale, rent or lease of motor vehicles. Accessory uses may include facilities for the repair or maintenance of such vehicles, and the sale of parts and petroleum products incidental thereto.
- 35.146. **Motor Vehicle, Service Station** shall mean a building or part of a building 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 a motor vehicle body shop.
- 35.147. **Municipality** shall mean the Corporation of the Township of Springwater.
- 35.148. **Municipal Law Enforcement Officer** shall mean the officer or employee of the Township appointed by Council to enforce the provisions of Municipal By-laws.
- 35.149. **Museum** shall include buildings used, or to be used for the preservation of a collection of paintings or other works or art, or of objects of natural or cultural history, or of mechanical, scientific or philosophical inventions, instruments, models or designs, and dedicated to the recreation of the public, together with any libraries, reading rooms, laboratories and other offices and premises used or to be used in connection therewith.
- 35.150. **Non-Complying** shall mean a permitted use, building or structure existing at the date of passing of this By-law which does not comply with a provision or provisions of the zone within which they are located.
- 35.151. **Non-Conforming** shall mean the use of a building or structure or the use of a parcel of land which does not conform with the requirements of this By-law or is not otherwise permitted as of the date of the passing of this By-law.
- 35.152. **Nursery and Garden Centre** shall mean a place where all forms of plants, plant material, vegetation, landscaping materials and services, and associated supplies are offered for sale together with accessory items and services including, but not limited to, garden and patio equipment, furniture and supplies; hot tubs, spas and supplies; Christmas trees and similar seasonal

plant and decorative materials with related supplies; and also may include accessory outside storage.

- 35.153. **Nursery School** shall mean a day nursery within the meaning of The Day Nurseries Act, as amended from time to time, and shall include a day care centre.
- 35.154. **Nursing Home** shall mean a building within which is provided only lodging, nursing, medical or similar care and treatment and includes a rest or convalescent home but not a private hospital and is operated under the Nursing Home Act, as amended.
- 35.155. **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 currently licensed motor vehicles shall not be deemed to be outside storage.
- 35.156. **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 seasonal recreational trailer campground or an industrial park.
- 35.157. **Park Model Trailer** shall mean a recreational trailer that meets the following criteria: built on a single chassis, mounted on wheels; designed to facilitate relocation from time to time; designed as living quarters for seasonal camping and may be connected to those utilities necessary for operation of installed fixtures and appliances; and has a gross floor area, including lofts, not exceeding 50 m² (538.21 ft.²) when in the setup mode and having a width greater than 2.6 m (8.53 ft.) in the transit mode.
- 35.158. **Park Model Trailer Add-On** shall mean a pre-manufactured structure designed for use as a sunroom or porch, which is for the most part unenclosed on at least three sides, except for screening, clear glass or lower skirting or bottom panels and is intended or used for additional living area but is not intended or used for the purpose of cooking or sleeping accommodation.
- 35.159. **Park Model Trailer Campground, Seasonal** shall mean any parcel of land which is used for the placement of park model trailers and includes facilities for the exclusive use of the park patrons but does not include permanent or year round occupancy by anyone other than the owner or operator of the campground,
- 35.160. **Park, Private** shall mean a park other than a public park.

- 35.161. **Park, Public** shall mean a recreational area owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario.
- 35.162. **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.
- 35.163. **Parking Space** shall mean a portion of a building or lot for use for the parking of a vehicle and/or recreational trailer.
- 35.164. **Passive Outdoor Recreation** shall mean the use of land which is typically unobtrusive and not disturbing to the surrounding natural landscape and may include where permitted, walking trails, natural interpretive facilities, bird and wildlife observation areas and similar uses involved in the enjoyment of the natural environment, but does not include a golf course, or motorized recreational vehicles except where specifically designated for such use.
- 35.165. **Patio** shall mean an area located at the finished grade of the lot in conjunction with a permitted use and constructed of wood, stone, brick, concrete or pavement and which is not part of any driveway or parking space.
- 35.166. **Permitted** shall mean permitted by this By-law.
- 35.167. **Person** shall mean any individual, association, firm, partnership, corporation, trust, incorporated company, organization, trustee or agent, and the heirs, executors, or other legal representatives of a person to whom the same can apply according to law.
- 35.168. **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 such establishments as barber shops, beauty parlours, automatic laundry shops, hairdressing shops, shoe repair and shoe shine shops, depots for collecting dry cleaning and laundry, haberdashery and similar uses.
- 35.169. **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.
- 35.170. **Place of Entertainment** shall mean a motion picture theatre or other theatre, dance hall or music hall or other similar uses.

- 35.171. **Place of Worship** shall mean any building or buildings dedicated to religious worship and recognized as a charitable organization by the Province of Ontario, 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 and a parish hall.
- 35.172. **Play Area** shall mean a fenced or enclosed space, at or above finished grade, which is equipped with play facilities and designed for use by children.
- 35.173. **Point of Intersection** shall mean the point at which two street lines abutting a corner lot intersect, or if the two street lines meet as a curve, then it is the point at which the projection of the two lot lines abutting the streets intersect.
- 35.174. **Porch/Veranda** shall mean a structure attached to a permitted use which is unenclosed but is covered.
- 35.175. **Portable Asphalt Plant** shall mean a facility:
- a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process;
 - b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project which is not of permanent construction, but which is to be dismantled at the completion of the construction project.
- 35.176. **Primary Dwelling** shall mean the main Dwelling Unit to which additional residential units may be subordinate.
- 35.177. **Public Use** shall mean a building, structure, lot or block, or part thereof, used for public services by a public agency, corporation or body; road allowance; natural gas, transportation, railway, hydro electric transmission or distribution , telecommunication, water or wastewater servicing, and stormwater management infrastructure; public walkways, parks, parkettes, playgrounds, squares, plazas, statues or monuments.
- 35.178. **Quarry** shall mean 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 metal mine.
- 35.179. **Recreational Club House** shall mean a building or structure associated with a recreational use and may include, as accessory uses, a restaurant, retail, rental and repair facilities, fitness centre, meeting facilities and other similar uses.

- 35.180. **Recreational Trailer** shall mean any vehicle intended for recreational purposes constructed as to be suited for attachment to a motor vehicle for the purpose of being drawn or propelled by a motor vehicle or as defined by Section 35.135 and used only for temporary seasonal living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked up or its running gear removed, and shall include a park model trailer, travel trailer or tent but does not include a mobile home.
- 35.181. **Recreational Trailer Campground, Seasonal** shall mean any parcel of land which is used for the parking of recreational trailers and includes facilities for the exclusive use of the park patrons but does not include permanent or year round occupancy by anyone other than the owner or operator of the campground.
- 35.182. **Recreational Trailer Site** shall mean an area of land within a Seasonal Recreational Trailer Campground that is or is intended to be occupied by only one recreational trailer with adequate access to a private internal road system which connects to a public street.
- 35.183. **Recreational Use** shall mean the use of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, golf courses, picnic areas, swimming pools, sports and recreational camps, community centres, snow skiing facility, mountain biking and all similar uses together with accessory buildings and structures, but does not include a track for the racing of animals, motor vehicles, snowmobiles or motorcycles, or miniature golf course.
- 35.184. **Refreshment Vehicle** shall mean a vehicle as defined under the Highway Traffic Act from which refreshments such as, but not limited to, french fries, hot dogs, hamburgers, sausage, fish, ice cream, beverages and similar items are sold or offered for sale, and without limiting the foregoing, are commonly known as a chip wagon, coffee truck, hot dog cart, ice cream cart or any other food trailer, including a mobile barbeque facility.
- 35.185. **Renovation** shall mean the structural or cosmetic alteration of a building or structure.
- 35.186. **Residential** shall mean the use of land, buildings or structures for human habitation.
- 35.187. **Residential Non-Farm** shall mean a dwelling unit not located on the same lot as a subject farm.
- 35.188. **Restaurant** shall mean a building or part of a building where food is offered for sale or sold to the public for immediate consumption on the premises.

- 35.189. **Restaurant, Drive-In** shall mean a building or structure or part thereof where food is prepared and offered for sale to customers normally travelling in motor vehicles which are driven on to the site where the restaurant is located and where normally the customer remains in the vehicle for service.
- 35.190. **Restaurant, Take-Out** shall mean a building or structure or part thereof where food is prepared and offered for sale to the public for consumption off the premises.
- 35.191. **Retail Store** shall mean a building or part of a building where goods, merchandise, substances, articles or things are offered or kept for retail sale directly to the general public and includes storage on the store premises of limited quantities of such goods, merchandise, substances, articles or things sufficient only to service such store. Such a use may include outside display and sale in accordance with Section 3.39.
- 35.192. **Rural Residential Cluster** shall mean four or more adjacent rural residential lots, generally 1 hectare or less in size, sharing a common boundary. Lots located directly across a road from one another shall be considered as having a common boundary.
- 35.193. **Salvage Yard** shall mean an establishment 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 or scrap metal yard and a motor vehicle wrecking yard or premises.
- 35.194. **School** shall mean a school under the jurisdiction of a Board of Education or Separate School Board, a college or university or any other school established and maintained either wholly or partially at public expense whether or not the same is also a boarding school, and includes any dormitory building accessory to such school.
- 35.195. **School, Private or Religious** shall mean a school not under the jurisdiction of a Board as defined in the Department of Education Act, as amended.
- 35.196. **Seasonal** shall mean when used in conjunction with recreational uses or properties, the use of a lot, or portion thereof, occupied by the user(s) on an intermittent non permanent basis as a resort for recreation, rest or relaxation but not occupied continuously or as a sole principal residence.
- 35.197. **Senior Citizen Home** shall mean a dwelling or other building in which self-contained dwelling units, rooms or lodging for the elderly are provided for hire or pay, and may include some personal care, nursing services and medical use and treatment, but shall not include any other establishment otherwise defined or classified in this By-law.

- 35.198. **Service Industries** shall mean a bakery, a motor vehicle repair garage, a printing establishment, a paint shop, plumbing shop, sheet metal shop and similar uses.
- 35.199. **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, but does not include the manufacture of articles, goods and/or materials.
- 35.200. **Setback** shall mean the horizontal distance from the nearest street line of the street allowance, measured parallel to such street line or lot line, to the nearest part of any main wall of any building or structure on the lot.
- 35.201. **Sewage Treatment Facility** shall mean a building or structure, approved by the Ministry of Environment where domestic and/or industrial waste is treated and may also include a sewage lagoon.
- 35.202. **Sight Triangle** shall mean an area free of buildings, structures, signs, vegetation or other such matter which would obstruct the vision of vehicular traffic, and which area is to be determined by measuring, from the point of intersection of street lines on a corner lot, the distance required by this By-law along each such street line and joining such points with a straight line. The triangular-shaped land between the intersecting street lines and the straight line joining the points the required distance along the street lines is the "Sight Triangle".
- 35.203. **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.
- 35.204. **Single Independent Housekeeping Unit** shall mean an area within a building which is exclusively devoted to the occupants therein and where all occupants have normal and reasonable access to all of the habitable areas and facilities of the housekeeping unit and in the case of a single detached dwelling this means the entire building.
- 35.205. **Snow Skiing Facility** shall mean an area of land with trails used by persons who may or may not require a ski lift facility to ski, snowboard, snow tube or undertake similar activities and which may include buildings, structures or parking and storage areas devoted to the maintenance and operation of the snow ski facility.

- 35.206. **Storey** shall mean the portion of the building, other than the cellar, which lies between the surface of its floor and the surface of the next floor above it, or if there is no floor above it, then the space between such floor and the ceiling or roof next above it.
- 35.207. **Street** shall mean a highway, as defined under The Highway Traffic Act, as amended, and The Municipal Act, as amended, which has been assumed for the public use and is maintained year-round; or 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 the provisions of the Planning Act, as amended.
- 35.208. **Street Access** shall mean, when referring to a lot, that such lot has a lot line or portion thereof which is also a street line.
- 35.209. **Street Line** shall mean any lot line that divides a lot from a street.
- 35.210. **Structure** shall mean anything constructed or erected, the use of which requires location on the ground, or which is attached to something having location on or in the ground.
- 35.211. **Studio** shall mean a building or part thereof used as the workplace of a photographer or artist, craftsman or for the instruction of art, music, dancing, languages or similar disciplines, or for the sale of crafts.
- 35.212. **Tavern** shall mean “a Tavern” as defined by the Liquor License Act, as amended.
- 35.213. **Tent** shall mean a collapsible shelter of canvas or other fabric used for camping outdoors.
- 35.214. **Theatre, Drive-In** shall mean a place of public assembly designed for the screening or viewing of motion pictures within a motor vehicle parked in a permitted parking space on the premises of the establishment.
- 35.215. **Tillable Hectares** shall mean the total area of land including pasture that can be worked or cultivated.
- 35.216. **Tourist Establishment** shall mean any premises operated to provide sleeping accommodation for the travelling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided, and without limiting the generality of the term, also includes a cabin establishment, and a tourist housekeeping cottage, but does not include:
- a) A sports and recreational camp,

- b) A seasonal recreational trailer campground,
- c) A private club,
- d) A Commercial Accommodation use as defined herein,
- e) Permanent or year round occupancy by anyone other than the owner of operation of the use.

35.217. **Tourist Information Centre** shall mean a building or structure or portion thereof where the main purpose and use is the display and provision of tourism information to the traveling public,

35.218. **Township** shall mean the Corporation of The Township of Springwater.

35.219. **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 buses, but does not include automobile service stations or transportation sales or rental outlets,

35.220. **Travel Trailer** shall mean a recreational trailer, other than a Park Model Trailer, intended as temporary seasonal living accommodations, including structures commonly referred to as travel trailers, motor homes, slide in campers, chassis mounted campers and tent trailers having the following features: an overall length not exceeding 12.5 m (41.01 ft.); and an overall width not exceeding 2.6 m (8.53 ft.). Width shall mean the sum of the distance from the vehicle centre line to the outer most projections on each side when the vehicle is folded or condensed for transit,

35.221. **Travel Trailer Add On** shall mean a pre-manufactured structure designed for use as a sunroom, porch, canopy or similar temporary use accessory to a travel trailer and is intended or used for additional living area but is not intended or used for the purpose of cooking or sleeping accommodation,

35.222. **Undertaking Establishment** shall mean any premises where preparation of the dead human body for interment or cremation is undertaken.

35.223. **Use** shall mean the purpose for which any land, building, or structure is arranged, designed, or intended to be used, occupied or maintained.

35.224. **Veterinary Clinic** shall mean a building or structure or part thereof, that is used for the purpose of consultation, diagnosis, boarding and office treatment of animals, birds and pets.

35.225. **Warehouse** shall mean a building where wares or goods are stored and may include wholesale establishments, but shall not include a retail store.

35.226. **Waste Disposal Site** shall mean any land upon, into, in or through which, or building or structure in which waste is deposited, disposed of, handled, stored,

transferred, treated or processed, and any operation carried out, including excavation and use of aggregate for the purpose of waste disposal, but not including a “pit” under the Aggregate Resources Act; or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment or processing referred to above.

- 35.227. **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 not shown on the Schedules of this By-law.
- 35.228. **Water Supply, Municipal** shall mean a distribution system of underground piping and related storage facilities for water including pumping and purification facilities owned and operated by the Township of Springwater.
- 35.229. **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.
- 35.230. **Wholesale Establishment** shall mean a building used for the storage and sale of quantities of goods and materials for resale or business use.
- 35.231. **Yard** shall mean an open, uncovered space on a lot appurtenant to a building and unoccupied by buildings or structures except as may be expressly permitted in this By-law, and in determining yard measurements the minimum horizontal distance from the respective lot lines is to be used, but does not include a court yard.
- 35.232. **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 side street line and the nearest part of any building or structure on the corner lot.
- 35.233. **Yard, Front** shall mean a yard extending across the full width of a lot between the front lot line and the nearest wall of any building or structure on the lot.
- 35.234. **Yard, Minimum Front** shall mean the minimum depth of a front yard on a lot between the front lot line and the nearest wall of any building or structure on the lot.
- 35.235. **Yard, Minimum Interior Side** shall mean the minimum width of a side yard on a lot between a side lot line and the nearest wall of any building or structure on the lot.
- 35.236. **Yard, Minimum Rear** shall mean the minimum depth of a rear yard on a lot between the rear lot line and the nearest wall of any main building or structure on the lot.

- 35.237. **Yard, Rear** shall mean a yard extending across the full width of a lot between the rear lot line and the nearest wall of any main building or structure on the lot.
- 35.238. **Yard, Required** shall mean a yard with the minimum front yard depth, rear yard depth, or side yard width required by the provisions of this By-law. A required side yard shall extend from the required front yard to the opposite required rear yard.
- 35.239. **Yard, Side** shall mean a yard extending from the front yard to the rear yard of a lot, and between a side lot line and the nearest wall of any building or structure on the lot.
- 35.240. **Zone** shall mean a designated area of land use shown on a Schedule or Schedules of this By-law.
- 35.241. **Zoning Administrator** shall mean the officer or employee of the Township appointed by Council to administer the provisions of this By-law.
- 35.242. **Zoo** shall mean the use of land, buildings or structures for the keeping and display of animals, including exotic, to the public.