

SECTION 2 DEFINITIONS

- (1) **"ABANDONED"** means a failure, in the opinion of the Chief Building Official, to proceed expeditiously with construction work or to undertake construction work during any continuous one year period.
- (2) **"ABATTOIR"** means a building or structure, or portion thereof, where animals are slaughtered for the purposes of processing meat into food for human consumption; and where meat products are produced, processed, handled, stored or sold.
- (3) **"ACCESS DRIVEWAY"** means the area between the travelled portion of a road and a parking area used by motor vehicles for access to and from the parking area.
- (4) **"ACCESSORY"**, when used to describe a use, a building or a structure, means a use, a building or a structure that is incidental, subordinate and devoted to a main use, building or structure and located on the same lot therewith, and includes a private garage which is not attached to the main building in any way.
- (5) **"ACCESSORY DWELLING"** - see **"DWELLING UNIT"**.
- (6) **"ACCOMMODATION"** means a use which provides lodging including rooms and/or food.
- (7) **"ADULT ENTERTAINMENT PARLOURS"** - 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 or sexual appetites or inclinations. For the purposes of this By-law, the following shall apply:

"Provided" includes furnished, performed, solicited or given such services;

"Services" includes activities, facilities, performances, exhibitions, viewings and encounters but does not include the exhibition of film approved under the *Film Classification Act*.

"Services appealing to or designed to appeal to erotic or sexual appetites or inclinations" includes the following:

- (i) services of which a principal feature or characteristic is nudity or partial nudity of any person;
- (ii) services in respect of which the word 'nude', 'naked', 'topless', 'bottomless', 'sexy' or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement."

"To provide" when used in relation to services includes to furnish, perform, solicit, or give such services and "providing" and "provision" have corresponding meanings.

- (8) **"AGGREGATE REPROCESSING"** means the process of reusing old concrete, asphalt, or brick, that is stockpiled, crushed, and used again for construction, industrial, or manufacturing purposes, but does not include the recycling of materials such as asphalt shingles, drywall, and wood.
- (9) **"AGGREGATE STORAGE AREA"** means the use of land for the temporary storage of aggregates for sale or use in the production of cement or asphalt.
- (10) **"AGRICULTURAL USE"** means the cultivation of land, the production of crops and the selling of such product on the premises, and the breeding and care of livestock and the selling of such livestock or the product of such livestock raised on the premises, and without limiting the generality of the foregoing includes aviaries, apiaries, fish farming, animal husbandry, and the raising and harvesting of field, bush, or tree crops, market gardening, nurseries, greenhouses and an accessory air strip. However, "agricultural use" does not include facilities for the permanent or temporary housing of persons employed on the lot, an abattoir or any premises used for the killing of livestock or the processing of meat.
- (11) **"AISLE"** means the area used by motor vehicles for access to and from all off-street parking spaces, but does not include an access driveway.
- (12) **"ALTER"** means:
- (a) when used in reference to a building or structure or part thereof, shall mean to change any one (1) or more of the internal or external dimensions of such building or structure or to change the type of construction of the exterior walls or roof thereof;
 - (b) when used in reference to a lot, the word "alter" means to change the width, depth, or area thereof or to change the width, depth, or area of any required yard, setback, landscaped open space, or parking area, or to change the location of any boundary of such lot with respect to a street or lane, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise; or
 - (c) when used in reference to a use, to discontinue and replace a use, in whole or in part, with a use which is defined herein as being distinct from the discontinued use or to add a new use to an existing use,
- "ALTERED" and "ALTERATION" have corresponding meanings.
- (13) **"AMENITY AREA"** means an area or areas intended for use for recreation or aesthetic purposes within the boundaries of a lot and may include landscaped open space areas, patios, balconies, communal lounges, swimming pools, recreation facilities, and any other area which may be used for recreational or aesthetic purposes, but does not include any driveways or parking area.

- (14) **"AMENITY SPACE"** means the total area or areas within a lot provided for the use of the residents of a residential building or a commercial building containing residential units located on the lot for the purpose of personal recreation space or shared recreation space.
- (15) **"AMUSEMENT GAME ESTABLISHMENT"** means a building or a part thereof within which three or more amusement game machines are available to the public.
- (16) **"AMUSEMENT GAME MACHINE"** means a mechanical, electrical or electronic device activated by the insertion of a coin or token for the play of a game of chance and/or skill that is not contrary to the Criminal Code of Canada.
- (17) **"AMUSEMENT PARK"** means an establishment regardless of whether or not it is maintained or operated for gain or profit, where rides, games of chance and the sale of food, beverages, toys and souvenirs constitute the main use and may include a variety of buildings or structures directly related to recreational and amusement uses.
- (18) **"ANTENNA"** shall mean part of a structure used for the purpose of sending or receiving electromagnetic waves.
- (19) **"APARTMENT HOTEL"** means a hotel, except that up to 50 percent (50%) of the living accommodation therein, according to floor area, may be dwelling units.
- (20) **"AREA OF BUILDING"** means the maximum horizontal projected area of a building, including enclosed porches, but exclusive of steps, terraces, or cornices.
- (21) **"ART GALLERY"** means a building or part thereof where works of art, such as paintings, sculpture, pottery, glass and weaving are displayed for public viewing.
- (22) **"ASSEMBLY HALL"** means a building or part of a building in which facilities are provided for such purposes as meetings for civic, educational, political, religious, or social activities, and may include a banquet hall or private club.
- (23) **"ASSEMBLY PLANT"** - see "MANUFACTURING AND ASSEMBLY INDUSTRY".
- (24) **"ATTACHED"** means a building otherwise complete in itself, which depends for structural support, or complete enclosure upon a division wall or walls shared in common with adjacent building or buildings.
- (25) **"ATTIC"** - see "STOREY".
- (26) **"AUCTION ESTABLISHMENT"** means a building or part thereof used for the retail sale of articles or goods to the members of the public bidding the highest offer for the article or goods during the sale proceedings and may include the storage of such articles to be sold at auction.

- (27) **“AUTOMOBILE SERVICE STATION”** means an establishment where vehicle fuels, lubricants and accessories are offered for retail sale and which contains facilities for the repair and maintenance of vehicles excluding body and fender work.
- (28) **“AUTOMOBILE SUPPLY STORE”** means a building or part thereof used for the purpose of retail sale of equipment and parts used to repair, service or customize motor vehicles. This does not include any installations or repairs.
- (29) **“AUTOMOTIVE SALES AND SERVICE ESTABLISHMENT”** means premises where motor vehicles are stored or displayed for the purpose of sale or hire and shall include the storage and sale of automotive accessories together with the repair and service of the motor vehicle.
- (30) **“AUTOMOTIVE USE”** means an automobile service station, a gasoline retail outlet, a vehicle repair shop, a car wash, a body shop or a vehicle sales or rental establishment as defined herein.
- (31) **“BAKERY”** means a building for producing, mixing, compounding or baking bread, biscuits, cakes or other baked products.
- (32) **“BALCONY”** means a stage or platform, other than a stoop, projecting from the wall of a building and accessible from inside such building by means of a door.
- (33) **“BATCHING PLANT, ASPHALT”** means an industrial establishment used for the production of asphalt, or asphalt products used in building or construction and includes facilities for the administration and management of the business, the stockpiling of bulk materials used in the production process or a finished product manufactured on the premises and the storage and maintenance of required equipment, but does not include the retail sales of finished asphalt.
- (a) **“PORTABLE ASPHALT PLANT”** means a temporary asphalt batching plant established for a Provincial or Municipal road project.
- (34) **“BATCHING PLANT, CONCRETE”** means an industrial establishment used for the production of concrete, or concrete products used in building or construction and includes facilities for the administration and management of the business, the stockpiling of bulk materials used in the production process or a finished product manufactured on the premises and the storage and maintenance of required equipment, but does not include the retail sales of finished concrete.
- (35) **“BED AND BREAKFAST ESTABLISHMENT”** means a single detached dwelling in which no more than three rooms are made available by the residents of the said dwelling for the temporary accommodation of travellers in the course of which no assistance is offered by any person not residing in the dwelling. This does not include a hotel, motel, lodging house, or restaurant, as defined herein.
- (36) **“BERM”** means a landscaped mound of earth.

- (37) **"BOARDING HOUSE"** - see "LODGING HOUSE".
- (38) **"BODY RUB"** includes the kneading, manipulation, rubbing, massaging, touching, or stimulating, by any means, of a person's body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario.
- (39) **"BODY RUB PARLOUR"** includes any premises or part thereof where a body rub is performed, offered, or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario.
- (40) **"BODY SHOP"** means an establishment engaged primarily in the repairing or painting of vehicle bodies.
- (41) **"BREWING ON PREMISES ESTABLISHMENT"** means a commercial establishment where individuals produce beer, wine and/or cider, for personal use and consumption off the premises; and where beer, wine and/or cider ingredients and materials are purchased, equipment and storage area is used for a fee by the same individuals.
- (42) **"BUILDER'S YARD/BUILDING OR CONTRACTING ESTABLISHMENT"** means a premises used for the purposes of undertaking or managing activities engaged in maintaining and building new structures, or works, additions or renovations and typically includes the offices of general building contractors, general contractors, specialized trades and building maintenance services such as landscaping services, window cleaning and extermination services. Also included is the prefabrication of building equipment and materials and wrecking and demolition contractors' offices, but does not include salvage yards.
- (43) **"BUILDING"** means any temporary or permanent structure consisting of walls and a roof which is used or intended to be used for the shelter, accommodation or enclosure of persons, animals, or chattels, and includes accessory buildings and structures such as heat pumps or air exchangers, but does not include any vehicle as defined herein; such as a travel trailer, camping trailer, truck camper or motor home; or a fence or wall.
- (44) **"BUILDING BY-LAW"** means any by-law of the Corporation passed pursuant to the *Building Code Act*, as amended from time to time, or any successors thereto.
- (45) **"BUILDING HEIGHT"** - see "HEIGHT".
- (46) **"BUILDING LINE"** means a line representing the location of the wall of a building on a lot situated closest to any street line.

- (47) **"BUILDING LINE, ESTABLISHED"** means the existing street setback of an existing main building on a lot, measured between the centreline of the street adjacent to the said lot and the nearest part of such building, excluding any stoops, sun decks, porches, verandahs, balconies, exterior steps, or architectural adornments.
- (48) **"BUILDING SUPPLY OUTLET"** means an industrial premises used for storage, milling, and wholesale sales of a broad range of building materials and which may include retail operation.
- (49) **"BULK SALES ESTABLISHMENTS"** means the use of land, structure or building for the purposes of buying and selling lumber, wood, building materials, feed, fertilizer, ice, and allied commodities but does not include any manufacturing, assembling or processing.
- (50) **"BUSINESS OFFICE"** - see "OFFICE, BUSINESS".
- (51) **"BY-LAW ENFORCEMENT OFFICER"** means the officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-Law.
- (52) **"CANOPY, WEATHER"** means a permanent unenclosed roof structure erected for the purpose of sheltering motor vehicle fuel pumps and dispenser islands from the weather.
- (53) **"CARPORT"** means a covered structure attached to a wall of a main building and used for the storage of vehicles. The roof of the said structure shall be supported by piers or columns so that 50 percent of its wall area adjacent to the side lot line is unenclosed.
- (54) **"CAR WASH"** means a building or structure containing facilities specifically used or intended to be used for washing vehicles either by production line methods employing mechanical devices or by hand.
- (55) **"CATALOGUE STORE"** means a retail commercial establishment in which orders are accepted for the purchase of goods listed in a catalogue provided by the establishment and in which some or all of the goods so listed may also be available within the establishment for sale at retail.
- (56) **"CATERER'S ESTABLISHMENT"** 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 food service establishment.
- (57) **"CELLAR"** - see "STOREY"
- (58) **"CEMETERY"** means a cemetery as defined in the *Cemeteries Act*.
- (59) **"CENTRELINE, STREET"** means the centreline of the original road allowance, as opposed to the centreline of the travelled roadway, or any widened road allowance.
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- (61) **"CHIEF BUILDING OFFICIAL"** means the officer or employee of the Corporation for the time being charged with the duty of enforcing the provisions of the Zoning By-law of the Corporation.
- (62) **"CINEMA"** means a building or part thereof used for the showing or viewing of motion pictures.
- (63) **"CLINIC"** means a building, or part thereof, intended for the use by any or all of the following: physicians, dentists, denturists, drugless practitioners, opticians, optometrists, chiropractors, their staff and their patients, for the purpose of consultation, diagnosis and office treatment. Without limiting the generality of the foregoing, waiting rooms, treatment rooms, laboratories and dispensaries, directly associated with the clinic. Day surgery and medical treatment may be performed in a clinic; however, no overnight accommodation shall be provided.
- (64) **"CLUB, PRIVATE"** means a building or premises located on privately owned lands, operated on a non-profit basis for social, literary, cultural, political, educational or recreational purposes, primarily for the exclusive use of members and their guests and not open to the general public on an equal basis.
- (65) **"COLLEGE"** - see "SCHOOL".
- (66) **"COMMERCIAL OUTDOOR RECREATION FACILITY"** means an outdoor facility or facilities which may include, but not necessarily be restricted to, a water slide, a commercial outdoor swimming pool, a wave pool, a golf course, miniature golf course, driving range, a baseball batting cage or a paddleboat or bumper-boat pool, but shall not include a go-kart track, a facility for motorized recreational vehicles, an amusement park, a ski club or any other use separately defined or listed herein.
- (67) **"COMMERCIAL PARKING LOT"** means an open area, other than a street, used for the temporary parking of two or more vehicles for profit or gain.
- (68) **"COMMERCIAL RECREATION ESTABLISHMENT"** means the use of land, building or structure for the purposes of buying and selling commercial entertainment or recreation such as bowling, billiards, arcades, miniature golf, water slides, amusement centres, etc. This definition does not include travel trailer parks or campgrounds.
- (69) **"COMMERCIAL SCHOOL"** see "SCHOOL"
- (70) **"COMMERCIAL STORAGE UNIT"** means a building or buildings consisting of individual units with personal vehicular access, used for the storage of goods, wares, merchandise, foodstuffs, substances, articles or things, but does not include a fuel storage tank except as an accessory use.
- (71) **"COMMERCIAL VEHICLE"** - see "VEHICLE".

- (72) **"COMMON OPEN SPACE"** means recreation space provided within or outside a building or buildings for the use of all the residents for recreation or social purposes and is readily accessible by all the residents of such building or buildings.
- (73) **"COMMUNITY CENTRE"** means any tract of land, used for community activities and not used for commercial purposes, and the control of which is vested in the Municipality, a local board or agent thereof.
- (74) **"COMPOSTING FACILITY"** means a facility where the composting of organic materials takes place in long rectangular troughs or channels and applied process controls are used to reduce the time required for composting and to ensure product quality.
- (75) **"COMPOSTING FACILITY, IN-VESSEL"** means a facility where the composting process occurs in either fully or partially enclosed vessels with controls on aeration, temperature and the moisture to expedite the decomposition process.
- (76) **"COMPOSTING FACILITY, WINDROW"** means a facility where organic materials such as leaves and yard waste, shredded woody material and vegetable waste are placed in windrows where they are turned and watered occasionally to facilitate their decomposition.
- (77) **"COMPOSTING FACILITY, YARD WASTE"** means a facility for the composting of yard materials in windrows. Yard materials include garden trimmings, grass, brush and leaves but do not include food waste.
- (78) **"CONSENT"** means the approval to the severance of land pursuant to the provisions of Section 53 of the *Planning Act, 1990*, and as the same may be amended from time to time.
- (79) **"CONSERVATION AUTHORITY"** means the Catfish Creek Conservation Authority or any successors thereto.
- (80) **"CONSERVATION WORKS"** means facilities constructed or works undertaken solely for the purpose of preserving and/or enhancing the natural environment.
- (81) **"CONSTRUCTION AND DEMOLITION RECYCLING FACILITY"** processes non-hazardous materials from construction and demolition projects and other sources including wood, drywall, brick, concrete, asphalt shingles, glass and scrap metals.
- (82) **"CONTINUUM-OF-CARE FACILITY"** means a facility which may include a Senior Citizens Apartment Building, and/or a Nursing Home and may include in association with the Senior Citizens Apartment Building and/or Nursing Home such facilities as hospitals, clinics, retirement lodges, recreation centres, cafeterias and personal service establishment. Nursing Home and/or Retirement Lodge such as hospitals, clinics, recreation centres, cafeterias and personal service establishments and may also include independent Senior's accommodation in separate

- structures/living units that share in services, such as meals, medical care services, or recreation that are provided by the facility.
- (83) **“CONTRACTOR’S YARD”** - see **“BUILDER’S YARD”**.
- (84) **“CONVENIENCE STORE”** means a retail food store, confectionery, delicatessen, grocery store, or groceteria having a gross floor area of 300.0 square metres (3,229 sq. ft.) or less, or as determined by the zone standards, where a variety of both household and grocery items are offered for sale primarily to serve the daily needs of people and may include the rental of videos, an automated banking machine and/or depots for such items as film, laundry or dry cleaning.
- (85) **“CORPORATION”** means the Corporation of the Town of Aylmer.
- (86) **“COUNCIL”** means the Municipal Council of the Corporation of the Town of Aylmer.
- (87) **“COUNTY”** means the Corporation of the County of Elgin.
- (88) **“COUNTY ROAD”** means a street under the jurisdiction of the County.
- (89) **“COVERAGE”** - see **“LOT COVERAGE”**.
- (90) **“CRUSHING PLANT”** means an industrial establishment where aggregate is processed through a crushing and sorting operation into various grades of gravel.
- (91) **“DATA PROCESSING ESTABLISHMENT”** means a building, or part thereof, used for the input, processing and printing of computerized data.
- (92) **“DAY CARE FACILITY”** means a premises that receives more than five 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 hours, when the children are:
- (a) under eighteen years of age in the case of a day care facility for children with a developmental handicap; and
 - (b) under ten years of age in all other cases.
- (93) **“DECK”** means a platform made of wood, concrete or other similar material, that has a height greater than 0.6096 metres above grade, projecting from a building or freestanding, open to the sky, and intended for the purpose of outdoor dining, lounging, and other similar accessory residential uses.
- (94) **“DENSITY”** means the ratio of dwelling units to lot area.

- (95) **"DEPARTMENT STORE"** means a retail store greater than 2000 square metres (21.528 square feet) which offers a wide selection of merchandise in departments including most or all of apparel, housewares, domestic goods, drugs, hardware, automotive supplies, sporting goods, toys, furniture and appliances, and lawn and garden supplies.
- (96) **"DERELICT MOTOR VEHICLE"** means a motor vehicle which is not currently licensed.
- (97) **"DETACHED"** means "not attached".
- (98) **"DEVELOPMENT"** means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot.
- (99) **"DRIVE-THROUGH FACILITY"** means a facility or structure that is designed to allow drivers to remain in their vehicles before and during an activity on the site. Drive-through facilities also include facilities designed for the rapid servicing of vehicles, where the drivers may or may not remain in their vehicles, but where the drivers usually either perform the service for themselves, or wait on the site for the service to be rendered. Drive-through facilities may serve the primary use of the site or may serve accessory uses. Examples are drive-up windows; menu boards; order boards or boxes; gas pump islands; car wash facilities; auto service facilities, such as air compressor, water, and windshield washing stations; quick-lube or quick-oil change facilities.
- (100) **"DRIVEWAY"** means a vehicle access provided between a street or lane and a parking area or a loading space, or between two parking areas, but does not include a parking aisle.
- (101) **"DRIVING RANGE"** means a public or private area operated for the purpose of developing golf techniques, but excluding miniature golf courses and golf courses.
- (102) **"DRY CLEANING AND LAUNDRY DEPOT"** means a building used for the purpose of receiving articles of clothing to be subjected to the process of dry cleaning, dry dyeing or cleaning elsewhere or on the premises if the processing element is restricted to closed, unvented dry cleaning equipment, and for the pressing and/or distribution of any such articles or goods which have been subjected to any such process.
- (103) **"DRY CLEANING AND LAUNDRY PLANT"** means a building where dry cleaning, dry dyeing, cleaning or pressing of articles of clothing is carried on.
- (104) **"DRY CLEANING ESTABLISHMENT"** means a building where dry cleaning, dry dyeing, cleaning or pressing of articles or clothing is carried on, and
- (a) in which only non-inflammable solvents are or can be used which emit no odours or fumes; and

- (b) in which no noise or vibration causes a nuisance or inconvenience within or without the premises.
- (105) **“DUPLICATING SHOP”** means a premises engaged in reproducing drawings, plans, maps or other copy, by computer graphics, blueprinting, photocopying or small offset process.
- (106) **“DWELLING”** means a building, occupied or designated to be occupied exclusively as a home, residence or sleeping place by one (1) or more persons, but shall not include hotels, lodging houses, tourist homes, nursing homes, motels, institutions, or travel trailers.
- (a) **“APARTMENT BUILDING”** means a residential building containing four (4) or more dwelling units to each of which access is obtained through a common entrance or entrances from the outside and through a corridor or hallway from the inside.
- (b) **“APARTMENT BUILDING, SENIOR CITIZENS”** means an apartment building designed for the accommodation of the elderly, which is owned and managed by a public housing authority or non-profit organization or a charitable institution and which may be associated with a place of worship.
- (c) **“APARTMENT BUILDING, SPECIAL NEEDS”** means an apartment building designed for the accommodation and occupancy by elderly and/or physically handicapped persons which is owned and managed by a public housing authority or non-profit organization or a charitable institution, and which may be associated with a place of worship.
- (d) **“CLUSTER HOUSING”** means a group or groups of dwelling units which may be in various forms, and so located on a lot that each dwelling unit may not have legal frontage on a public street or road and more than one dwelling unit may exist on one lot.
- (e) **“CONVERTED DWELLING”** means an existing dwelling constructed as a single, semi-detached, duplex, or triplex dwelling on an existing lot in which the number of dwelling units has been increased without significant alteration to the exterior of the building except for the required fire escapes, extra windows and entrances to a maximum of 10 percent (10%) of the dwelling or 30.0 square metres (323 square feet), whichever is the lesser, and provided that the building, when converted, complies with the provisions of the Building By-Law and the parking provisions of this By-Law.
- (f) **“DUPLEX DWELLING”** means the whole of a dwelling other than a converted dwelling that is initially built or designed to be divided horizontally into two (2) separate dwelling units each of which has an independent entrance either directly from the outside or through a common vestibule.
- (g) **“MULTIPLE DWELLING”** means a dwelling containing more than three (3) dwelling units.

- (h) **"QUADRUPLEX DWELLING"** means the whole of a dwelling that is divided horizontally and/or vertically into four separate dwelling units, each of which has an independent entrance either directly from the outside or through a common entrance.
- (i) **"SEMI-DETACHED DWELLING"** means one of a pair of two (2) attached single dwellings with a common wall dividing the pair of single dwellings vertically, each of which has an independent entrance either directly from the outside or through a common vestibule.
- (j) **"SINGLE DETACHED DWELLING"** means a single dwelling which is free-standing, separate and detached from other main buildings or main structures, including a split level dwelling, but does not include a mobile home.
- (k) **"SINGLE DWELLING"** means a dwelling containing not more than one (1) dwelling unit as the sole main use thereof, with or without uses accessory thereto.
- (l) **"SPLIT LEVEL DWELLING"** means a dwelling in which the first floor above the finished grade is so constructed as to create two (2) or more different levels, the vertical distance between such levels being always less than the full storey. For the purpose of this By-Law, a split level dwelling house shall be considered as a one (1) storey dwelling house.
- (m) **"STACKED TOWNHOUSE"** means a building designed to contain three (3) or more dwelling units attached side by side, two (2) units high, with each dwelling unit having an independent entrance at grade level, which entrance may be from a vestibule used jointly by two (2) units, and a private open space area. An upper unit may utilize a portion of the roof of a lower unit in the provision of a private open space area.
- (n) **"STREET TOWNHOUSE"** means a townhouse with each unit on a separate lot and having legal frontage on a public street.
- (o) **"TOWNHOUSE"** means a building divided vertically into three (3) or more attached dwelling units by common walls extending from the base of the foundation to the roof line, each dwelling unit having a separate entrance at grade, and so located on a lot that individual units may not have legal frontage on a public street.
- (p) **"TRIPLEX DWELLING"** means the whole of a dwelling that is divided horizontally and/or vertically into three (3) separate dwelling units each of which has an independent entrance either directly from the outside or through a common entrance.
- (107) **"DWELLING UNIT"** means a single room or a series of rooms of complementary use which is located in a building, in which food preparation, eating, living, sleeping and sanitary facilities are provided for the exclusive use of the occupants thereof, which has a private entrance directly from outside the building or from a common hallway inside the building, in which all occupants have access to all of the habitable areas and facilities of the unit, and which is occupied and used

- or capable of being occupied and used as a single and independent housekeeping establishment. A dwelling unit shall contain no more than five bedrooms.
- (108) **"DWELLING UNIT AREA"** - see "FLOOR AREA".
- (109) **"EASEMENT"** shall have the meaning attributed to it in the definition of Right-of-Way.
- (110) **"ELECTRICAL AND ELECTRONIC PRODUCTS INDUSTRY"** means an industry involved in the production of appliances, lighting products, audio and video recording, receiving, sending and playing products, communications products, business machine products, electrical transformers and switches, energy, wire and cable products, but shall not include electrical generation equipment or battery products.
- (111) **"EMERGENCY CARE ESTABLISHMENT"** means an institutional use that provides a means of immediate, temporary accommodation and assistance for a short-term period, generally less than six (6) weeks for the majority of the residents. "emergency care establishments" are distinct from "group homes" in that the former has a shorter length of stay, and that their capacity usually exceeds eight (8) residents (excluding staff or the receiving family).
- (112) **"EMISSION"** means any corrosive gasses, dust, fly ash, electromagnetic fields, heat, glare, odours, smoke, toxic gasses or radiation issuing from a building, structure or lot.
- (113) **"ERECT"** means to do anything in the erection, building, construction, reconstruction, installation, enlargement, extension, material or structural alteration or repair of a building or structure and shall include any preliminary physical operations such as excavating, grading, piling, cribbing, filling or draining, the relocation of a building or structure, the installation of a building unit fabricated or removed from elsewhere, and the demolition or removal of a building or any part thereof and further includes any work for which a building permit is required under the Building By-Law of the Corporation.
- "ERECTED"** and **"ERECTION"** have corresponding meanings.
- (114) **"EXISTING"**, means legally existing as of the date of the passing of the By-Law.
- (115) **"FACTORY OUTLET"** means a building or part thereof accessory to, and clearly secondary to, an industrial use or a service trade, wherein products manufactured, produced, processed or stored on the premises are kept or displayed for wholesale or retail sale, or wherein orders are taken for the delivery of such products.
- (116) **"FINANCIAL INSTITUTION"** means an establishment which provides money management services directly to the public, including a bank, trust company, credit union, securities dealer, finance companies and stock brokers, but not including the internal offices or administrative offices which shall be considered to be offices for the purposes of this By-Law.

- (117) **"FLOOD FRINGE"** means those lands being part of the floodplain which delineate the area beyond the floodway which includes the remaining lands susceptible to the Regulatory Flood.
- (118) **"FLOODPLAIN"** means the area adjacent to a river or stream which is within the area defined by the Regulatory Flood as defined by the Conservation Authority having jurisdiction, being the Catfish Creek Conservation Authority, in accordance with the *Conservation Authorities Act*, R.S.O. 1990, as amended from time to time.
- (119) **"FLOODWAY"** means those lands being part of the floodplain which is delineated by a 1:100 year storm defined by the Conservation Authority having jurisdiction, being the Catfish Creek Conservation Authority, in accordance with the *Conservation Authorities Act*, R.S.O. 1990, as amended from time to time.
- (120) **"FLOOR AREA"** means the area of the floor surface of a storey or part thereof.
- (a) **"DWELLING UNIT AREA"** means the aggregate of the floor areas of all habitable rooms, hallways, and lobbies within a dwelling unit, excluding the thickness of any exterior walls.
- (b) **"GROSS FLOOR AREA"** means the aggregate of the floor areas of all storeys of a building or structure, other than an attic or a cellar, excluding the floor areas of any private garage.
- (c) **"GROSS LEASABLE"** means the total area of a building for which tenants pay rent and have exclusive occupancy, measured from the centreline of partition walls and the exterior face of outside walls, and includes all such floor area on a main floor, mezzanine and upper storey and in a basement, but does not include any floor area used in common by the tenants of the building such as a mall, aisle or hallway, elevator shaft or lobby, stairwell, any washroom, boiler room, maintenance room, mechanical or electrical or utility room, and any automobile parking facilities provided within the building.
- (d) **"GROSS RESIDENTIAL"** means the aggregate of the area of all floors in a residential building, whether at, above or below grade, measured from the exterior faces of the exterior walls, or from the centre line of the common wall separating two buildings, and including the basement floor area where the basement ceiling height is 1.95 metres (6 ft. 5 in.) and has access to it with a ceiling height of 1.95 metres (6 ft. 5 in.), but excluding any open porch/verandah and unfinished attic, and area used for a private garage, parking and loading.
- (e) **"NET FLOOR AREA"** means that portion of the gross floor area of a building which is used exclusively for a non-residential use defined herein or specifically named elsewhere in this By-Law, but excluding:

- (i) any part of such building used for any other non-residential uses which are defined herein or specifically named elsewhere in this By-Law;
 - (ii) any part of such building used as a dwelling unit, a public concourse, an elevator shaft, or a common hallway or stairway not used exclusively by the said non-residential use;
 - (iii) any part of such building used solely for the storage of electrical equipment or of equipment to heat, cool or otherwise control the environment of such building or a portion thereof;
 - (iv) any part of such building used as a lavatory, a washroom, a locker room or a cloak room; and
 - (v) the thickness of any exterior walls of such building.
- (121) **"FLORIST SHOP"** means a retail store devoted to the sale of flowers, indoor plants and arrangements thereof.
- (122) **"FOOD PROCESSING PLANT"** means a building or part thereof, other than a restaurant or catering establishment in which agricultural products are prepared, processed, preserved, graded or stored for eventual human consumption, and includes a flour mill, a dairy, a bakery, a grain elevator or an egg grading station, but does not include an abattoir or any premises used for the slaughtering of animals or the boiling of blood, tripe or bones.
- (123) **"FOOD, TOBACCO AND BEVERAGE PROCESSING INDUSTRY"** means a building or part thereof used for the processing of meat and poultry products; fish products; fruit and vegetable products; dairy products; flour, prepared cereal food and feed products; vegetable oil mills; bakery products; sugar products; soft drink products; tobacco products; and distillery, brewery and winery products.
- (124) **"FORESTRY USE"** means the general raising and harvesting of wood, and without limiting the generality of the foregoing, includes the raising and cutting of fuel wood, pulp wood, lumber, Christmas trees, and other forest products produced on the same lot.
- (125) **"FRONTAGE"** - see "LOT FRONTAGE".
- (126) **"FRONT YARD"** - see "YARD".
- (127) **"FUEL PUMP ISLAND"** means that portion of an automobile service station, public garage or portion of a non-residential use for the retail sale of automotive fuels, which includes the fuel pumps, concrete base, overhead canopy and kiosk, but shall not include any part of any building for the repair or service of vehicles.

- (128) **"FUEL STORAGE DEPOT/SUPPLY YARD"** means the use of land, buildings and structures or portion thereof, wherein fuels such as gasoline, propane, natural gas, oil, kerosene, diesel fuel, wood products, and coal, are stored or kept for wholesale or distribution and resale but does not include retail sales.
- (129) **"FUEL STORAGE TANK"** means a tank for the bulk storage of petroleum gasoline, fuel oil, gas or inflammable liquid or fluid but does not include a container for inflammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises where such tank is located.
- (130) **"FUNERAL HOME"** means a building or part thereof wherein a licensed undertaker prepares corpses for interment and may include a chapel for funeral services.
- (131) **"GARAGE, PRIVATE"** means an accessory building or structure, or a portion of a building, which is used or intended to be used for the sheltering of vehicles and in which there are no facilities for repairing or servicing such vehicles for gain or profit, and includes a partially enclosed carport.
- (a) **"GARAGE, MUTUAL"** means a private garage which:
- (i) contains sufficient space for the parking of not less than two (2) vehicles;
 - (ii) is situated astride a common side lot line between two (2) adjacent lots; and
 - (iii) is accessory to a main use on each of such lots.
- (b) **"GARAGE, PUBLIC"** means a building or structure other than a private garage which is used for the care, repair or equipping of motor vehicles, or where such vehicles are parked or stored for remuneration, hire or sale.
- (132) **"GARDEN CENTRE"** means a lot, building or structure or part thereof, used for the wholesale and retail sale of trees, shrubs, plants, soil, landscaping supplies, fertilizers and similar materials and may include an associated landscape contracting business.
- (133) **"GARDEN SUITE"** (also known as granny flats) means a small, separate, portable, self-contained dwelling containing one dwelling unit which is ancillary to an existing dwelling. They are designed to be located in the side or rear yard of an existing "host" single detached or farm dwelling and are intended to be occupied by the elderly relative(s) of the host family. When no longer required, these units are intended to be removed and relocated to serve a similar function for another family.
- (134) **"GAS BAR"** means one or more fuel pumps for the sale of motor fuels and related products for motor vehicles, together with the necessary pump islands, light standards, kiosk, concrete aprons, canopy, storage tanks, and related facilities required for the dispensing of fuel and

- which may include the sale of associated sundry items, tobacco and snack foods, provided the gross floor area devoted to the sale of these items does not exceed 30 square metres (323 square feet) but does not include the provision of mechanical services to vehicles.
- (135) **“GENERAL MANUFACTURING”** means the use of land, building or structure designed for the purpose of manufacturing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing, or storing or adapting for sale of any goods, substance, article or thing, including the storage of building and construction equipment and materials, but not including any noxious industry, mine, pit, quarry, or oil well.
- (136) **“GENERAL OFFICE”** means any building or part of a building in which one (1) or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization, but excludes such uses as retail sale, manufacture, assembly or storage of goods, or places of assembly and amusement.
- (137) **“GOLF COURSE”** means a public or private area operated for the purpose of playing golf including a par three (3) golf course, driving range but does not include driving ranges, miniature courses and similar uses operated for commercial purposes.
- (138) **“GRADE or GRADE AVERAGE FINISHED”** means the average level of finished ground adjoining a building or structure at all exterior walls, as determined by the Chief Building Official.
- (139) **“GRADE LEVEL”** means the level of any lots, measured above sea level according to Geodetic Datum, 15.24 centimetres (6 inches) above the normal crown level of the road, measured above sea level according to Geodetic Datum, upon which the lot abuts. Where a lot abuts on two (2) or more streets, the grade level shall be the mean of the grade levels calculated with reference to the different streets. If the natural level of the ground is higher than as above stipulated, then the average natural level of the ground shall be taken as the grade level.
- (140) **“GRAIN ELEVATOR”** shall mean a building or structure used for the storage and transshipment of grain.
- (141) **“GREENHOUSE, COMMERCIAL”** means a building used for the growing of flowers, fruits, vegetables, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such greenhouse, but are sold directly from the lot either at wholesale or retail.
- (142) **GROUP HOME**
- (a) **“GROUP HOME TYPE 1”** means a residence licensed, supervised, approved, or funded under a federal or provincial statute for the accommodation of three (3) to eight (8) persons, excluding staff or the receiving family, living under responsible supervision and who, by reason of their intellectual, mental health, social or physical condition or legal status, require a group living environment for their well being. A Group Home Type 1

may not include children or youth on probation under provincial or federal statute, an Emergency Care Establishment or a Group Home Type 2, as defined in this By-Law. The minimum floor area for a Group Home Type 1 shall be 18.5 square metres per person residing within the unit.

- (b) **“GROUP HOME TYPE 2”** means a residence licensed, supervised, approved or funded under a federal or provincial statute for the accommodation of up to eight (8) persons, excluding staff, that is maintained and operated primarily for: persons who have been placed on probation or released on parole under provincial or federal statute; or, youth who have been charged under provincial or federal statute and who have been placed in detention or custody. The minimum floor area for a Group Home Type 2 shall be 18.5 square metres per person residing within the unit.

(143) HABITABLE ROOM

- (a) **“HABITABLE ROOM”** means a room which:
- (i) is located within a dwelling unit;
 - (ii) is designed for living, sleeping or eating or for sanitary purposes;
 - (iii) can be used at all times throughout the year; and
 - (iv) is not located within a cellar.

but does not include any non-habitable room.

- (b) **“NON-HABITABLE ROOM”** means any room located within a dwelling unit but that is not a habitable room, including, but not so as to limit the generality of the foregoing, a laundry room, a pantry, a lobby, a communicating corridor, a stairway, a closet, a sunroom, a verandah, a porch, a balcony, a private garage, an unfinished attic, a cellar, a boiler room and any space used for the service and maintenance of such dwelling or for vertical travel between storeys.

(144) “HEIGHT” or “BUILDING HEIGHT”, when used in reference to a building or structure, means the vertical distance between the horizontal plane through the average finished grade and a horizontal plane through:

- (a) the highest point of the roof assembly in the case of a building with a flat roof or deck roof or in the case of an accessory structure;
- (b) the average level of a one (1) slope roof, provided that a roof having a slope of less than twenty (20) degrees with the horizontal shall be considered a flat roof;
- (c) the roof deck line, in the case of a mansard roof;

- (d) the average level between eaves and ridges in the case of a roof type not mentioned in subsections (a), (b) and (c) immediately preceding
- (e) where an exterior wall extends above the top of the roof of a building, the topmost part of such exterior wall.
- (145) **"HERITAGE BUILDING"** means a building designated under Part IV of the *Ontario Heritage Act*.
- (146) **"HIGHWAY", "STREET" or "ROAD"** means a public way for purposes of vehicular and pedestrian travel, including the entire area within the right-of-way, with or without provision made for curbs, sidewalks, and paved gutters, and owned or maintained by a public authority.
- (147) **"HOME AND AUTO SUPPLY STORE"** means a retail store devoted to the sale of merchandise for the home and automobile including such goods as paint, hardware, electrical, plumbing, housewares, home appliances, sporting goods, lawn and garden supplies, and automobile supplies.
- (148) **"HOME APPLIANCE STORE"** means a retail store devoted to the sale of household equipment such as major and small appliances, electronic devices, computers, and audio or visual equipment.
- (149) **"HOME DECORATING STORE"** means a retail store devoted to the sale of goods and materials required for decorating the interior of a home or office, including floor, wall and window coverings, lighting fixtures, bathroom and kitchen fixtures and accessories.
- (150) **"HOME FURNISHINGS STORE"** means a retail store devoted to the sale of movable contents of a room, home or office. Such goods may include furniture, light fixtures, clocks, organs or pianos, carpet and indoor window coverings.
- (151) **"HOME IMPROVEMENT STORE"** means a retail store devoted to the sale of goods or materials associated with the furnishing and decorating of a home and includes a home decorating store, a home furnishing store or a home appliance store.
- (152) **"HOME OCCUPATION"** means the use of part of a dwelling unit for an occupation which provides gain or support, for at least one (1) of the permanent residents of such dwelling unit and which is clearly secondary to the main use of the dwelling unit as a private residence. Also included as home occupations are Ministry licensed home child care establishments that, for remuneration, provide temporary care to not more than five (5) children.
- (153) **"HOSPITAL"** means a hospital as defined in the *Private Hospitals Act*, as amended from time to time, or a sanitarium as defined in the *Private Sanitaria Act*, as amended from time to time, or a hospital as defined by the *Public Hospitals Act*, as amended from time to time.

- (154) **"HOTEL"** means any hotel, motel, tavern, inn, lounge, lodge, or public house in one (1) main building or in two (2) or more connected or adjacent buildings designed and used mainly for the purposes of catering to the needs of the travelling public by supplying food, refreshments or both and furnishing sleeping accommodation of not less than six (6) guest rooms, each having no facilities for cooking or housekeeping, and provided that each guest room may only be entered from the interior of the building. A "Hotel" does not include a lodging house, multiple family dwelling or apartment hotels.
- (155) **"HOUSEHOLD SALE/GARAGE SALE"** means the sale by an occupant of a dwelling unit, on his own premises, of household goods belonging to him.
- (156) **"HOUSEHOLD PET"** means a domestic animal that by nature of its temperament or appearance is taken into the care of one (1) or more persons for the purpose of personal enjoyment or protection which normally spends time in the dwelling unit of the owner at least once each day, and shall include specifically, caged birds, caged rodents or rabbits, cats, dogs, tropical fish, and non-poisonous indigenous reptiles.
- (157) **"IMPOUNDING YARD"** means a place to which disabled motor vehicles, and motor vehicles or other mobile equipment impounded for a breach of the law, may be taken or towed and stored temporarily until reclaimed, but does not include an automobile service station, gas bar, or salvage yard.
- (158) **"INCINERATION"** means the controlled burning of solid waste for the purpose of waste destruction and/or achieving volume and weight reduction or to change waste characteristics.
- (159) **"INDIVIDUAL SANITARY FACILITIES"** means an autonomous, individual on-site wastewater treatment/ sewage disposal system, that is owned, operated and managed by the owner of the property upon which the system is located, which may include tile beds, holding tanks, or any other component of a private sewage disposal system.
- (160) **"INDUSTRIAL MALL"** means a building or group of buildings held in single ownership or by participants in a condominium corporation or cooperative, and divided into units for separate occupancy by different industrial uses for which common loading and parking facilities and other common services may or may not be provided.
- (161) **"INDUSTRIAL USE"** means the use of any land, building or structure for the purpose of manufacturing, processing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing, storing or adapting for sale, 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 supplying of personal services. Transport terminals would also be considered as an industrial use.

- (162) **"INDUSTRIAL USE, NON-EFFLUENT PRODUCING"** means an industrial use which either does not discharge waste water or discharged waste water from one or more of the following sources only:
- (a) sanitary sewage from employee washrooms;
 - (b) storm water drainage;
 - (c) water used for indirect cooling of equipment and ancillary purposes.
- (163) **"INSTITUTIONAL"** means any land, building or part thereof used for a non-commercial purpose by any organization, government agency or group, for charitable, education or benevolent objectives but excluding a private club, mental hospital or any place of detention or correction.
- (164) **"INTERIOR SIDE YARD"** - see "YARD".
- (165) **"KENNEL"** means any lot, building or structure, on or within which three or more domesticated animals are housed, groomed, bred, boarded, trained or sold and which may offer provisions for minor medical treatment.
- (166) **"LABORATORY, MEDICAL/DENTAL"** means a building, or part thereof, used for medical and/or dental testing, medical and/or dental experimentation and medical and/or dental research.
- (167) **"LABORATORY, PATIENT TESTING CENTRE"** means a building, or part thereof, used for medical and/or dental testing (i.e. blood tests, x-rays) and specimen depots.
- (168) **"LABORATORY, SCIENTIFIC OR RESEARCH AND DEVELOPMENT"** means a building or part thereof, used for scientific and/or product development testing, experimentation and/or research.
- (169) **"LANDFILLING"** includes the disposal of waste by deposit, under controlled conditions, on land and includes compaction of waste into a cell and covering the waste with cover material at regular intervals.
- (170) **"LANDING STRIP"** shall mean a strip of ground used or capable of being used for the landing and take-off of aircraft.
- (171) **"LANDSCAPED OPEN SPACE"** means an open area of land which is:
- (a) unoccupied by any building or structure;
 - (b) situated at ground level on a lot; and
 - (c) used or intended to be used for the growth and maintenance of grass, flowers, shrubs, bushes, trees and other vegetation, and for the provision of other landscaping features

including, but not necessarily restricted to, planting strips, facilities for outdoor recreation, play areas, surfaced walks and patios;

but does not include any part of a driveway or parking area, regardless of surface composition, or any roof-top terrace, balcony, or space enclosed within a building.

- (172) **"LANDSCAPE SUPPLY OUTLET"** means the use of land, buildings or structures or part thereof where soil and other similar landscape materials are offered for sale on a retail or wholesale basis.
- (173) **"LANE"** means a walkway, emergency access or any other passageway or right-of-way, open from ground to sky, not constituting a street but laid down upon a registered plan and dedicated to public use, as a right-of-way for use in common by adjacent landowners.
- (174) **"LAUNDROMAT"** means a self-serve clothes washing establishment containing one (1) or more washing and drying, ironing, finishing or other incidental equipment.
- (175) **"LEACHATE PRE-TREATMENT / HAULED LIQUID WASTE FACILITY"** means a leachate pre-treatment / hauled liquid waste facility pre-treats leachate from landfill operations and septage brought to the site from area haulers before pumping it through a forcemain to the Municipality's existing sewer system. This facility will better manage leachate levels, provide pre-treatment of landfill leachate and hauled liquid waste to levels consistent with the Sewage/Waste Discharge By-law and establish a dedicated hauled liquid waste receiving station for residents, businesses and Institutions who are not serviced with sanitary sewers.
- (176) **"LEATHER AND FUR PROCESSING INDUSTRY"** means a building or part thereof used for the preparation of animal hides for use in the manufacture of products using leather or fur but excluding the tanning of hides or rendering of animal parts.
- (177) **"LEGAL"** or **"LAWFUL"**, when used in reference to a use, a lot, a building or a structure, means a use, a lot, a building or a structure allowed by law, which complies with any and all restrictions lawfully imposed by the Corporation or by any governmental authority having jurisdiction to make such restrictions or regulations.
- (178) **"LEGAL SIGN"** - see **"SIGN"**.
- (179) **"LIBRARY, PUBLIC"** means a library, branch library or distributing station under the *Public Libraries Act*, as amended from time to time, or any successor thereto.
- (180) **"LOADING SPACE"** means an off-street space or berth located on the same lot as a permitted use and used for the parking of a commercial vehicle, loading or unloading merchandise or materials pertinent to such permitted use.

(181) "LODGING HOUSE" means:

- (a) a building in which residential accommodation is provided or is intended to be provided for hire or gain in which each lodger does not have access to all the habitable areas of the building, consisting of:
 - (i) a dwelling unit, together with more than three (3) lodging units which lodging units individually or collectively do not constitute separate dwelling units; or
 - (ii) more than three (3) lodging units, which lodging units individually or collectively do not constitute a dwelling unit; or
- (b) a building in which lodging is provided for more than three (3) persons, with or without meals.

In no case shall a lodging house be for more than ten (10) persons exclusive of staff or the proprietor's family.

A lodging house shall include a rooming house, a boarding house, a fraternity and sorority house, but shall not include a hotel, motel, hostel, hospital or nursing home if licensed, approved or supervised under any general or special act other than the *Municipal Act*, or a residence of an educational institution.

(182) "LOT" means a parcel or tract of land which:

- (a) is a whole lot or block as shown on a registered plan of subdivision but a registered plan of subdivision for the purposes of this paragraph does not include a registered plan of subdivision deemed not to be a plan of subdivision under a by-law passed pursuant to Section 49 of the *Planning Act*, as amended from time to time; or
- (b) fronts an open street within the corporation of the Town of Aylmer and is a separate parcel of land without any adjoining lands being owned by the same owner or owners as at the date of the passing of this By-Law; or
- (c) the description of which is the same as in a Deed which has been given consent pursuant to Section 52 of the *Planning Act*, as amended from time to time; or
- (d) For the purpose of this definition, 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 had been conveyed to or acquired by the Municipality, Her Majesty in Right of Ontario, or Her Majesty in Right of Canada.

(183) "LOT AREA" means the total horizontal area within the lot lines of a lot.

(184) "LOT, CORNER" means:

- (a) a lot situated at the intersection of two or more streets, or a lot abutting on one or more parts of the same street, in which an interior angle of less than 135 degrees is contained, between the front and side lot lines abutted by the said street or streets; or
- (b) a lot located on the curve of a street where the angle of intersection of the projection of the tangents of the street line does not exceed 135 degrees and for which the corner of the lot shall be deemed to be the centre point of that part of the arc of the street line upon which the lot abuts.

(185) "LOT COVERAGE" means that percentage of the area of a lot covered by the perpendicular projections onto a horizontal plane of the floor areas of all buildings or mobile homes on the lot, excluding balconies, canopies and overhanging eaves which are 2 metres (6.56 feet) or more in height above finished grade.

(186) "LOT DEPTH" means:

- (a) the shortest horizontal distance between the rear lot line and the front lot line of a lot, where such lot lines are parallel;
- (b) the average horizontal distance between the rear lot line and the mid-point of the front lot line of a lot, where such lot lines are not parallel; or
- (c) the horizontal distance between the mid-point of the front lot line and the point of intersection of the side lot lines of a lot, where there is not rear lot line.

(187) "LOT FRONTAGE" means the horizontal distance between the side lot lines measured along the front lot line but where the front lot line is not a straight line, or where the side lot lines are not parallel, the frontage is to be measured by a line 6 m (19.7 ft.) back from and parallel to the chord of the frontage and for the purpose of this paragraph, the chord of the frontage is a straight line joining the two points where the side lot lines intersect the front lot line.

(188) "LOT - INTERIOR" means a lot other than a corner lot.

(189) "LOT LINE" means any boundary of a lot or the vertical projection thereof.

- (a) **"FRONT LOT LINE"** means the lot line that abuts the street, but
 - (i) in the case of a corner lot or through lot, the shorter lot line that abuts a street shall be deemed to be the front lot line and the longer lot line that abuts a street shall be deemed to be the side lot line or the rear lot line, as the case may be; but
 - (ii) in the case of a corner lot or through lot with two lot lines of equal length abutting streets, the lot line that abuts the wider street shall be deemed to be the front lot

line, but where the streets are of equal width, the lot line which abuts a County Road or Provincial Highway shall be deemed to be the front lot line, and in the case of both streets being under the same jurisdiction and of the same width, the owner of such lot may designate which street line shall be the front lot line; or

- (iii) where lot frontage on an arterial is required by the By-Law, the lot line which abuts the arterial shall be interpreted as being the front lot line regardless of whether it is the longer lot line.
 - (b) **"REAR LOT LINE"** means, in the case of a lot having four (4) or more lot lines, the lot line farthest from and opposite to the front lot line, except that where a lot has only three (3) lot lines there shall be deemed to be no rear lot line.
 - (c) **"SIDE LOT LINE"** means a lot line other than a front or rear lot line.
 - (d) **"EXTERIOR SIDE LOT LINE"** means a side lot line that is also a street line.
 - (e) **"INTERIOR SIDE LOT LINE"** means a side lot line other than exterior side lot line.
 - (f) **"INTERIOR LOT LINE"** means a lot line other than a street line.
- (190) **"LOT OR RECORD"** means a lot that legally exists at the date of passing of this by-law.
- (191) **"LOT - THROUGH"** means a lot bounded on two (2) sides by a street; provided, however that if any lot qualifies as being both a corner lot and a through lot, such lot shall be conclusively deemed to be corner lot.
- (192) **"M²"** means square metres.
- (193) **"MACHINE SHOP"** - See **"SERVICE SHOP"**.
- (194) **"MAIN"**, when used to describe a use, a building or a structure, means a use or structure which constitutes, or a building in which is conducted, a principal use of the lot on which such use, building or structure is located.
- (195) **"MAIN WALL"** means 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.
- (196) **"MATERIAL RECOVERY FACILITY"** means a facility in which solid non-hazardous recyclable material is received collected, sorted, and/or processed for the purpose of marketing the material for use as raw material in the manufacturing process of new, reused or reconstituted products.
- (197) **"MANSE"** means a dwelling accessory to a place of worship.

- (198) **"MANUFACTURING AND ASSEMBLY INDUSTRY"** means a building or part thereof used for a broad range of manufacturing, fabricating and assembly industries, and includes household waste recycling depots, but excludes paper and allied products industries, food, tobacco and beverage processing, processed goods, armaments, munitions and explosives manufacturing industries, and any noxious use. Noxious uses are such uses are listed under Section 3(24) of the General Provisions Section of this By-Law.
- (199) **"MARKET GARDEN"** means the land used for the growing of vegetables, berry fruit crops, flowers and mushrooms, nurseries and nursery sales stations and greenhouses.
- (200) **"MEDICAL/DENTAL OFFICES"** - See "OFFICES, MEDICAL/DENTAL".
- (201) **"MERCHANDISE SERVICE SHOP"** means a building or part thereof wherein articles or goods, other than vehicles or industrial toolage, are repaired or serviced, or where replacement parts for such articles or goods are offered for sale or a depot to collect, ship and receive such articles to be repaired or renewed.
- (202) **"MINIATURE GOLF COURSE"** means an area of land or a building, structure or premises or part thereof, operated for profit or gain as a commercial place of amusement in which facilities are provided to simulate the game of golf or any aspect of the game on a small scale, but does not include a driving range.
- (203) **"MIXED USE DEVELOPMENT"** means a development project containing both commercial and residential floor space conceived and designed as a single environment owned and managed as a unit, providing common on-site parking, open space, access and other shared facilities and which may be held in single ownership or by participants in a condominium cooperative, and in which both commercial and residential amenities are provided.
- (204) **"MOBILE HOME"** means any dwelling that is designed to be made mobile, regardless of whether the running gear has been removed, and constructed or manufactured to provide a permanent residence for one (1) or more persons, but does not include a travel trailer or tent trailer or trailer otherwise defined or a recreational vehicle.
- (205) **"MOBILE HOME LOT"** means a parcel of land within a mobile home park which is used as the site of, and pertains to, not more than one (1) mobile home.
- (206) **"MOBILE HOME PARK"** means a parcel of land containing two (2) or more mobile home lots, with or without any buildings, structures or uses accessory thereto.
- (207) **"MODEL HOME"** means a dwelling which is not occupied for human habitation but is used for the purpose of display to the public and where a portion of this dwelling may be used as a sales office for the dwelling units to be constructed on lots within a plan of subdivision.

- (208) **"MONASTERY"** shall mean a dwelling occupied in common by persons under religious vows of seclusion.
- (209) **"MOTEL"** means a building, a part of a building or a group of buildings used for the purpose of providing accommodation, with or without food or other refreshments, to the travelling public, including, but not so as to limit the generality of the foregoing, a motor court, auto court, motor hotel, tourist home and any hotel as defined in the *Hotel Registration of Guest Act*, as amended from time to time, or any successors thereto.
- (210) **"MOTOR HOME"** means a self-propelled vehicle designed for temporary living, sleeping and eating accommodation of persons and includes a camper pickup and camper van.
- (211) **"MOTOR VEHICLE"** means a wheeled, self-propelling vehicle for the transportation of passengers or goods or both passengers and goods, and without limiting the generality of the foregoing, includes automobiles, trucks, buses, ambulances, hearses, motor homes, and tractors and other self-propelled farm machinery.
- (212) **"MOTOR VEHICLE, COMMERCIAL"** means a motor vehicle as defined above that is used for commercial, industrial or any other non-private purposes.
- (213) **"MOTOR VEHICLE SERVICE AND REPAIR"** means the carrying on of minor servicing or repair of a motor vehicle including, but not limited to: battery replacement, incidental small part changes, tire repair, brake servicing, oil changes, lubrication, engine tune-ups, detailing, cleaning and other similar activities. Auto body repair, painting of vehicles, activities that create noise, storage or deposit of derelict vehicles or parts thereof are not permitted. For the purpose of this definition, motor vehicle shall include passenger vehicles such as automobiles, motorcycles, vans, and trucks but does not include commercial vehicles such as but not limited to taxis, limousines, motorized construction equipment, farm equipment, truck bodies, truck tractors or tractor trailers.
- (214) **"MUNICIPAL DRAIN"** means drainage works constructed and maintained under the provisions of the *Drainage Act*, as amended from time to time.
- (215) **"MUNICIPAL SERVICES"** means such services as curbs, gutters, sidewalks, pavement and roadworks, sewage and drainage systems, pumping stations, sewage treatment plants, private drain connections, watermains, service pipes, electrical services or streetlights, designed to service or capable of servicing a lot.
- (216) **"MUNICIPAL WASTE DISPOSAL FACILITY"** means a facility for final disposal and includes landfills, solid waste incinerator and waste to energy facilities, including the flaring of landfill gas.
- (217) **"MUNICIPALITY"** means The Corporation of the Town of Aylmer.

- (218) **"MUTUAL DRIVEWAY"** means an ingress or egress that is common to two (2) or more owners of abutting lands as a right-of-way registered against the title of the land.
- (219) **"NEIGHBOURHOOD PARKING STATION"** means a place, building or depot used for the temporary storage of motor vehicles between trips and designed primarily to accommodate those vehicles which may not conveniently or legally be parked or stored elsewhere.
- (220) **"NON-COMPLYING"** means a lot, building, or structure which is existing but does not meet, comply or agree with the regulations of this By-law. **"NON-CONFORMING"** means a use which is existing but not permitted in the zone in which the said use is situated.
- (221) **"NON-CONFORMING"** means a use, building, structure or any part thereof which was lawfully occupied and/or existed at the date of passing of this By-Law, which does not conform or comply with the permitted uses and/or regulations of the zone in which it is now located.
- (222) **"NOXIOUS 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, vibration or refuse matter.
- (223) **"NURSERY AND GARDEN STORE"** means the use of land, buildings or structures, or part thereof, where trees, shrubs or plants are grown or stored for the purpose of transplanting for use as stocks for building or grafting or for the purpose of retail or wholesale.
- (224) **"NURSING HOME"** means a building wherein lodging, meals, personal care, nursing services, and medical care and treatment may be provided for gain or profit or as a charitable public service and includes a rest home or a convalescent home, but does not include a hotel, motel or hospital as defined herein.
- (225) **"OFFICE, GENERAL"** means a building or part of a building or any room or suite of rooms designed, intended or used for the conduct of a profession, occupation or business, but shall not include the office of a veterinarian, the retailing of merchandise, the manufacturing, repairing or storage of goods or any assembly hall or place of amusement.
- (226) **"OFFICE, BUSINESS"** means a building or part thereof in which the administrative functions of agencies, foundations, brokers, labour or fraternal organizations are carried out and includes a service office, but does not include medical/dental offices, professional offices, support offices, financial or general offices, unless specified as permitted within this definition.
- (227) **"OFFICE, MEDICAL/DENTAL"** means an office or offices in which the practice of the professions of medicine, psychiatry, dentistry or optometry is carried on or in which the treatment by osteopathy or chiropractic is carried out.
- (228) **"OFFICE, CHARITABLE ORGANIZATION"** means a building or part thereof in which the administrative functions of a registered charitable organization are carried out as the primary

- function, including but not limited to such uses as design, printing, assembly and distribution of information materials related to the use, customer service and data processing related to the use, warehousing/storage of supplies related to the use, and training and conference facilities and public education programs related to the use.
- (229) **“OFFICE, PROFESSIONAL”** means a building or part thereof in which a legal or other personal professional service is performed or consultation given, includes the offices of a lawyer, a planner, an architect, a surveyor, an engineer or a chartered accountant, but does not include a personal service establishment, a medical/dental office, a clinic, an veterinarian’s clinic, a body-rub parlour or any adult entertainment parlour as defined in the *Municipal Act*, as amended.
- (230) **“OFFICE, SERVICE”** means a building, or part thereof, in which one (1) or more persons is employed in the management, direction or conducting of a travel agency, an insurance agency, or a real estate agency.
- (231) **“OFFICE, STORE AND BUSINESS ELECTRONIC PRODUCTS INDUSTRY”** means a building or part thereof used for manufacturing, fabricating and assembly of office machines such as typewriters, electronic computing equipment, calculating and accounting machines, scales and balances, and components accessory thereto.
- (232) **“OFFICE SUPPLY OUTLET”** means a retail store devoted to wholesale and retail sale of office supplies and school supplies, such as paper products, information processing supplies, files and furniture.
- (233) **“OPEN SPACE, COMMON”** means an outdoor space within a development, at grade level or otherwise, which is designed and intended for the common use or enjoyment of the occupants or users of the development, and may include a terrace, tot lot, swimming pool, garden, games area, sitting area or other similar facility or area, and landscaped open space areas having no dimension less than three metres.
- (234) **“OPEN STORAGE”** means the storage of goods and materials, or the display and sale of goods and materials, including vehicles for hire or sale, outside a building as defined herein.
- (235) **“OPEN STORAGE AREA”** means an area of land used for open storage purposes.
- (236) **“OUTDOOR DISPLAY AND SALES AREA”** means an area set aside out of doors, covered or uncovered, to be used in conjunction with an established use or business located in adjacent permanent premises for the display or sale of fresh produce and new goods or merchandise.
- (237) **“OUTDOOR PATIO”** means an area set aside out of doors, covered or uncovered, for the use of patrons as a licensed restaurant in connection with, and in addition to, the operation of an adjacent restaurant.

- (238) **"OUTDOOR RECREATIONAL USES"** means any form of play, amusement or relaxation, such as games or sports, carried on completely in the open air and not requiring any buildings for the recreational use itself although accessory buildings for related facilities may be required such as for administrative or office purposes, storage, and accessory food facilities; but does not include war games as defined in Section 2(356) of this By-Law.
- (239) **"PAPER AND ALLIED PRODUCTS INDUSTRY"** include pulp and paper industries; the asphalt roofing industry; the paper box and bag industry; and other converted paper products industries.
- (240) **"PARK"** means an area of land, consisting primarily of landscaped open space, used primarily for active or passive recreational purposes or as a conservation area, with or without related recreational buildings, structures or facilities including, but not necessarily restricted to a recreational playground, a golf course, a driving range, a play area, a band stand, a skating rink, a horticultural greenhouse, a bowling green, a tennis or badminton court, a play field, a race track, a swimming area, a wading pool, a boating pond or lake, a watercourse, a campground, a refreshment booth, or a picnic area.
- (a) **"PUBLIC PARK"** means a park owned or controlled by a public agency.
- (b) **"PRIVATE PARK"** means a park other than a public park, regardless of whether or not such park is maintained or operated for gain or profit, but does not include an amusement park in which rides, games of chance and the sale of food, beverages, toys and souvenirs constitute the main uses.
- (c) **"AMUSEMENT PARK"** and may include a variety of buildings or structures directly related to recreational and amusement uses.
- (241) **"PARKING AISLE"** means a portion of a parking area which abuts, on one (1) or more sides, parking spaces to which it provides access, and which is not used for the parking of vehicles.
- (242) **"PARKING AREA"** means an area or areas of land or a building or structure or part thereof which is provided and maintained for the purpose of temporary parking or storing of motor vehicles accessory to a permitted use.
- (243) **"PARKING AREA, BUS"** means an area or areas of land or a building or structure or part thereof, which is provided and maintained for the purpose of temporary standing or parking, exclusively for bus(es) operated by or for the public transit service, accessory to a permitted use.
- (244) **"PARKING LOT"** means a lot which contains, and the main use of which is, a parking area, whether or not such parking area is located within a structure.
- (245) **"PARKING LOT, ACCESSORY"** means a parking lot which is an open area, other than a street, used for the temporary parking of two or more vehicles which is customarily incidental,

- subordinate and exclusively devoted to the main use and carried on with such main use on the same lot.
- (246) **"PARKING LOT, COMMERCIAL"** means a non-accessory parking area which is an open area, other than a street, used for the temporary parking of two or more vehicles for profit or gain.
- (247) **"PARKING SPACE"** means a space, exclusive of driveways, ramps or columns, to park one vehicle for purposes other than the display or offering for sale of commodities.
- (248) **"PARKING STRUCTURE, COMMERCIAL"** means a structure designed for the temporary parking of vehicles for profit or gain.
- (249) **"PASSIVE RECREATIONAL USE"** means enjoyment of the natural environment through non-intensive activities that are passive in nature and cause minimal impact on the natural features and functions of an area. Passive recreational uses include access trails, nature study, bird watching, outdoor education and associated facilities, but do not include recreational buildings, sports fields or golf courses.
- (250) **"PATIO, PRIVATE OUTDOOR"** means a platform made of wood, concrete or other similar material, that has a height of 0.6096 metres (2 feet) or less above grade, made of wood, concrete, or other similar material, projecting from a building or freestanding, open to the sky, and intended for the purpose of outdoor dining, lounging, and other similar accessory residential uses.
- (251) **"PERMITTED"** means "permitted by this By-Law".
- (252) **"PERSON"** means any individual, an association, a firm, a partnership or an incorporated company, municipal corporation and the agent, trustee, heirs, executors, or other legal representatives of a person to whom the context can apply according to law.
- (253) **"PERSONAL SERVICE ESTABLISHMENT"** means a building, or part thereof, in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, comprising the premises of a barber, hairdresser, beautician, tailor, dressmaker and/or shoemaker, as well as a laundromat, dry cleaning and laundry depot, sun tanning shop and a formal rentals shop. The sale of merchandise shall be permitted only as an accessory use to the personal service provided.
- (254) **"PET GROOMING ESTABLISHMENT"** means a building, or part therefore, within which a person is employed in grooming domesticated animals, but does not include an animal boarding or kennel facility as defined elsewhere in this By-Law.
- (255) **"PHARMACEUTICAL AND MEDICAL PRODUCTS INDUSTRY"** means a building or part thereof used for the manufacture, fabrication and processing of drugs in pharmaceutical preparations

- for human or veterinary use, and the manufacture of orthopaedic, prosthetic and surgical appliances and supplies.
- (256) **"PHARMACY"** means a retail store which dispenses prescription drugs and which sells, among other things, non-prescription medicines, health and beauty products, and associated sundry items.
- (257) **"PIT"** means any pit or excavation made for the purpose of searching for, or the removal of any soil, earth, clay, marl, sand, gravel or rock for commercial purposes but shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Corporation, or an excavation incidental to the construction of any public works.
- (258) **"PIT, WAYSIDE 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.
- (259) **"PLACE OF ENTERTAINMENT"** means a motion picture or other theatre, assembly hall, billiard or pool room, bingo hall, bowling alley, amusement arcade, dance hall or music hall, but does not include any place of entertainment or amusement otherwise defined or classified herein.
- (260) **"PLACE OF WORSHIP"** means a building, including synagogues, mosques and rectories, owned or occupied by a religious congregation or religious organization and dedicated exclusively to worship and related religious, social and charitable activities, with or without a church hall, church auditorium, convent, monastery, office of a clergyman, cemetery, church school, parish hall, day care facility or a parsonage as uses accessory thereto.
- (261) **"PLANTING STRIP"** means an area of landscaped open space located immediately adjacent to a lot line or portion thereof and on which is situated one or more of the following screening devices:
- (a) a continuous row of trees;
 - (b) a continuous hedgerow of evergreens or shrubs;
 - (c) a berm;
 - (d) a wall; or
 - (e) an opaque fence,
- arranged in such a way as to form a dense or opaque screen.
- (262) **"POINT OF INTERSECTION"** means the point at which street lines abutting a corner lot intersect, or, if the street lines do not intersect at a point, then the point of intersection shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents of the street lines.

- (263) **"POOL MECHANICAL EQUIPMENT"** means the mechanical/operational components of a swimming pool which includes but shall not be limited to the pump, heater/furnace and filter.
- (264) **"POOL SUPPLY OUTLET"** means the use of land, buildings or structures or part thereof for the sale of pool equipment and chemicals, outdoor furniture, outdoor recreation equipment and other similar items, in association with a swimming pool construction or maintenance business.
- (265) **"PRIMARY METALS INDUSTRY"** means a building or part thereof used by the primary steel industries; steel pipe and tube industries; iron foundries; non-ferrous metal smelting and refining industries; aluminum rolling, casting and extruding industries; copper and copper alloy, rolling, casting and extruding industries; and other rolled, casting and extruding non-ferrous metal products industries.
- (266) **"PRINTING ESTABLISHMENT"** means a building or part thereof, used for the primary purpose of printing, lithographing or publishing. It may include some of the same uses permitted in a duplicating shop, but must include at least one (1) of the above-listed primary functions.
- (267) **"PRINTING, REPRODUCTION AND DATA PROCESSING INDUSTRY"** means a building or part thereof, used by printing industries; reproduction industries such as tape, film and records; data processing industries; and binding and related industries with similar impacts.
- (268) **"PRIVATE"** means "not public".
- (269) **"PRIVATE GARAGE"** - see "GARAGE, PRIVATE".
- (270) **"PROCESSED GOODS INDUSTRY"** means a building or part thereof used by textiles, leather and rubber industries; plastics and synthetic resins industries; paper and wood products industries; metal products industries; oil and coal by-products industries; chemical products industries; and non-metallic products industries. Processed goods industries exclude pulp and paper industries and primary metal industries.
- (271) **"PROPANE TRANSFER FACILITY"** means a facility at a fixed location having not more than one storage container and such container shall not have an aggregate propane storage capacity in excess of 50 000 litres (10,994 gallons) and from which no retail sale of propane fuel to the public is or may be effected.
- (272) **"PUBLIC"**, when used in reference to a building, structure, use or lot, means a building, structure, use or lot used by a public agency to provide a service to the public.
- (273) **"PUBLIC AGENCY"** means:
- (a) the Government of Canada, the Government of Ontario or any municipal corporation;

- (b) any ministry, department, commission, corporation, public authority, board or other agency established from time to time by the Government of Canada, the Government of Ontario or any municipal corporation;
 - (c) any public utility; or
 - (d) any railway company authorized under the *Railway Act*, as amended from time to time, or any successors thereto.
- (274) **"PUBLIC AUTHORITY"** means any school board, public utility commission, transportation commission, public library board, board of parks management, board of health, board of commissioners of police, planning board or other board or commission or committee of local authority established or exercising any power or authority under any general or special Statute of Ontario with respect to any of the affairs or purposes of a municipality or any portion thereof, and includes any board, commission or committee or local authority established by by-law of the Municipality.
- (275) **"PUBLIC DROP-OFF AND RECYCLING DEPOT"** means a municipally owned or controlled drop-off centre open to the public for the collection and transfer of household garbage and recyclable materials, including household, construction, and yard materials; but does not include a residential and other source recycling facility, construction and demolition recycling facility, specialized recycling facility, or waste transfer station as defined herein.
- (276) **"PUBLIC DROP-OFF FOR MUNICIPAL HAZARDOUS OR SPECIAL WASTE"** means a facility for the collection of Municipal Hazardous or Special Waste from residential sources and small quantity industrial, institutional and commercial generators.
- (277) **"PUBLIC SERVICES"** means the buildings, structures and other related work necessary for supplying transportation services, water, gas, oil, electricity, steam, hot water, telecommunication services, storm drainage, sewage collection and treatment facilities.
- (278) **"PUBLIC USE"**, when used in reference to a building, structure, use or lot, means a building, structure, use or lot used by a public agency to provide a service to the public. Public agencies comprise:
- (a) the Government of Canada, the Government of Ontario, or a municipal corporation;
 - (b) any ministry, department, commission, authority, board or agency established by the Government of Canada or the Government of Ontario; or
 - (c) any public utility.

- (279) **"PUBLIC UTILITY"** means:
- (a) any public agency, corporation, board or commission providing electricity, gas, steam, water, telegraph, telephone, cable television, transportation, drainage, or sewage or waste collection and disposal services to the public; or
 - (b) a use pertaining to any such agency, corporation, board, or commission.
- (280) **"RAILWAY LINES"** means an area of land, a portion of which is covered by a system of tracks, that provides for the movement and making up of trains and includes ancillary structures such as stations, offices, wheel houses, towers, repair and storage buildings.
- (281) **"RAW MATERIALS PROCESSING INDUSTRY"** means a building or part thereof used by natural fibres, rubber and pelt processing industries; rock, stone and non-metallic processing industries; clay and fine aggregates processing industries; ore processing industries; chemical processing industries; and miscellaneous processing industries which have similar impacts, such as secondary processing of scrap metal to its base form. The raw material processing industries exclude oil, natural gas and coal processing and refining industries.
- (282) **"RECREATION OR COMMUNITY CENTRE"** means a public building used for recreation or social activities, meetings or other leisure activities.
- (283) **"RECYCLING FACILITY, RESIDENTIAL AND OTHER SOURCE"** means any building, portion of building or area in which solid non-hazardous recyclable material is collected, sorted, and/or processed, including paper, newsprint, telephone books, paper egg cartons and boxes, magazines, catalogues and books, corrugated cardboard boxes, paper board, box board, glass bottles and jars, aluminum foil, aluminum and steel cans, plastic bottles, jugs and tubs, polycoat milk and juice containers, styrofoam, and textiles(clothing) for the purpose of marketing the material for use as raw material in the manufacturing process of new, reused or reconstituted products.
- (284) **"RECYCLING FACILITY, SPECIALIZED"** means a recycling facility which, in addition to any activity permitted in a Residential and Other Source Recycling Facility, engages in the processing of non-hazardous recyclable materials such as textiles, leather, plastic, household appliances, and tires, but excluding construction and demolition waste materials.
- (285) **"REAR LOT LINE"** - see "LOT LINE".
- (286) **"REAR YARD"** - see "YARD".
- (287) **"RECREATIONAL ESTABLISHMENT"** means a building designed and intended to accommodate various forms of indoor sports and recreation, and shall include an arena, tennis, squash, handball and badminton courts, and roller skating rinks. Playing areas in tennis, squash, handball and badminton courts are to be excluded for the purpose of calculating parking requirements.

- (288) **"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.
- (289) **"REDEVELOPMENT"** means the removal of buildings or structures from land and the construction or erection of other buildings or structures thereupon.
- (290) **"RENOVATION"** means the repair and restoration of a building to an improved condition but shall not include its replacement.
- (291) **"REPAIR AND RENTAL ESTABLISHMENT"** means a business engaged in maintaining, repairing, installing and renting articles and equipment for household and personal use, such as: radios and televisions; refrigeration and air conditioning; appliances; watches, clocks and jewellery; and re-upholstery and furniture repair. This does not include any other use specifically referred to or defined in this By-Law.
- (292) **"RESEARCH AND DEVELOPMENT ESTABLISHMENT"** means a building or part thereof used by raw material development and testing firms; processed products development and testing firms; and chemical and biological products development and testing firms.
- (293) **RESIDENTIAL**
- (a) **"RESIDENTIAL"**, when used in reference to a building, structure or use, means any dwelling or mobile home as defined herein or any accessory building, structure or use exclusively devoted thereto.
- (b) **"NON-RESIDENTIAL"**, when used in reference to a building, structure or use, means a building, structure or use other than a residential building, structure or use.
- (c) **"RESIDENTIAL LOT"** means a lot containing a residential use or a vacant lot that is zoned for a residential use and meets the zone provisions for the permitted residential use.
- (294) **"RESIDENTIAL USE"** means the use of a building or structure or parts thereof as a dwelling.
- (295) **"RESTAURANT"** means a building or part thereof where food is prepared and offered for retail sale to the public for immediate consumption either on or off the premises, including a licensed dining lounge, but excluding a tavern as defined herein.
- (296) **"RETAIL LUMBER"** - See **"BUILDING SUPPLY OUTLET"**.
- (297) **"RETAIL LUMBER AND BUILDING SUPPLY YARD"** means a lot, building or structure or part thereof, the primary use of which is the storage and retail sale of timber which has been sawn or split for use, with or without related building materials and supplies.

- (298) **"RETAIL STORE"** means a building or part of a building where goods, wares, merchandise, articles or things are offered or kept for retail sale at retail and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, articles or things sufficient only to service such store but does not include any wholesale business or business supply use, or any establishment otherwise defined or classified.
- (299) **"RETIREMENT LODGE"** or **"RETIREMENT HOME"** means a residence providing accommodation primarily for persons or couples over 60 years of age where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and common lounges, recreation rooms and medical care facilities may also be provided.
- (300) **"RIGHT-OF-WAY or EASEMENT"** means any right, liberty or privilege in, over, along or under land, which the owner of one (1) lot may have with respect to any other lot or which the Municipality, any other governmental authority or agency, private company or individual may have with respect to any land in the Municipality.
- (301) **"ROAD"** shall have the meaning attributed to it in the definition of Street.
- (302) **"ROAD, COUNTY"** shall mean a street under the jurisdiction of the County.
- (303) **"ROAD, PRIVATE"** means a private right-of-way over private property that is a commonly owned and/or shared access to abutting lots that is privately maintained and is not a public highway as defined by the *Municipal Act*.
- (304) **"ROOMING HOUSE"** - See "LODGING HOUSE".
- (305) **"SALVAGE OR SCRAP YARD"** means an establishment, lot or premises used for the storage wholly or partly in the open, handling, processing, or any combination thereof, of scrap material for reuse for the purpose of commercial gain, which without limiting the generality of the foregoing, shall include waste paper, rags, bones, bottles, bicycles, vehicles, tires, and metal, and junk or scrap metal yards and automobile wrecking yards shall also be included.
- (306) **"SANITARY SEWER"** means an adequate system of underground conduits, operated either by a municipal corporation or by the Ministry of the Environment, which carries sewage to an adequate place of treatment which meets with the approval of the Ministry of the Environment.
- (307) **"SATELLITE DISH"** means a parabolic or spherical antenna which receives television or microwave transmissions or other signals from orbiting satellites or other devices.
- (308) **"SCHOOL"** means an institution for education or instruction as defined in the *Education Act* or the *Ministry of Training, Colleges and Universities Act*, normally under the jurisdiction of a Board.

- (a) **"ADULT SECONDARY SCHOOL"** means a Secondary School identified as a centre for learning for persons who are mature students (not of compulsory school age), attending to complete some or all of their secondary education.
- (b) **"COMMERCIAL SCHOOL"** means a school operated by one or more persons for gain or profit.
- (c) **"COMMUNITY COLLEGE SCHOOL"** means a college of applied arts and technology established under the *Ministry of Training, Colleges and Universities Act*.
- (d) **"ELEMENTARY SCHOOL"** means a school under the jurisdiction of the County District School Board, the Catholic District Separate School Board or a school operated under charter granted by the Province of Ontario, used primarily for the instruction of students receiving primary education.
- (e) **"PRIVATE SCHOOL"** means a school, other than an elementary school, secondary school, adult secondary school, community college school, university school or a commercial school, under the jurisdiction of a private board of directors, trustees or governors, a religious organization or a charitable institution, used primarily for the instruction of students receiving primary and/or secondary education.
- (f) **"SECONDARY SCHOOL"** means a school under the jurisdiction of the County District School Board, the Catholic District Separate School Board or a school operated under charter granted by the Province of Ontario, used primarily for the instruction of students receiving secondary education.
- (g) **"UNIVERSITY SCHOOL"** means a university designated by the *Ministry of Training, Colleges and Universities Act*.
- (309) **"SELF-STORAGE ESTABLISHMENT"** means a building or buildings consisting of individual storage units accessible by the user, used for the storage of goods, wares, merchandise, foodstuffs, substances, articles or things, but does not include a fuel storage tank except as an accessory use.
- (310) **"SENIOR CITIZEN HOUSING"** means any housing for senior citizens sponsored and administered by any public agency or any service club, place of worship or other non-business organization, either of which obtains financing from Federal, Provincial or Municipal Governments or agencies, or by public subscription or donation, or by any combination thereof, and such homes shall include auxiliary uses as club and lounge facilities, usually associated with senior citizens development.
- (311) **"SERVICE AND REPAIR ESTABLISHMENT"** means a premises engaged in maintaining, repairing and installing machinery and equipment for household and personal use, such as air conditioners, appliances, watches, clocks, jewellery, re-upholstery and furniture repair.

- (312) **"SERVICE SHOP"** means an establishment, other than an automotive use, that provides a non-personal service or craft to the public, including, but not necessarily restricted to, a printer's shop, a plumber's shop, a tinsmith's shop, a painter's shop, a carpenter's shop, an electrician's shop, a welding shop, a blacksmith's shop, a merchandise service shop, a battery storage and recharging shop, a well driller's establishment, a furrier's, an upholsterer's shop, a bakery, a dairy, a catering establishment, an egg grading station, a machine shop, or a monument engraving shop.
- (313) **"SETBACK"** means the shortest horizontal distance between the centreline of a street adjacent to a lot and the nearest part of any building, structure, excavation or open storage on such lot.
- (314) **"SHOPPING CENTRE"** means one or more buildings, or part thereof containing a group of separate permitted commercial uses having a total floor area in excess of 550 square metres, which is maintained as a single comprehensive unit and located on a single lot, such lot being held and maintained under one ownership or under condominium ownership pursuant to the *Condominium Act*, as amended from time to time, or any successors thereto.
- (315) **"SHOWROOM"** means part of a building, used as a building or contracting or wholesale establishment, which is integral to the permitted main use, used for the purpose of displaying wares and goods.
- (316) **"SIDE LOT LINE"** - see "LOT LINE".
- (317) **"SIDE YARD"** - see "YARD".
- (318) **"SIGHT DISTANCE"** means a length of distance measured along a street line from the point of intersection of two street lines.
- (319) **"SIGHT TRIANGLE"** means the triangular space formed by the intersecting lot lines, at least one of which is also a street line, of a lot located at an intersection of two or more streets or at an intersection at grade of a street and a railway right-of-way, and a line drawn from a point in one such lot line to a point in the other lot line, each such point being a specified distance from the point of intersection of such lot lines measured along the said lot lines, provided that where the said lot lines do not intersect at a point, the point of intersection thereof shall be deemed to be the intersection of the projected tangents thereto, drawn through the extremities of the interior lot lines.
- (320) **"SIGN"** means a name, identification, description, advertising device, display or illustration which is affixed to, or represented directly or indirectly upon, a building, structure or lot and which directs attention to an object, product, place, activity, person, institute, organization or business.
- (321) **"SITE PLAN CONTROL BY-LAW"** means any by-law of the Corporation passed pursuant to Section 41 of the *Planning Act*, as amended from time to time, or any successors thereto.

- (a) **"SITE PLAN CONTROL AREA"** means an area of land designated by a Site Plan Control By-Law as a site plan control area pursuant to Section 41 of the *Planning Act*, as amended from time to time, or any successors thereto.
- (b) **"SITE PLAN AGREEMENT"** or **"DEVELOPMENT AGREEMENT"** means any agreement entered into by an owner of land and the Corporation pursuant to a Site Plan Control By-Law.
- (322) **"STACKING LANE"** means an on-site queuing lane for vehicles which is separated from other vehicular traffic and pedestrian traffic by barriers, curbing or markings and is often associated with a drive-through facility.
- (323) **"STAND-ALONE"**, when used in the context of commercial buildings, means a building containing between one and three commercial uses.
- (324) **"STOCKPILING"** means the use of land for the storage of processed aggregates or other raw materials for future sale.
- (325) **"STORAGE DEPOT"** means an area including reservoir, silo and tank storage; hangers; open air parking; and open air storage. Storage depots exclude salvage yards, resource extraction operations, and wayside pits.
- (326) **"STOREY"** means a horizontal division of a building from a floor to the ceiling directly above such floor, and includes an attic, a basement or a cellar as defined herein, but does not include any mezzanine, gallery, balcony or other overhang.
- (a) **"ATTIC"** means the topmost usable storey of a building situated wholly or partly within a roof, where at least 50 percent, but not more than 66 percent, of such storey is greater than 2 metres in height.
- (b) **"BASEMENT"** means that portion of a building partially below ground level and having fifty percent or more of its exterior wall area above the average finished grade.
- (c) **"CELLAR"** means that portion of a basement which is more than 60 percent below finished grade, measured from finished floor to finished ceiling.
- (d) **"FIRST STOREY"** or **"GROUND FLOOR"** means the storey having its floor level closest to finished grade and its ceiling at least 2 metres (6.562 feet) above finished grade.
- (e) **"SECOND STOREY"** or **"SECOND FLOOR"** means the storey directly above the first storey.
- (327) **"STREET"** means a public highway or public road under the jurisdiction of either the Corporation, the County or the Province of Ontario, and includes any highway as defined in *The Municipal Act*, but does not include a lane or private right-of-way.

- (a) **"COUNTY ROAD"** means a street under the jurisdiction of the County.
 - (b) **"HIGHWAY"** means a street under the jurisdiction of the Province of Ontario.
 - (c) **"IMPROVED STREET"** means a highway as defined under the *Municipal Act*, and which has been assumed for public use.
 - (d) **"MUNICIPAL ROAD"** means any street that is both owned and maintained by the Corporation.
 - (e) **"PRIMARY STREET"** means a public highway that is 20 metres width or wider.
 - (f) **"PRIVATE ROAD"** means a right-of-way existing on the day of passing of this By-Law, which has not been dedicated as a street or accepted or assumed by the Corporation, but is owned privately and which affords the principal means or access to abutting, separately owned, legally conveyable parcels of land.
 - (g) **"SECONDARY STREET"** means a public highway that is not less than 15 metres width and not greater than 20 metres in width.
 - (h) **"STREET ALLOWANCE"** means land held under public ownership for the purpose of providing a street.
- (328) **"STREET LINE"** means a lot line dividing a lot from a street and is the limit of the street allowance.
- (329) **"STREET WIDTH"** means the horizontal distance between the street lines of a street, measured along a line perpendicular to the said street lines.
- (330) **"STRUCTURE"** means anything constructed or erected, the use of which requires location on or in the ground, or attached to something located on or in the ground, but does not include the permanent way of a railway, any paved surface located directly on the ground, a fence, sign, or light fixtures.
- (331) **"STUDIO"** means a building or part thereof, used as the workplace of a photographer, craftsman or artist, or for the instruction of art, music, dancing, languages or similar disciplines. The sale of any artefacts produced therein shall be permitted only as an accessory use.
- (332) **"SUN DECK"** means a roofless, unenclosed structure, accessory to a dwelling, consisting of a platform raised above finished grade, with or without steps.
- (333) **"SUPERVISED RESIDENCE"** means a Group Home Type 1 with more than eight residents, excluding staff or the receiving family.

- (334) **"SUPPORTIVE COMMUNITY HOME"** means a residential building with central kitchen, administrative, and possibly medical facilities and a number of housekeeping units or rooms where not more than 20 senior citizens reside and receive care consistent with their needs, either by on-site staff or through the visitation of various health care professionals.
- (335) **"SWIMMING POOL, PRIVATE OUTDOOR"** means a privately owned pool whether or not in the ground, capable of being used for swimming, wading, diving, or bathing and which when filled is capable of containing a depth of 0.6 metres or more of water. For the purpose of regulations pertaining to lot coverage in this By-law a "Private Outdoor Swimming Pool" is deemed not to be a building or structure.
- (336) **"TAVERN"** means an establishment where alcoholic beverages are sold to be consumed on the premises and shall include all such buildings operating under the *Liquor Licence Act*, as amended from time to time.
- (337) **"TAXI ESTABLISHMENT"** means a property, site or building used as a dispatch office or an area, site or location intended for the parking of taxis and/or limousines when not engaged in transporting persons or goods.
- (338) **"TEMPORARY USE"** means a use that is authorized under the provisions of Section 38 of the *Planning Act*, R.S.O. 1990, c. P.1
- (339) **"TEXTILE PROCESSING INDUSTRY"** include man-made fibre and filament yard industries; spun yard and woven cloth industries; knitted fabric industries; carpet, map and rug industries; natural fibres processing industries; and clothing industries.
- (340) **"THEATRE"** means a building, or part thereof, used for the presentation of the performing arts.
- (341) **"TRADESMAN'S SHOP"** means an establishment where an individual who performs electrical, plumbing, carpentry, landscape, or other similar trade work, primarily off site, may store his materials and may have an office.
- (342) **"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 a motor vehicle, or is self-propelled, and capable of being used for temporary living or sleeping of persons therein for seasonal travel, recreation and vacation activity, notwithstanding that such vehicle is jacked up or that its running gear is removed. This definition shall include tent trailers, motor homes, truck campers, or similar transportable accommodation but shall not include a mobile home as defined herein.
- (343) **"TRAILER, PORTABLE"** means a structure constructed in such a manner to form a transportable room or rooms to provide temporary shelter as a classroom or office.
- (344) **"TRAILER, RECREATIONAL"** 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 temporary living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked up or that its running gear has been removed.
- (345) **“TRANSPORT TERMINAL”** means a premises used for the transfer of goods primarily involving loading and unloading of freight-carrying trucks, and accordingly, involving the storing, parking, servicing and dispatching of freight-carrying trucks.
- (346) **“TRAVEL TRAILER PARK”** means a parcel of land providing overnight or short-term accommodation for travel trailers, recreational vehicles, campers or tent trailers.
- (347) **“TRIPLEX”** - See **“DWELLING, TRIPLEX DWELLING”**.
- (348) **“USE”** means:
- (a) when used as a noun, the purpose for which a lot, building or structure, or any combination or part thereof, is designed, arranged, occupied or maintained; or
 - (b) when used as a verb, to put to such purpose.
- (349) **“VEHICLE”** means a passenger automobile or other motor vehicle, a boat, a farm implement, a mobile home, a motor home, a snowmobile, a trailer, or any other device which is capable of being drawn, propelled or driven by any kind of power, and includes a commercial vehicle as defined herein, but does not include a bicycle or any other device, other than a boat, powered solely by means of human effort.
- (a) **“COMMERCIAL VEHICLE”** means a vehicle licensed by the Province of Ontario,
 - (i) as a public vehicle pursuant to the provisions of the *Public Vehicles Act*, as amended from time to time, or any successors thereto, or
 - (ii) as a public commercial vehicle, pursuant to the provisions of the *Public Commercial Vehicles Act*, as amended from time to time, or any successors thereto.
 - (b) **“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 and shall include a recreational trailer as defined herein.
- (350) **“VEHICLE REPAIR GARAGE”** means an establishment for the repair or replacement of parts in a motor vehicle and, without limiting the generality of the foregoing, includes the repair, replacement or reconditioning of mufflers, exhaust systems, shock absorbers, transmissions, gears, brakes, clutch assemblies, steering assemblies, radiators, heating or cooling systems, ignition systems, electrical systems, tires, wheels, windshields, windows and other mechanical

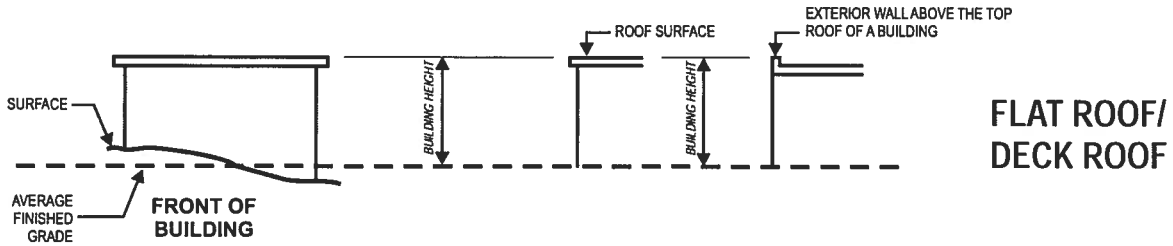
or electrical parts or systems, the installation of undercoating, engine tuning, lubrication and engine conversion or replacement, but does not include an automobile body shop, an impounding yard, an automobile service station or a gas bar.

- (351) **“VEHICLE REPAIR SHOP”** means an establishment or part thereof which contains facilities for the repair and maintenance of vehicles on the premises and in which vehicle accessories are sold and vehicle maintenance and repair operations, including the repairing or painting of vehicle bodies and the servicing of farm implements and related equipment, are performed in return for remuneration, but does not include a body shop, wherein the repairing or painting of vehicle bodies constitutes the primary activity, or any establishment engaged in the retail sale of vehicle fuels.
- (352) **“VEHICLE SALES OR RENTAL ESTABLISHMENT”** means an establishment engaged primarily in the sale, rental or leasing of vehicles and vehicle accessories, with or without an accessory vehicle repair shop or an accessory gasoline retail outlet, and includes an establishment engaged in the sale of farm implements and related equipment.
- (353) **“VERANDAH”** means a partially enclosed stoop having a roof but lacking any enclosing walls greater than 1.5 metres in height from the top of the platform of the said stoop.
- (354) **“VETERINARIAN’S CLINIC”** means a building or part thereof, with or without related structures, wherein animals of all kinds are treated or kept for treatment by a registered veterinarian.
- (355) **“VIDEO RENTAL ESTABLISHMENT”** means a building or part of a building used for the rental of video tapes and equipment. Accessory uses may include the sale of video tapes and equipment or convenience foods, restricted to an area not to exceed 10.0 square metres (107.6 sq. ft.).
- (356) **“WAR GAMES”** means any form of play, sport or amusement which simulates war, armed conflict or military operations.
- (357) **“WAREHOUSE”** means a building or part of a building used for the storage and distribution of goods, merchandise, substances, or materials.
- (358) **“WAREHOUSE, RETAIL”** means a commercial establishment which has as a principal use, the sale of merchandise to the public in a warehouse format, where all areas are accessible to the public except for areas with accessory uses.
- (359) **“WAREHOUSE, PUBLIC SELF-STORAGE”** means a building or part thereof where individual storage areas are made available to the public for the storage or keeping of goods.
- (360) **“WAREHOUSING”** means the storage of goods for remuneration or the storage of goods which will be sold elsewhere or, subsequently, transported to another location for sale or consumption. This does not include any other use specifically referred to or defined in this By-Law.

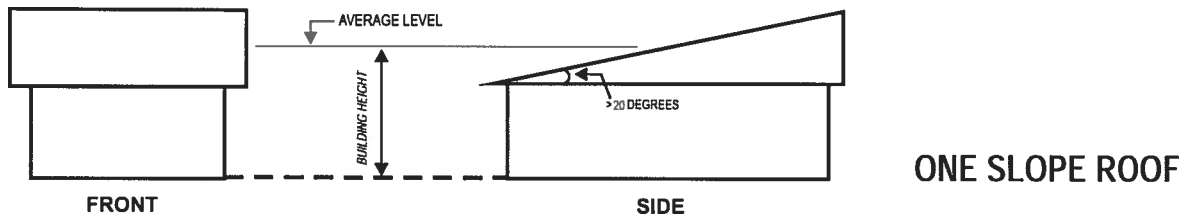
- (361) **“WASTE MANAGEMENT / RESOURCE RECOVERY FACILITY”** includes all facilities, equipment and operation for the complete management of waste including the collection, landfilling, handling, transportation, storage, processing, recovery and disposal thereof.
- (362) **“WASTE TRANSFER STATION”** means a site and facilities used in the management and processing of liquid and hazardous wastes, wastes and recyclable materials which has a Provisional Certificate of Approval for such purposes under the *Environmental Protection Act*.
- (363) **“WASTE TREATMENT FACILITY”** means a building or part thereof, used by waste processing plants, water pollution control plants, sanitary landfill sites, and hazardous substance treatment plants.
- (364) **“WATERCOURSE”** means the natural or man-made channel of a body of water including, but not so as to limit the generality of the foregoing, natural watercourses, open municipal drains, ponds, reservoirs and lakes.
- (365) **“WATER SYSTEM, PUBLIC”** means a water distribution system consisting of piping, pumping and purification appurtenances and related storage, owned and operated by the Corporation, another municipality or the Ministry of the Environment.
- (366) **“WAYSIDE PIT”** means an open excavation incidental to the construction or maintenance of a street, and includes a wayside pit as defined in the *Aggregate Resources Act*, as amended from time to time, or any successors thereto.
- (367) **“WHOLESALE ESTABLISHMENT”** means a building or part thereof used for the selling of goods for delivery from the premises to an industrial, commercial or institutional establishment or organization and may include a showroom and/or display area open to the general public which does not exceed 25% of the premises.
- (368) **“YARD”** means an area of land which:
- (i) is appurtenant to, and located on the same lot as a building, structure or excavation; and
 - (ii) is open uncovered and unoccupied from the ground to the sky, except for such accessory buildings, structures or other uses as are specifically permitted thereon elsewhere in this By-Law.
- (b) **“FRONT YARD”** means a yard extending across the full width of a lot between the front lot line of such lot and the nearest part of any building, structure or excavation on such lot.

- (c) **“FRONT YARD DEPTH”** means the shortest horizontal dimension of a front yard between the front lot line of a lot and the nearest part of any building, structure open storage or excavation on such lot.
 - (d) **“REAR YARD”** means a yard extending across the full width of a lot between the rear lot line of such lot, or, where there is no rear lot line, the junction point of the side lot lines, and the nearest part of any building, structure or excavation on such lot.
 - (e) **“REAR YARD DEPTH”** means the shortest horizontal dimension of a rear yard between the rear lot line of a lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest part of any building, structure or excavation on such lot.
 - (f) **“SIDE YARD”** means a yard extending from the front yard to the rear yard of a lot and from the side lot line of such lot to the nearest part of any building, structure or excavation on such lot.
 - (g) **“SIDE YARD WIDTH”** means the shortest horizontal dimension of a side yard between the side lot line of a lot and the nearest part of any building, structure or excavation on such lot.
 - (h) **“EXTERIOR SIDE YARD”** means a side yard immediately adjoining a street or abutting a reserve on the opposite side of which is located a street.
 - (i) **“INTERIOR SIDE YARD”** means a side yard other than an exterior side yard.
 - (j) **“REQUIRED YARD”** means that part of a yard which:
 - (i) is located adjacent to a lot line;
 - (ii) has the minimum front yard depth, rear yard depth or side yard width required hereby or is situated closer to the centerline than the setback required therefrom; and
 - (iii) does not contain or include any buildings, structures, open storage or excavations except where this By-Law specifically provides otherwise.
- (369) **“ZONE”** means a designated area of land use shown on Schedule “A” hereto.
- (370) **“ZONE, PRIVACY”** means an area within the minimum yard depth in which communal activities are discouraged or prevented by means of surface finishing, landscaping or physical barriers.
- (371) **“ZONED AREA”** means all those lands lying within the corporate limits of the Town of Aylmer.

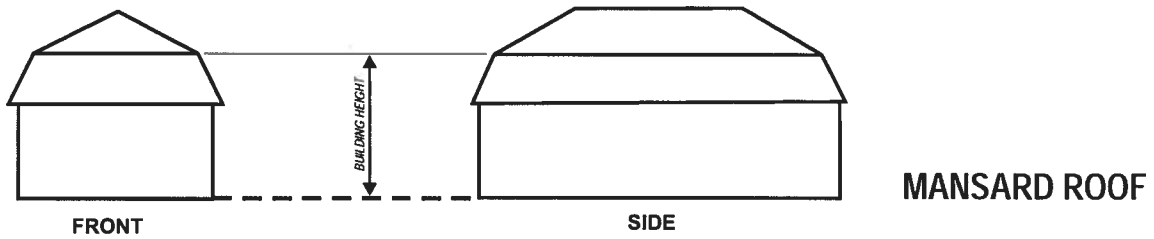
ILLUSTRATION OF BUILDING HEIGHT DEFINITION



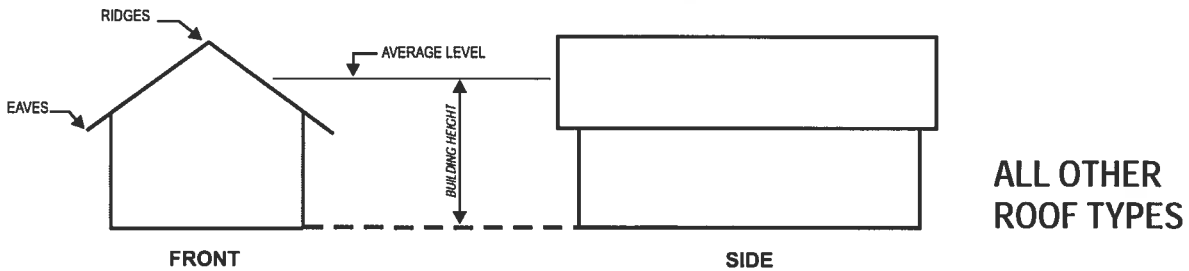
**FLAT ROOF/
DECK ROOF**



ONE SLOPE ROOF



MANSARD ROOF

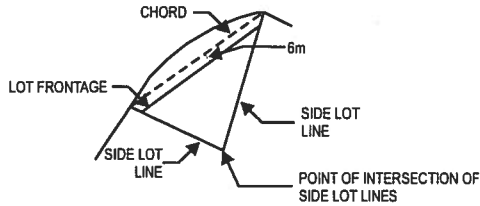


**ALL OTHER
ROOF TYPES**

NOTE: THE ABOVE ILLUSTRATIONS ARE FOR CLARIFICATION AND CONVENIENCE ONLY AND DO NOT FORM PART OF THIS BY-LAW

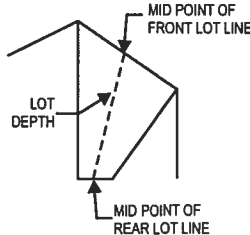
ILLUSTRATION OF LOT DEFINITIONS

LOT FRONTAGE
CONVEX CURVED FRONT LOT LINE
NO REAR LOT LINE

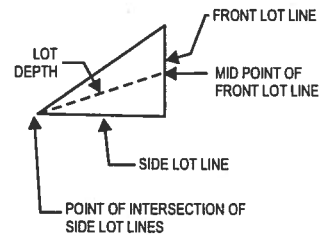


LOT FRONTAGE MEASURED ALONG A LINE 6 METRES BACK FROM AND PARALLEL TO THE CHORD OF THE FRONT LOT LINE.

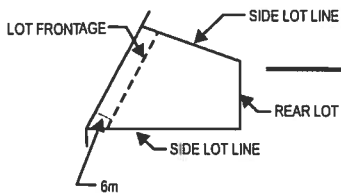
LOT DEPTH
FRONT AND REAR LINES
ARE NOT PARALLEL



REAR LOT LINE
SIDE LOT LINES INTERSECT

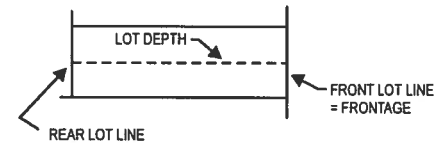


LOT FRONTAGE
LOT LINES ARE NOT PARALLEL



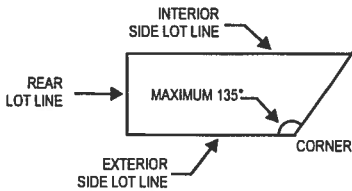
LOT FRONTAGE MEASURED ALONG A LINE 6 METRES BACK FROM AND PARALLEL TO THE CHORD OF THE FRONT LOT LINE

LOT FRONTAGE
SIDE LOT LINES ARE PARALLEL

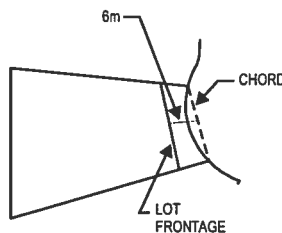


LOT DEPTH
FRONT AND REAR LOT
LINES ARE PARALLEL

LOT, CORNER

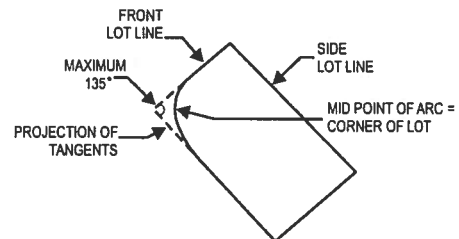


LOT FRONTAGE
CONCAVE CURVED
FRONT LOT LINE



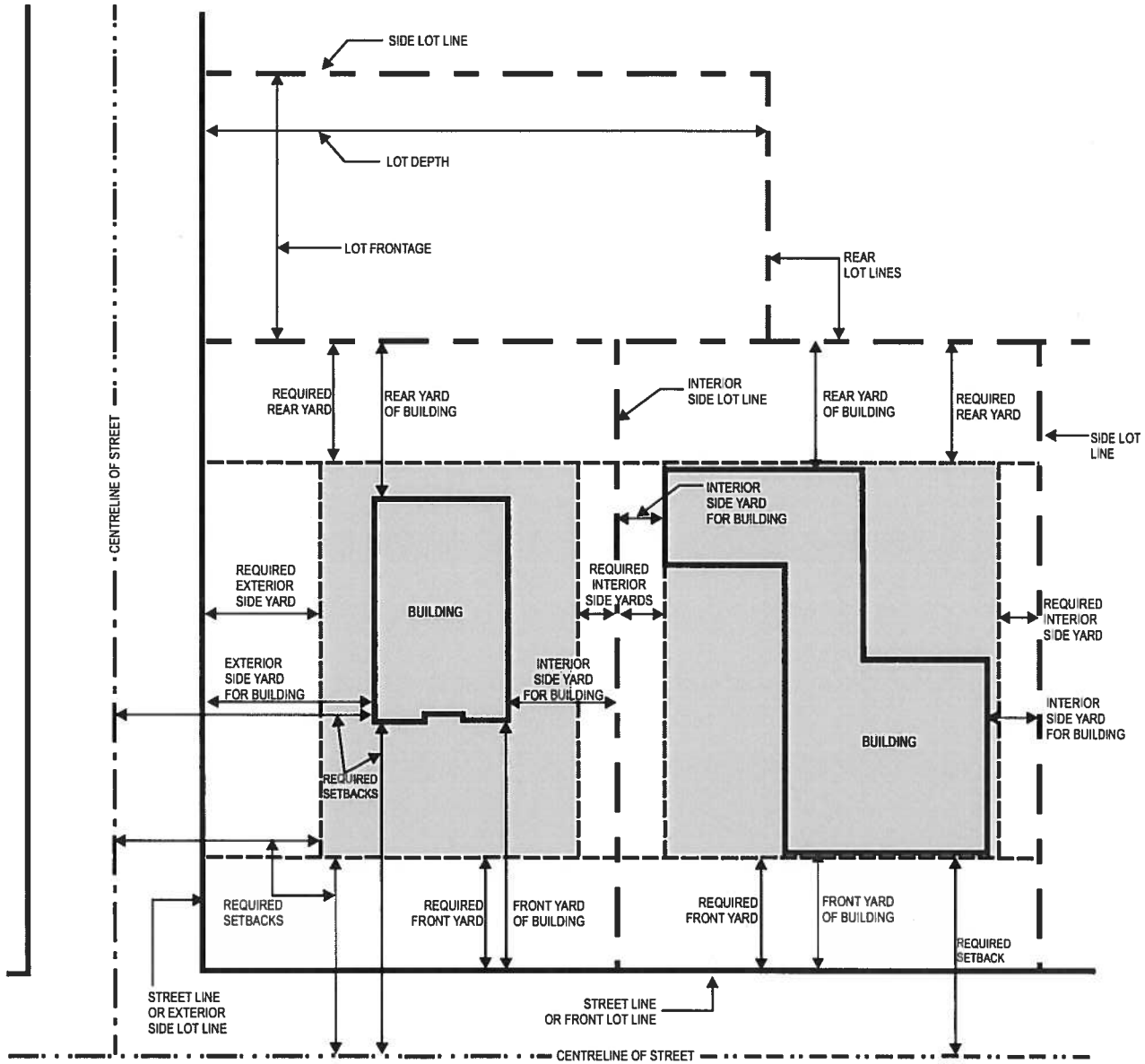
LOT FRONTAGE MEASURED ALONG A LINE 6 METRES BACK FROM AND PARALLEL TO THE CHORD OF THE FRONT LOT LINE

LOT, CORNER
CURVED SIDES



NOTE: THE ABOVE ILLUSTRATIONS ARE FOR CLARIFICATION AND CONVENIENCE ONLY AND DO NOT FORM PART OF THIS BY-LAW

ILLUSTRATION OF YARD DEFINITIONS



 BUILDING ENVELOPE

NOTE: THE ABOVE ILLUSTRATIONS ARE FOR CLARIFICATION AND CONVENIENCE ONLY AND DO NOT FORM PART OF THIS BY-LAW