

**PART A - APPLICATION AND INTERPRETATION**

1 . PURPOSE

WHEREAS it is deemed expedient and necessary in the public interest to regulate the use of lands and the character and use of buildings and structures in the Township of Sidney pursuant to the authority contained in Section 34 of The Planning Act, R.S.O. 1990, as amended:  
(3129-95)

BE IT THEREFORE ENACTED BY THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SIDNEY AS FOLLOWS:

2 . TITLE

This By-Law, composed of the text herein and the Schedules attached hereto, and made a part hereof, shall be known as the "Zoning" By-Law of the Township of Sidney.  
(3129-95)

3 . AREA DEFINED

The Provisions of this By-Law, for the purposes of interpretation and application, shall be held to be the minimum requirements adopted for the health, convenience, safety and general welfare of the public and shall apply to all lands, and the buildings and structures erected thereon, lying situate and being in the Township of Sidney.

4 . CONFORMITY

Save as otherwise provided in this By-Law, no land or building or structure shall be used for any purpose, and no building or structure shall be erected or altered for any purpose except as hereafter stated in this By-Law and in conformity with all of the applicable provisions of this By-Law.

Nothing in this By-Law shall apply to exempt any person from complying with the requirements of any By-Law in force within the Township, or from obtaining any license, permission, consent, permit, authority or approval required by this or any other By-Law of the Township or by any other Federal, Provincial or Municipal Law in force at the time of the passing of this By-Law.

### 5 . DEFINITIONS

In this By-Law, unless the context otherwise requires, the definitions hereafter set forth shall apply.

- (1) "Accessory" shall mean the use of land or a building or structure that is naturally and normally incidental, subordinate and exclusively devoted to the main use of the land, building or structure and located on the same lot therewith.
- (2) "Accessory Building or Structure" shall mean a detached building or structure the use of which is incidental and subordinate to that of the main building and located on the same lot therewith.
- (3) "Accessory Use" shall mean a use that is naturally and normally incidental and subordinate to the main use and operated with the main use on the same lot.
- (4) "Advertising Sign General" shall mean a sign which refers . to goods produced, offered for sale or services obtainable at premises other than the land or building on which the sign is displayed.
- (5) "Advertising Sign Local" shall mean a sign · which refers only to goods produced or offered for sale or services obtainable at the premises or on the land which the sign is displayed.
- (6) "Aggregate" shall mean gravel, sand, clay, shale, stone, earth and other similar material,
- (7) "Aisle" shall mean the area immediately adjacent to each parking space and capable of vehicular ingress thereto and egress therefrom at all times. No aisle need be provided in conjunction with a parking space for a single detached dwelling, semi detached dwelling, duplex dwelling or a horizontal multiple attached dwelling where not in the form of Group Housing.
- (8) "Alter" shall mean when used in reference to a building or part thereof, to change any one or more of the internal or external dimensions of such building, or to change the type of construction of the exterior walls or roof thereof, when used in reference to a lot, the word "alter" means to decrease the width, depth or area thereof or to decrease 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 public highway or alleyway, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise. The words "altered" and "alteration" shall have a corresponding meaning.

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- (9) "Assembly Hall" shall mean a building or portion of a building, in which facilities are provided for such purposes as meetings for civic, educational, political, religious, fraternal and/or social purposes .  
(3129-95)
- (10) "Attached" shall mean, when used to describe any building or structure, that the roof of such building or structure is supported by a wall of the building.
- (11) "Basement" shall mean that portion of a building between two (2) floor levels, which is partly below grade but which has at least one half of its clear height above the adjoining ground level.
- (12) "Boarding, Rooming and/or Lodging House" shall mean any dwelling or building or portion thereof, in which the proprietor resides and supplies for hire or gain to other persons lodging with or without meals, but shall not include: a hotel; motel; apartment; hospital; group home; nursing home or other institution; or restaurant. Such a dwelling or building shall provide no more than ten rooms for lodging.  
(3129-95)
- (13) "Bona Fide Tourist" shall mean a person on vacation away from his ordinary place of residence
- (14) "Building (when used as a noun)" shall mean anything placed on or under land consisting of four (4) or more walls and a roof notwithstanding the purpose for which it is used or occupied or intended to be used or occupied.
- (15) "Building Height" shall mean the height of a building or structure as determined in accordance with Part C, Section 20.
- (16) "Building, Main" shall mean a building in which the principal uses of the lot on which it is situated are conducted. In any Residential Zone a building containing one or more dwelling units shall be deemed to be a main building on the lot on which it is situated.
- (17) "Bulk Storage Yard" shall mean a place where land is used for the storage, in the open, of goods and materials and without limiting the generality of the foregoing, shall include coal, lumber, building supplies, construction equipment yards, but shall not include salvage yards.
- (18) "Business and Industrial Incubator" shall mean a building having a maximum gross floor area of 1,400 square metres designated for and used by a maximum of ten (10) tenants for business/industrial uses in an early or formative stage and where clerical and/or professional services

directly related to such businesses or industries may be provided.  
(2991-93)

- ~~(19)~~ "~~Business, Professional and/or Administrative Office~~" the purpose of providing accommodation for the offices of a professional person or persons and for any purpose incidental thereto; the administrative office of a non-profit organization and/or a business administrative office.

2012-121      *File No.: B-77-912*  
*To Define "Drug Rehabilitation Centre" or "Methadone Clinic", and "Methadone Dispensary"*  
*City of Belleville, County of Hastings*

- (19) "Business, Professional and/or Administrative Office" shall mean a building or structure used for the purpose of providing accommodation for the offices of a professional person or persons and for any purpose incidental thereto; the administrative office of a non-profit organization and/or a business administrative office, *but shall exclude any use otherwise defined or classified herein.*

2019-58      *File No.: B-77-1069*  
*Cannabis Terminology & Definitions*  
*City of Belleville, County of Hastings*

(19A) "Cannabis Processing Centre" as meaning a premise used for primarily processing and cannabis authorized by a license issued by Health Canada. Testing, storing, and/or distribution of cannabis may be permitted as an accessory use. (2019-58)

(19B) "Cannabis Production Facility" as meaning a premise used for primarily growing and processing of cannabis authorized by a license issued by Health Canada. Testing, research, storing, and/or distribution of cannabis may be permitted as an accessory use. (2019-58)

(19C) "Cannabis Testing And Research Facility" shall mean a premise where any analytical testing, including any third party testing, and research and development of new products, improve existing products or to increase knowledge of cannabis authorized by a license issued by Health Canada. (2019-58)

(20) "Canopy" shall mean a roof construction or roof overhang free of enclosing walls, with supporting columns.

(21) "Carport" shall mean a structure not over one storey in height, enclosed by not more than two (2) walls, which is designed for the sheltering of a

vehicle .

2012-170

*File No.: B-77-925*

*Part of Lots 31 & 32, Concession 2, Township of Sidney,  
now in the City of Belleville, County of Hastings*

- (21A) 'Casino' shall mean a gaming facility approved by the Ontario Lottery and Gaming Corporation, but for the purpose of this By-Law does not include any other use or activity otherwise defined or classified in this By-Law.
- (22) "Cellar" shall mean that portion of a building between two (2) floor levels which is partly underground and which is, for more than one half of its height measured from the finished floor to the underside of the first floor joists, below the adjoining ground level.
- (23) "Cemetery" shall mean land that is set apart or used as a place of the dead or in which human bodies have been buried and shall also include columbarium and/or crematorium.
- (24) "Chief Building Official" shall mean a person appointed in accordance with Section 3 of The Ontario Building Code, R.S.O., 1990, as amended, charged with the duty of enforcing The Ontario Building Code within the Township.  
(3129-95)
- (25) "Church" shall mean a building or structure used or intended to be used for religious worship; and without limiting the generality of the foregoing may include a chapel, church hall, synagogue, tabernacle, temple and/or other places of religious worship.
- (26) "Coin Operated Laundry" shall mean a building or structure where the service of coin operated laundry machines, using only water, detergents and additives are made available to the public for the purpose of laundry cleaning.
- (27) "Commercial" shall mean the use of land, structure or building for the purpose of buying and selling of commodities and supplying of services as distinguished from manufacturing or assembling of goods, also as distinguished from other purposes such as warehousing and/or an open storage yard.
- (28) "Commercial School" shall mean a school conducted for hire, gain and/or profit, other than a private school or public school and includes the study of a dancing teacher or music teacher, an art school, golf school, calisthenics school and/or trade school and/or any other such specialized school conducted for hire, gain and/or profit .

- (29) "Commercial Vehicle" shall mean any motor vehicle having permanently attached thereto a truck or delivery body and without limiting the generality of the foregoing shall include ambulances, hearses, fire apparatus, police patrols, motor buses and/or tractors used for hauling purposes on the highways .
- (30) "Community Centre" shall mean any tract of land, building or buildings and/or any part of any building or buildings used for community activities, the control of which is vested in the Municipality, a local board and/or an agent thereof.
- (30 A)"Conservation" shall mean the management of biophysical or heritage resources to ensure its sustained or enhanced state.  
(3129-95)
- (31)
- (32) "Construction Yard" shall mean land used for the storage of materials incidental to the operation of road construction, contractor 's establishment and/or a building contractor' s establishment.
- (33) "Convenience Store" shall mean a retail store serving the daily or occasional needs of the residents of the immediate area with a variety of goods such as groceries, meats, beverages, dairy products, patent medicines, sundries, tobacco, stationery, hardware, magazines and/or newspapers .
- (34) "Corporation" shall mean the Corporation of the Township of Sidney.
- (35) "Council" shall mean the Municipal Council of the Corporation of the Township of Sidney.
- (36) "Day Nursery" shall mean a place that receives for temporary custody for a continuous period, not exceeding twenty-four (24) hours, more than five (5) children under ten (10) years of age, not of common parentage and which is not part of a public school, separate school, private school or children's mental health centre.
- (37) "Detached" shall mean, when used to describe any building or structure that the building or structure shall not adjoin on any side, any other building or structure.
- (38) "Development" shall mean the construction or erection of buildings or structures on land.
- (39) "Dog Kennel" shall mean a commercial operation where dogs are boarded

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for compensation and/or bred and/or sold at the premises and shall be in compliance with all municipal by-laws.

(3129-95)

- (40) "Drive In Restaurant" shall mean premises consisting of a building or structure, together with a parking area, from which food, refreshments, dairy products and/or beverages are offered for sale and/or sold to the public for consumption in automobiles parked on the parking area and/or for consumption elsewhere on the premises, but not necessarily within such building or structure where food, refreshments, dairy products and/or beverages are offered for sale and/or sold to the public only for consumption within the building or structure .
- (41) "Driveway" shall mean a continuous and unobstructed vehicular driveway of access from and/or egress to a public highway or lane to an aisle,
- (42) "Dry Cleaner 's Establishment" shall mean a building in which the business of dry cleaning, dry dyeing, cleaning, spotting, stain removal and/or pressing of articles and/or goods or fabrics is carried on and in which only non-combustible and non-flammable solvents are or can be used which emit no odors or fumes, in which no noise or vibration causes a nuisance or inconvenience within or without the premises and may include a dry cleaning distribution station.
- (43) "Dry Cleaning Distribution Station" shall mean a building or structure or part of a building or structure, used for the purpose of collection and distribution only, of articles and/or goods to be subjected to the process of dry cleaning, dry dyeing, cleaning, spot and/or stain removing and for the pressing of any articles and/or goods, which have been subjected to any process elsewhere at a dry cleaner's establishment.
- (44) "Dwelling" shall mean a building used for residential occupancy but does not include a hotel, motel or similar commercial use.
- (45) ~~"Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied by one or more persons as an independent and separate housekeeping establishment in which culinary and sanitary conveniences are provided for the exclusive use of such persons and with a private entrance from outside the building or from a common internal hallway or stairway, but does not include a hotel; motel; boarding, rooming and/or lodging house; group home; and/or recreational vehicle .~~

2016-85

*File No.: B-77-1001*

*To Define "Dwelling Unit"*

*City of Belleville, County of Hastings*

- (45) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied by one or more persons as an independent and separate housekeeping establishment in which culinary and sanitary conveniences are provided for the exclusive use of such persons in which a private entrance from outside the building or from a common internal hallway or stairway, but does not include: a hotel; motel; boarding, rooming and/or lodging house; group home; and/or recreational vehicle. A dwelling unit shall contain only one kitchen.

Notwithstanding anything in this By-Law to the contrary, the maximum number of persons that shall be permitted to occupy any dwelling unit shall be ten (10) •

In this By-Law, the expression:

- a) "Single Detached Dwelling" shall mean the whole of a building containing one dwelling unit only.
- b) Amended by By-law 2018-187 to delete in its entirety and replace with the following:
- (2018-187) "Semi-Detached Dwelling" shall mean one of a pair of attached dwelling units that are divided from each other with a common masonry wall that divides the two dwelling units vertically and each of which is located on a separate lot with the common masonry wall forming the lot line between each of the two dwelling units and where each of the two dwelling units has an independent entrance either directly from the outside or through a common vestibule.
- c) "Duplex Dwelling" shall mean the whole of a two storey building divided horizontally into two separate dwelling units, each of which has an independent entrance.
- d) "Triplex Dwelling" shall mean the whole of a three storey building divided horizontally into three dwelling units, each of which has an independent entrance;
- e) This section deleted.
- f) "Double Duplex Dwellings" shall mean two attached duplex dwellings;
- g) "Horizontal Multiple Attached Dwelling" shall mean a building containing a maximum of twelve (12) attached noncommunicating dwelling units divided vertically and/or horizontally, but shall not include any other dwelling defined in this By-Law;



- h) This section deleted.
- i) "Seasonal Dwelling" shall mean a dwelling containing only one dwelling unit, constructed and maintained as a secondary place of residence for seasonal vacations and recreational purposes only and not as a principal residence of the owner or occupant thereof;
- j) "Apartment" shall mean a separate building containing five (5) or more dwelling units having common corridors and stairways and having shared exit and entrance facilities and shall not include a horizontal multiple attached dwelling.  
(3129-95)
- (2018-187) k) "Second Unit Dwelling" shall mean one (1) additional dwelling unit located within a single detached dwelling, a dwelling unit of a semi-detached dwelling, or a dwelling unit of a town house dwelling.
- (2018-187) l) "Coach House Dwelling" shall mean one (1) additional dwelling unit that is located in a building or structure that is located on the same lot and is accessory to a single detached dwelling containing only one dwelling unit, semi-detached dwelling containing only one dwelling unit or townhouse dwelling containing only one dwelling unit.
- (2018-187) m) "Semi-Detached Duplex Dwelling" shall mean one of a pair of two attached duplex dwelling with a common masonry wall dividing the pair of duplex dwelling vertically which are both located on one lot.
- (2018-187) n) "Townhouse Dwelling shall mean a building that is divided vertically into three or more dwelling units, each of which has independent entrances, to a front and rear yard immediately abutting the front and rear walls of each dwelling unit.
- (46) "Eating Establishment" shall mean a building, or part of a building, where food is offered for sale and/or sold to the public for immediate consumption and includes such uses as a restaurant, dining room, cafe, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar and/or refreshment room or stand.
- (47) "Eave" shall mean a roof overhang, free of enclosing walls, without supporting columns .
- (48) "Erect" shall mean build, construct, reconstruct, structurally alter and/or enlarge, and shall include the relocation of a structure and any physical operation such as excavation, land fill and/or drainage work preparatory to

commencing the work of erecting a building or structure as aforesaid.

- (49) "Established Grade" shall mean the average elevation of the surface of the ground at the base of a structure, exclusive of any embankment in lieu of steps .
- (50) "Existing" shall mean existing as of the date of the passing of By-Law 2076-80 but in the case of any site specific or comprehensive amendment to By-Law 2076-80 "existing" shall mean, for all lands affected by such By-Law, lawfully existing as of the date of the passing of such amending By-Law by Council.  
(3129-95)
- (51) This section deleted.  
(3129-95)
- ~~(52) "Farm" shall mean the use of land for the tillage of soil, growing of vegetables, fruits, grains and other staple crops and shall include tree farming, nurseries, greenhouses, livestock and poultry operations and farm - livestock facilities and shall include a farm dwelling or existing farm dwellings, barns, sheds and other buildings or structures used and maintained in conjunction with the farm use.  
(3129-95)~~

2016-04      *File No.: B-77-991*  
*To Define "Medical Marihuana and Cannabis Related Uses"*  
*City of Belleville, County of Hastings*

- (52) "Farm" shall mean the use of land for the tillage of soil, growing of vegetables, fruits, grains and other staple crops and shall include tree farming, nurseries, greenhouses, livestock and poultry operations and farm - livestock facilities and shall include a farm dwelling or existing farm dwellings, barns, sheds and other buildings or structures used and maintained in conjunction with the farm use, *but shall not include any use otherwise defined or classified herein.*
- (53) "Farm - livestock facility" shall mean a manure storage system, feedlot or building located on a farm used to house livestock and poultry such as dairy and beef cattle, horses, swine, sheep, pigs, mink, rabbits, goats, geese, chickens and turkeys.  
(3129-95)
- (54) "Farm Produce Outlet" shall mean a use accessory to a permitted farm which consists of the retail sale of farm products produced or grown on the farm where such outlet is located.

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- (55) "First Floor" shall mean the floor of a building approximately at or immediately above the established grade.
- (56) "Flood Plain" shall mean the area, usually low lands, adjoining a watercourse or waterbody, which may be covered by flood water, as defined by the local Conservation Authority; or an area below the regulatory floodline as defined by the local Conservation Authority. (3246-96)
- ~~(57) "Floor Area, Gross" shall mean, in the case of a building or structure, the aggregate of the area of each storey or part of a storey above ground floor, measured between the exterior faces of exterior walls in the case of a detached building, structure, or in the case of an attached building or structure measured from the centre line of a common wall, at the level of each storey, exclusive, however, of any part of the building or structure which is used for a private garage, porch, verandah or sunroom.~~

~~Where a basement is designed to be used in conjunction with the commercial or industrial function of the building, the basement floor area shall be included in the gross floor area.~~

2016-85      *File No.:B-77-1001*  
*To Define "Floor Area, Gross"*  
*City of Belleville, County of Hastings*

- (57) "Floor Area, Gross" shall mean, in the case of a building or structure, the aggregate of the area of each storey or part of a storey above ground, measured between the exterior faces of the exterior walls in the case of a detached building or structure measured from the centre line of a common wall, at the level of each storey, exclusive, however of any part of the building or structure which is used for a private garage, porch, verandah or sun room.

Where a *cellar* is designed to be used in conjunction with a commercial or industrial function of the building, the *cellar* floor area shall be included in the gross floor area.

- (58) "Floor Area, Gross Leasable" shall mean the total floor area designated for tenant occupancy and exclusive use, including individual basements, mezzanines and upper floors if any, expressed in square metres measured from the centre lines of joint partitions and exteriors of outside walls .
- (59) "Fraternal Organization" shall mean a non-profit non-commercial organization, which carries on social, cultural, and/or welfare programs, for the betterment of the community, with the extent of the office

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accommodation in the building so used not exceeding one office for the exclusive use of the secretary of the organization.

- (60) "Front Yard" shall mean the yard extending across the full width of the lot between the front lot line and the nearest part of any building or structure on the lot.
- (61) "Front Yard Depth" shall mean the minimum horizontal distance between the front lot and the nearest part of any building or structure on the lot.
- (62) "Garage, Private" shall mean a building not over one storey in height which is designed for sheltering vehicles and in which no service for profit is rendered.
- (63) "Government Administration Building" shall mean a building or portion of a building, which is used for the purpose of a municipal , provincial and/or federal government administration and includes a Municipal Office, Court House, Registry Offices, Health and Welfare Centre, Employment Office, Post Office and/or other such use.
- (64) "Group Home" shall mean a single housekeeping unit in a single detached dwelling in which three (3) to (10) persons (excluding supervisory staff or the receiving family) live under responsible supervision consistent with the particular requirements of its residents. The home is licensed and/or approved for funding under an Act of the Parliament of Canada or the Province of Ontario in compliance with municipal by-laws.  
(2460-86) (3129-95)
- (65) "Habitable Room" shall mean a room, or enclosed floor space of not less than 5.5 square metres adjoining an external wall and used or intended to be used for living, eating, cooking or sleeping; but does not include any space in a dwelling or dwelling unit used as a bathroom, pantry, corridor or hallway, closet, stairway or lobby.
- (66) "Hereafter" shall mean after the date of the passing of this By-Law.
  - (66a) "High water mark" shall mean the line adjacent to a watercourse or waterbody at which lands are covered for a sufficient time with water to preclude non-aquatic vegetative growth and may thereby remove any value for farm cropping or pasturing purposes.  
(3246-96)
- (67) "Home Occupation" shall mean any occupation that is carried on as a use accessory to the residential use of a dwelling unit, by a person or persons residing therein, and there is no display, notice or advertisement, or parking of commercial or industrial vehicles or storage of materials or containers to indicate to persons residing elsewhere that the dwelling unit

is used for any purpose other than as a residence. A home occupation does not include the keeping and serving of boarders, lodgers or roomers. (3129-95)

- (68) "Home Occupation - Rural" shall mean any occupation conducted for gain or profit as an accessory use,
- a) within a dwelling unit by one or more members of the family residing in such dwelling unit, or
  - b) on a permitted farm within a dwelling unit, other main building or accessory building.

There shall be no display, notice or advertisement of the rural home occupation or parking of commercial or industrial vehicles or storage of material or containers to indicate to persons residing elsewhere that there is a rural home occupation on site. A rural home occupation does not include the keeping and serving of boarders, lodgers or roomers. (3129-95) .

- (69) "Hospital, Public" shall mean any institution, building or other premises established for the treatment of persons afflicted with or suffering from sickness, disease and/or injury, and/or for the treatment of convalescent and/or chronically ill persons that is approved under The Public Hospitals Act as a public hospital.
- (70) "Hotel" shall mean a separate building, or two or more connected buildings, used mainly for the purpose of catering to the needs of the travelling public, by the supply of food and also by the furnishing of sleeping accommodation of not fewer than six (6) bedrooms, as distinguished from other building or connected buildings used mainly for the purpose of supplying food and lodging by the week, or otherwise commonly known as "boarding rooming and/or lodging houses" or for furnishing living quarters for families and having a dining room or restaurant commonly known as "apartment dwelling" or "private hotel".
- (71) "Identification Sign" shall mean a sign, not larger than 0.2 square metres, the content of which is limited to displaying the name and address of a person occupying land, or a building, or of an institution occupying the land and/or of the occupation of the person or the activity carried on in the building. (3129-95)
- (72) "Industrial Use" shall mean any establishment in which manufacturing processes are carried on, and also includes transportation, wholesaling, warehousing, storage and/or shipping.

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(73) "Interior Lot" shall mean a lot which is bounded by only one street.

2016-85      *File No.: B-77-1001*  
*To Define "Kitchen"*  
*City of Belleville, County of Hastings*

(73a) "Kitchen" shall mean an area which contains running water and a refrigerator and a stove or an area for the installation of a refrigerator and a stove.

(74) "Landscaped Area" shall mean the open, unobstructed space on a lot accessible from the street on which the lot is located and which is suitable for the growth and maintenance of grass, flowers, bushes and/or other landscaping and includes any surfaced walk, patio and/or similar area, but does not include any driveway or ramp, whether surfaced or not, any curb, retaining wall, parking area or any open space beneath or within any building or structure.

(75) "Lane" shall mean a public thoroughfare or way, which affords only a secondary means of access to abutting property.

(76) "Library" shall mean a public library to which the provisions of the Public Libraries Act, as amended from time to time, apply.  
(3129-95)

(77) "Loading Space" shall mean a space provided and/or used for the purpose of loading and/or unloading goods, merchandise and/or materials which are pertinent to the operation carried out in any buildings, and/or on a parcel of land and is not located on or partly on any street or lane.

(78) "Lot" shall mean a parcel of land, under distinct and separate ownership from abutting lands and being described in a deed or transfer or other similar document legally capable of conveying land and being registered at the Land Registry Office in Belleville.

Notwithstanding the foregoing a "lot" created by a scheme or method intended to avoid the consent/subdivision requirements of the Planning Act, R.S.O. 1990, c.P.13 or any predecessor thereof (including, without limiting the generality of the foregoing, a "checkerboarding scheme") shall not be recognized as a lot that can be used for residential purposes where such lot is located in the A1 - Agriculture zone or A2 – Agriculture zone unless such lot has an existing dwelling located thereon.  
(3129-95)

(79) "Lot Area" shall mean the total horizontal area within the lot lines of a lot or, where a lot is divided into more than one zone classification, "lot area" shall mean the total horizontal area within the respective zone

classification, inside the area bounded by the zone boundary or boundaries and/or the lot line or lines, excluding the horizontal area of such lot usually covered by water or marsh, or beyond the rim of a river bank or watercourse, or between the top and toe of a cliff or embankment having a slope of 30 degrees or more from the horizontal.

- (80) "Lot, Corner" shall mean a lot situated at the intersection of two or more streets having an angle of intersection of not more than 135 degrees.
- (81) "Lot Coverage" shall mean the portion or percentage of the area of a lot upon which buildings are erected.
- (82) "Lot Depth" shall mean the horizontal distance between the front and rear lot lines or, where a lot is divided into more than one zone classification, "lot depth" shall mean the horizontal distance, within the respective zone classification, between the front or rear lot line and the zone boundary, where such zone boundary is between the front and rear lot lines, as determined in accordance with Part C, Section 11.
- (83) "Lot Frontage" shall mean the horizontal distance between the side lot lines or, where a lot is divided into more than one zone classification, "lot frontage" shall mean the horizontal distance, within the respective zone classification, between the side lot line and the zone boundary, where such zone boundary is closer than the other side lot line, as determined in accordance with Part C, Section 11.
- (84) "Lot Line" shall mean any boundary of a lot.
- (85) "Lot Line, Front" shall mean the boundary of a lot which is common with the street line, provided that, in the case of a corner lot, the shorter lot line that is common with the street line, shall be deemed to be the front lot line and the longer lot line shall be the "outside side lot line" .
- (86) "Lot Line, Rear" shall mean the lot line opposite the front lot line.
- (87) "Lot Line, Side" shall mean any lot line other than the front, rear or outside side lot line.
- (88) "Lot, Through" shall mean a lot other than a corner lot having lot lines on two streets.
- ~~(89) "Manufacturing" shall mean any operation carried on for the making of any article or part of an article which shall include the altering assembling, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, canning, adapting for sale, breaking up and/or demolition of the said article and/or thing'; and manufacture shall be construed accordingly.~~

2016-04      *File No.: 877-991*  
*To Define "Medical Marihuana and Cannabis Related Uses"*  
*City of Belleville, County of Hastings*

- (89) "Manufacturing" shall mean any operation carried on for the making of any article or part of an article which shall include the altering, assembling, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, canning, adapting for sale, breaking up and/or demolition of the said article and/or thing, but shall not include any use otherwise defined or classified herein; and manufacture shall be construed accordingly.

**(87a)** "Manufacturing Metal" shall mean a business where the manufacturing, repair and ancillary retail sales of various metal products such as farm implements and stoves takes place.  
(2315-84)

(Deleted by By-Law 2019-58)

~~(90) 2016-04      *File No.: 877-991*  
*To Define "Medical Marihuana and Cannabis Related Uses"*  
*City of Belleville, County of Hastings*~~

~~"Marihuana Dispensary" shall mean a main use of land or occupancy of a building or structure for the purpose of selling or dispensing marihuana or cannabis products.~~

- (91) "Marina" shall mean a building, structure or place, containing docking facilities and located on a navigable waterway, where boats and boat accessories are stored, serviced, repaired and/or kept for sale and where facilities for the sale of marine fuels and lubricants may be provided.

- ~~(92) "Medical Clinic" shall mean a building or portion of a building used solely for the purpose of consultation, diagnosis and treatment of patients by two (2) or more legally qualified physicians, dentists, optometrists, chiropodists, chiropractors and/or drugless practitioners, together with their~~

2012-121      *File No.: B-77-912*  
*To Define "Drug Rehabilitation Centre" or "Methadone Clinic", and "Methadone Dispensary"*  
*City of Belleville, County of Hastings*

- (92) "Medical Clinic" shall mean a building or portion of a building used solely for the purpose of consultation, diagnosis and treatment of patients by two (2) or more legally qualified physicians, dentists, optometrists, chiropodists, chiropractors and/or drugless practitioners, together with their qualified assistants and without limiting the generality of the



foregoing, the building may include administrative offices, waiting rooms, examination rooms, treatment rooms, laboratories and/or pharmacies used in connection and forming part of the practises, but shall not include accommodation for in patient care or operating rooms for major surgery, or *any use otherwise defined or classified herein.*

2016-04      *File No.: 877-991*  
*To Define "Medical Marihuana and Cannabis Related Uses"*  
*City of Belleville, County of Hastings*

~~(92a) "Medical Marihuana Production Facility" shall mean premises used for growing, producing, testing, destroying, storing, or distribution of medical marihuana or cannabis authorized by a license issued by Health Canada.~~

(Deleted by By-Law 2019-58)

(92b) *"Methadone Dispensary" shall mean a business selling or filling methadone prescriptions for customers as the primary activity of the business, but excludes a pharmacy or a pharmacy that is accessory and ancillary to a hospital."*

(93) "Mini Storage Building" shall mean a one storey building containing individual storage units, with each unit having a floor area not exceeding 35 square metres and with each unit having its own access from the outside and used for the purpose of storage of goods, wares, articles and/or things . (2242-83)

(94) "Mobile Home" shall mean a manufactured movable or portable dwelling unit designed and constructed to be towed to its appropriate site, on its own chassis to be connected to utilities and designed to be placed on a permanent foundation or piers for year round living. Such dwelling units may contain parts that may be folded, collapsed or telescoped when being towed and expanded later to provide additional cubic capacity as well as two or more separate towable components designed to be joined into one integral dwelling unit . The mobile home must contain sleeping accommodation, flush toilet, a tub or shower bath and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems .

(95) "Mobile Home Park" shall mean a development under single ownership not having a registered plan of subdivision, managed by a park operator and having two or more mobile home lots with mobile homes which may be rented or owned. Ownership and responsibility for the maintenance of roadways, underground and aboveground services, commercial areas and buildings, together with general park management including snow clearance, garbage collection, et cetera, rests with the operator.

- (96) "Mobile Home Park Roadway" shall mean a private road within the boundaries of the Mobile Home Park giving access to the Mobile Home Lots and other permitted uses.
- (97) "Mobile Home Lot" shall mean a parcel of land in a Mobile Home Park used for the placement of a mobile home and for the exclusive use of the mobile home occupant.
- (98) "Mobile Home Park Service Commercial" shall mean the use of land, in a Mobile Home Park, for the erection of buildings containing retail stores and service shops deemed to serve a convenience function to the residents of the Mobile Home Park.
- (99) "Mobile Home Park Service Building" shall mean those permanent buildings in a Mobile Home Park that are necessary for the convenience of the Mobile Home Park residents and for the maintenance of the Park. These may include structures and buildings required for utilities, sanitary sewer and water services, maintenance, storage and indoor and outdoor recreation.

2016-85      *File No.: B-77-1001*  
*To Define "Model Home"*  
*City of Belleville, County of Hastings*

- (99a) "Model Home" shall mean a building which is used on a temporary basis as a sales office or as an example of the type of dwelling that is for sale in a related development and which is not occupied or used as a residential dwelling.
- (100) "Motel" shall mean and include a building containing a series of three or more living or sleeping units with individual interior sanitary conveniences for rent and/or hire for temporary living and/or sleeping accommodation of the travelling public.
- (101) "Motor Vehicle" shall mean any vehicle propelled or driven otherwise than by muscular power; but does not include the cars of electric, diesel or steam railways or other vehicles running upon rails; or farm tractor, traction engine or self propelled implement of farming or road building machine .
- (102) "Motor Vehicle Body Shop" shall mean a building or structure used for the painting and/or repairing of motor vehicle bodies, exteriors and/or undercarriages.
- (103)

- (104) "Motor Vehicle Rental Agency" shall mean a building, or portion of a building, where motor vehicles are kept for rent, lease or hire under agreement for compensation.
- (105) "Motor Vehicle Repair Garage" shall mean a building, or portion of a building, where the exclusive service performed or executed on motor vehicles, for compensation, shall include the installation of exhaust system, repair of the electrical system, transmission repair, brake repair, radiator repair, tire repair and/or installation, rust proofing, motor vehicle diagnostic centre, major and/or minor mechanical repairs and/or similar uses.
- (106) "Motor Vehicle Sales Room and Lot" shall mean a building, or portion of a building, or an area of land or both, the purpose of which is for the display or sale, or both, of new and/or used motor vehicles, but does not include a wrecking or salvage yard or scrap yard. A motor vehicle body repair shop, motor vehicle service station and/or motor vehicle repair garage may form an integral part of such "motor vehicle sales room and lot".
- (107) "Motor Vehicle Service Station" shall mean a building or structure where gasoline, oil, grese, antifreeze, tires, tubes, automotive accessories, electric lightbulbs, spark plugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased, washed, polished or have their ignition adjusted, tires inflated or batteries charged, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed. A "motor- vehicle service station" may operate on a self serve basis.
- (108) "Motor Vehicle Washing Establishment" shall mean a building or portion of a building, which is used for the operation of motor vehicle washing equipment which is automatic, semi automatic and/or coin operated and may include a "motor vehicle gasoline bar".
- (109) "Municipal Yard and/or Public Utilities Yard" shall mean any land, buildings and structures owned by the municipalit y or any local board or commission, or public utility, and used for the storage, maintenance and/or repair of equipment used in connection with civic works .
- (110) "Municipality" shall mean the Corporation of the Township of Sidney.  
(2991-93)
- (111) "Museum" shall mean a building or buildings used, or to be used, for the preservation of a collection of paintings and/or other works of art, and/or of objects of natural history, and/or of mechanical scientific and/or philosophical inventions, instruments, models and/or designs, and

dedicated or to be dedicated to the recreation of the public, together with any libraries, reading rooms, laboratories and/or other offices and premises used or to be used in connection therewith.

- (112) "Non Conforming Use" shall mean that use to which any land, building or structure was lawfully put on the date of the passing of By-Law 2076-80 by Council and which does not conform with the requirements of this By-Law for the zone in which such land, building or structure is situated.
- (113) "Nursing Home" shall mean any premises maintained and operated for persons requiring nursing care or in which such care is provided to two (2) or more persons; as licenced by the Province of Ontario .  
(3129-95)
- (114) "Non Personal Service or Repair Operation" shall mean a use other than a motor vehicle related use, associated with the provision of a non personal service or trade, including a plumber's shop, a painter 's shop, a carpenter's shop, an electrician's shop, building heating and cooling systems shop, a machine or welding shop or other similar or like uses which provide installation, maintenance and/or repair services .  
(2991-93) (3129-95)
- (115) "Open Storage" shall mean storage outside a building or structure .

2012-121      *File No.: B-77-912*  
*To Define "Drug Rehabilitation Centre" or "Methadone Clinic", and "Methadone Dispensary"*  
*City of Belleville, County of Hastings*

- (115a)"Opioid Substitution Therapy Clinic" shall mean a Medical Clinic or a Business, Professional and/or Administrative Office that treats clients using Opioid Substitution Therapy as the primary activity of the clinic or office, but does not include a Public Hospital.
- (116) "Ornamental Structure" shall mean any ornamental fountain, statue, monument, cenotaph or other memorial or decorative structure which may or may not be part of or accessory to any other structure.
- (117) "Owner" shall mean a mortgagee, lessee, tenant, occupant, or a person entitled to a limited estate or interest in land, a trustee in whom the land is vested, a committee of the estate of a mentally incompetent person, an executor, an administrator or a guardian.
- (118) "Park" shall mean an area permanently devoted to recreational uses and generally characterized by its natural, historic or landscaped features, and used for both passive and active forms of recreation designed to serve the residents of a neighborhood, community, region and/or Province.

- (119) "Parking Angle" shall mean the angle, which is equal to or less than a right angle, formed by the. Intersection of the side of a parking space and a line parallel to the aisle.
- (120) "Parking Area" shall mean an area of a lot, or an area within a building or structure, or an area within a covered structure built below ground level, which area shall be available and maintained to provide parking spaces for vehicles, and includes pedestrian walkways, aisles for the movement of vehicles and other spaces necessarily incidental to the parking of vehicles, together with one or more driveways to and from a public street or lane under all conditions of use.
- (121) "Parking Space" shall mean an area, exclusive of driveways or aisles, for the parking of vehicles.
- (122) "Person" shall mean any individual, association, firm, partnership or incorporated company.
- (123) "Pit" shall mean a place where unconsolidated gravel, stone, sand, earth, -clay, fill, mineral or other material is being or has been removed by means of an open excavation to supply material for construction, industrial, or manufacturing purposes, but does not include a wayside pit .
- (123A)"Places of Amusement" shall mean any land, building, or structure used, for recreational, sporting or amusement purposes by the public and operated for profit or gain and without limiting the generality of the foregoing may include: an amusement park; an amusement or game arcade; bowling alley; a pool or billiard hall; a bingo hall; assembly hall; a dance hall; a tavern; a miniature golf course and/or golf ball driving range; a theatre and/or cinema; roller skating rink; arena; and/or recreational club.  
(3129-95)
- (123B)"Preservation" shall mean the act of protecting and maintaining in an inherently natural state.  
(3129-95)
- (124) "Private Club" shall mean a building or portion of a building, located on private lands, used as the premises for a social, athletic, recreational and/or fraternal organization or club, and which is not operated for profit.
- (125) "Private School" shall mean a school other than public school, as herein defined, where academic subjects are taught and which is maintained for educational, philanthropic and/or religious purposes.

## PART A – APPLICATION AND INTERPRETATION

- (126) "Professional Person" shall for the purpose of this By-Law include legally qualified physicians, dentists, optometrists, chiropodists, chiropractors, drugless practitioners, lawyers, engineers, architects, Ontario Land Surveyors, accountants, and veterinarians .
- (126A)"Provincially Significant Wetland" shall mean a wetland deemed Provincially significant and defined as such by the Wetlands Policy Statement issued by the Province under the authority of Section 3 of the Planning Act, R.S.O. 1990.  
(3129-95)
- (127) "Public Authority" shall mean a Municipal Council, School Board, Public Utilities Commission, Transportation Commission, Public Library Board, Board of Parks Management, Board of Health, Board of Commissioners of Police, Planning Board, and/or other Board, Commission, Committee of Local Authority established for 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 a portion thereof and includes any committee or Local Authority established by By-Laws of the corporation.
- (128) "Public Facility" shall mean a building or part of a building used for a non commercial purpose by any organized body, religious group and/or society such as a hospital, a library, a convent and/or a similar use.
- (129) "Public Parking Area" shall mean a parking area used for the temporary storage and/or parking of vehicles for hire or gain.
- (130) "Public School" shall mean a public or separate school, high school, technical school, vocational school, college and university, established and maintained at public expense.
- (131) "Public Sewage Disposal system" shall mean a sewage works or water control pollution plant under the care and maintenance of the Township or the Ministry of the Environment.

2019-64      *File No.: B-77-1077*  
*"Public Uses"*  
*City of Belleville, County of Hastings*

(131A)"Public Use" means any use of land, buildings or structure by or on behalf of a public authority. (2019-64)

- (132) "Public Utility" shall mean a water works and/or water system, sanitary or storm water sewage works, cable television system, telephone system, electrical power and/or energy generating system, street lighting system, natural and/or artificial gas works; and includes any land, building,

## PART A – APPLICATION AND INTERPRETATION

equipment, collection, distribution, supply and/or transmission systems required for the administration and/or operation of any such system.

- (133) "Quarry" shall mean a place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry.
- (134) "Rear Yard" shall mean a yard extending across the full width of the lot between the rear lot line and the nearest part of the main building or structure on the lot.
- (135) "Rear Yard Depth" shall mean the minimum horizontal distance between the rear lot line and the nearest part of the building or structure on the lot.
- (136) "Recreation Use" shall mean any indoor or outdoor facility designed to be used for the playing of games and sporting activities that do not require the use of motorized vehicles, such as golf, tennis and other racquet sports, swimming, and other similar recreational activities .  
(2261-84)
- (137) "Recreational Vehicle " shall mean a portable structure, intended as a temporary accommodation for travel, recreational and/or vacation use. Such structures include motorized snow vehicles, travel trailers, automobile trailers, motorized homes, slidein campers, chassis mounted campers, tent trailers and/or boats, but in no event shall be deemed to include "mobile homes".
- (138) "Redevelopment" shall mean the removal of buildings or structures from land and the construction or erection of other buildings or structures thereon.
- ~~(139) "Retail Store" shall mean the use of land or the occupancy of a building or structure for the purposes of selling, or offering for sale, goods, wares, or merchandise on an item basis, directly to the public and includes the storage or warehousing of those goods, wares and merchandise, and without limiting the generality of the foregoing also includes a dress shop and/or tailor's shop, but shall not include an eating establishment.~~
- 2016-04      *File No.: B-77-991*  
*To Define "Medical Marijuana and Cannabis Related Uses*  
*City of Belleville, County of Hastings*
- (139) "Retail Store" shall mean the use of land or the occupancy of a building or structure for the purposes of selling, or offering for sale, goods, wares, or merchandise on an item basis, directly to the public and includes the storage or warehousing of those goods, wares or merchandise, and without limiting the generality of the foregoing also includes a dress shop,

millinery shop, bakery shop and/or tailor's shop, but shall not include an eating establishment, or any use otherwise defined or classified herein

(139A) "Retailing Warehouse Outlet" shall mean the use of a building having an extensive floor area by one (1) business establishment for the purposes of selling or offering for sale goods, wares or merchandise of only one (1) specialized product or merchandise line on an item basis directly to the public and includes the storage or warehousing of those goods, wares or merchandise and nothing in the aforementioned shall mean to include a department store or an apparel store. Without limiting the aforementioned, any one of the following may be deemed a specialized product or merchandise line: hardware; computerware; office supplies that may include computerware; sportsware; furniture; motor vehicle parts; or garden and nursery and/or craft products.

(3129-95)

(140) "Rental Outlet" shall mean the use of land or the occupancy of a building or a part of a building or structure where articles or equipment of a primarily commercial or industrial nature are offered for rent, lease or hire under agreement for compensation.

(3129-95)

(141) "Salvage Yards" shall mean the use of any land, building or structure for the handling of goods, wares, or materials for the purpose of salvage, re-use, or other similar purpose . Without limiting the generality of the foregoing, "salvage yard" shall include the handling of wastepaper, rags, bottles, bicycles, old metal, automobile tires and parts, but shall not include a "wrecking yard".

(3129-95)

(142) "Senior citizens Housing" shall mean any home for Senior Citizens sponsored and administered by any public agency or any service club, church or other non- profit organization, either of which obtains its 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 such as club and lounge facilities, usually associated with Senior Citizens development .

(143) "Service Shop" shall mean a building or part of a building where personal services are provided such as a barber shop, a beauty salon, a shoe repair shop and/or other similar services .

(144) "Shopping Centre" shall mean a group of commercial establishments conceived, designed and developed as a unit, in accordance with the provisions of this By-Law and related in location, size and type to the



surrounding trade area which it services, as opposed to a business area comprising unrelated individual commercial establishments.

- (145) "Side Yard" shall mean a yard extending from the front yard to the rear yard between the side lot line and the nearest part of the building or structure on the lot.
- (146) "Side Yard, Interior" shall mean any side yard other than an outside side yard.
- (147) "Side Yard, outside" shall mean the side yard of a corner lot extending from the front yard to the rear yard between the flanking street line and the nearest part of the building or structure on the corner lot.
- (148) "Side Yard, Width" shall mean the minimum horizontal distance between the side lot line and the nearest part of the building or structure on the lot.
- (149) "Sign" shall mean a board, screen or structure having characters, letters, or illustrations applied thereto or displayed thereon in any manner, which shall include the posted or painted advertisements or notices on a building or structure.
- (150) "Special Care Residential Building" shall mean a residential building for the accommodation of Senior Citizens wherein special care in the form of meal preparation and serving, housekeeping and laundry services, and recreational facilities and leisure services, is provided for the residents. (2831-91)
- ~~(151) "Storey" shall mean that portion of a building other than a basement included between the surface of any floor and the surface of the floor, roof, deck or ridge next above it, but shall exclude an unfurnished attic.~~

2016-85

*File No.: B-77-1001*

*To Define "Storey"*

*City of Belleville, County of Hastings*

- (151) "Storey" shall mean that portion of a building other than a *cellar* included between the surface of any floor and the surface of the floor, roof, deck or ridge next above it, but shall exclude an unfinished attic.
- (152) "Street" shall mean a public thoroughfare under the jurisdiction of either the Corporation, other pertinent municipal Corporation, the County of Hastings, or the Province of Ontario, but shall not include a lane or private right of way, and street allowance shall have a corresponding meaning. (3129-95)

- (153) "Street - Improved" shall mean a street, as defined herein which has been constructed in such a manner as to permit the year round use by normal vehicular traffic, and which has been assumed by the appropriate Public Authority.
- (154) "Street Line" shall mean the side limit of a street.
- (155) "Structure" shall mean any material object or work erected as a unit or constructed or put together of connected or dependent parts or elements, whether located under, on and/or above the surface of the ground.  
2016-85      *File No.: B-77-1001*  
*To Define "Structure"*  
*City of Belleville, County of Hastings*
- (155) "Structure" shall mean any material object or work erected as a unit or constructed or put together of connected or dependent parts or elements, whether located, under, on and/or above the surface or the ground, but shall not include unitary equipment as defined herein.
- (156) "Swimming Pool" shall mean an artificial body of water constructed of cement, plastic, fiberglass or similar material, having a depth greater than one (1) metre and intended primarily for swimming, bathing, wading and diving.
- (157) This section deleted.  
(3129-95)
- (158) "Township" shall mean the Corporation of the Township of Sidney.
- (159) "Tourist camp" shall mean any parcel of land which is used to provide temporary accommodation for the public, in tents and/or recreational vehicles whether or not a fee is charged or paid for such accommodation.
- (160) "Tourist Establishment" shall mean a building designed for the temporary accommodation of the travelling or vacational public and includes a tourist home, lodge, motel, hotel, or similar accommodation.
- (161) "Truck and/or Transportation Terminal" shall mean land, or a building or structure where trucks and/or tractor trailers and/or buses are kept for hire, rental and/or lease, and/or stored, and/or parked for remuneration, and/or from which trucks and/or tractor trailers are dispatched for hire as common carriers and/or buses are dispatched.  
(2795-90)
- (161A) "Truck Trailer Box" shall mean any vehicle or structure so constructed that it is suitable for being attached to a motor vehicle

and is capable of being used for transporting goods, materials, equipment or livestock notwithstanding that such vehicle is jacked up or that its running gear is removed.

(2002-62)

- (162) "Trade School" shall mean a public school, private school or commercial school where the course of instruction relates primarily to industrial arts and vocational and technical subjects, with or without the accessory retail or wholesale of articles manufactured on the premises or the supplying of non-personal services or crafts to the public in a manner of a service trade or a repair shop, provided such articles, services or crafts are directly related to a course of instruction conducted by the said school.  
(2991-93)

- (163) "Undertaking Establishment" shall mean a building, or portion of a building, designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for interment or cremation.

2016-85

*File No.: B-77-1001*

*To Define "Unitary Equipment"*

*City of Belleville, County of Hastings*

(163a)"Unitary Equipment" shall include central air conditioning units, heat pumps, swimming pool filters, and domestic fuel tanks.

- (164) "Use (when used as a verb) " shall mean the doing or permitting of anything by the owner on any land, building, or structure, directly or indirectly or by or through any servant or agent acting for or with the knowledge and consent of such owner, for the purpose of making use of or occupying the said land, building or structure .

- (165) "Use (when which used as a noun)" shall mean the purpose for which either land or a building or structure is arranged, designed or intended or for which either land or a building or structure is or may be occupied.

- (166) "Use - Main" shall mean the main purpose for which:

- a) the main building or structure is used;
- b) the lot or parcel is used in the case there is no building or structure erected on the lot.

- (167) "Vehicle" shall mean a motor vehicle trailer, traction engine, farm tractor, road building machine, and any vehicle drawn, propelled and/or driven by any kind of power, including muscular power, but not including the cars of electric or steam railways running only upon rails.

- (168) "Vehicle Weight" shall mean the weight of a commercial vehicle as listed by the manufacturer.
- (169) "Warehouse Storage" shall mean a building or structure used for the storage and/or distribution of goods, wares, merchandise, articles, and/or things, but does not include any salvage operation or a bulk storage yard or truck and/or transport terminal.
- (170) "Waste Disposal Area" shall mean any parcel of land upon which, or building or structure in which waste is deposited or processed and any machinery or equipment or operation required for the treatment or disposal of waste, and shall include a sanitary landfill site, a sewage treatment plant and a sewage lagoon.
- (170A)"Waterbody" shall mean to include a lake and "lake" shall have a corresponding meaning to "waterbody". Without limiting the aforementioned, "waterbody" shall mean to include "Oak Lake" and the "Bay of Quinte".(3129-95)
- (171) "Watercourse" shall mean creek, river and/or drainage ditch excluding minor farm related drainage ditches or having a continuous flow of water, municipal ditches and street side ditches, usually having a defined channel with a bed and visible confining banks and a flow for a sufficient time to give it a conspicuous presence or substantial existence.  
(3129-95) (3246-96)
- (172) "Wayside Pit" or "Wayside Quarry" shall mean a temporary pit or quarry opened and used by or on behalf of a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right of way.
- (173) "Wholesale Business" shall mean the use of land or the occupancy of a building and/or structure, for the purpose of selling, and/or offering for sale, goods, wares and/or merchandise on a wholesale basis, and includes the storage or warehousing of those goods, wares and/or merchandise.
- (174) "Workshop" shall mean that portion of a building or structure used for the servicing and/or repairing of goods and/or merchandise of a type which is sold from the premises of which the workshop is a part .
- "Wrecking Yards" shall mean the use of any land, building or structure for the storage of used motor vehicles or any part or parts thereof for the purpose of wrecking, dismantling, or salvaging same for sale or other similar purpose but shall not include a "salvage yard".

(3129-95)

(175) "Yard" shall mean any open, uncovered, unoccupied space appurtenant to a building, except as specified in Part c, Section 12.

(176) "Zone" shall mean an area of land for which a specific land use is designated by this By-Law.

(177) "Zoning Map" shall mean the maps which illustrate zones and which form part of this By-Law, or any amendment thereto.