

SECTION 7 – DEFINITIONS

7. DEFINITIONS

For the purpose of this By-law, the definitions and interpretations given in this section shall govern.

7.1 ABATTOIR

Shall mean a slaughter-house designed for the purpose of killing animals, skinning, dressing and cutting up of carcass, wrapping for sale for human consumption with cooler and freezer storage and may include indoor confinement of animals while awaiting slaughter but shall not include the manufacturing of meat by-products or any process related to rendering plants such as the manufacture of tallow, grease, glue, fertilizer, or any other inedible product.

7.2 ACCESSORY BUILDING OR STRUCTURE

Shall mean a detached building or structure the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot therewith.

7.3 ACCESSORY USE

Shall mean a use customarily incidental and subordinate to and exclusively devoted to the main use of the lot, building or structure and located on the same lot with such main use.

7.4

(2016-04)

File No.: B-77-991

AGRICULTURE

Shall mean the use of land, buildings or structures for the purposes of the growing of field crops, flower gardening, truck gardening, berry crops, tree crops, nurseries, aviaries, apiaries, or farms for grazing, breeding, raising, boarding of livestock and poultry, the use of land for woodlands and syrup production or any other similar uses carried on in the field of general agriculture, including the sale of such produce, crops or livestock on the same lot, but shall not include any use or activity otherwise defined or classified herein.

7.5 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 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 laneway, whether such alteration is made by conveyance or alienation or any portion of said lot or otherwise. The words “altered” and “alteration” shall have a corresponding meaning.

7.6 APARTMENT

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7.7 See Dwelling, Apartment Dwelling House
ASSEMBLY HALL

Shall mean a building or part of a building, in which facilities are provided for such purposes as meetings for civic, educational, political, religious or social purposes and shall include a banquet hall, private club or fraternal organization.

7.8 ATTACHED

When used to describe any building or structure shall mean that the roof of such building or structure is supported by a wall of the principal building.

7.9 AUDITORIUM

See Assembly Hall

7.11 AUTOMOBILE

Shall mean any vehicle propelled or driven otherwise than by muscular power, does not include railway cars powered by steam, electricity or diesel fuel or other vehicles running upon rails, or self-propelled implements of farming or road building.

7.12 AUTOMOBILE BODY SHOP

Shall mean a building where automobile cleaning, polishing, body repair and repainting and is conducted but shall not include any other automotive use.

7.13 AUTOMOBILE SALES AGENCY

Shall mean a building and/or lot used for the display and sale of automobiles and may include the servicing, repair and repainting of automobiles, the leasing or renting of utility or boat trailers and automobiles and the sale of automotive accessories and related products, but shall not include any other defined automotive use.

7.14 AUTOMOBILE SERVICE STATION

Shall mean a building or place where gasoline, propane, natural gas, diesel, oil, grease, anti-freeze, tires, tubes, tire accessories, spark plugs, batteries and other related items for automobiles, trucks, motorcycles, and snowmobiles are stored or kept for sale, or where such vehicles may be oiled, greased, washed or have their ignitions or brakes adjusted, tires inflated, batteries charged or more generally where repair or equipping of automobiles is executed or performed. An automobile service station may operate on a self-serve basis.

7.15 BASEMENT

Shall mean that portion of a building between two floor levels which is partly underground but which has at least one-half of its height, from finished floor to finished ceiling above the adjacent finished grade level adjacent to the exterior walls of the building.

7.16 BASEMENT, WALKOUT

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Shall mean that portion of a building which is partly underground, but which has more than 50% of the floor area not greater than .5 metres below grade, and which has an entrance and exit at grade level.

7.17 BED AND BREAKFAST ESTABLISHMENT

Shall mean a dwelling house, containing not more than two guestrooms used or maintained for the overnight accommodation of the travelling public, in which the proprietor supplies lodging, with or without meals in return for monetary compensation.

7.18 BOAT HOUSE, PRIVATE

Shall mean a detached accessory building or structure or portion of a dwelling house which is designed or used for the sheltering of a boat or other form of water transportation and storage of household equipment incidental to the residential occupancy.

7.19 BOARDING HOUSE

See Dwelling, Board or Loading.

7.20 BUFFER STRIP

Shall mean a planting screen fence, earth berm or any combination of these features which is a minimum of 1.6 metres (5.25 ft.) in height above the average ground elevation of the surrounding area, and which serves to provide a continuous visual screen between adjoining land uses.

7.21 BUILDING

Shall mean a structure having a roof, supported by columns or walls or supported directly on the foundation and used for the shelter or accommodation of persons, animals or goods.

7.22 BUILDING BY-LAW

Shall mean the Building Code Act and regulations.

7.23 BUILDING HEIGHT

See Height and Height of Building.

7.24 BUILDING PERMIT

Shall mean a building permit issued by the chief Building Official of the Corporation of the Township of Thurlow under the Building By-law.

7.25 BUILDING PRINCIPAL

Shall mean a building or structure in which the primary use is conducted.

7.26 BUILDING SUPPLY OUTLET

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Shall mean a building or structure in which building or construction and home improvement materials are offered or kept for sale at retail and may include the fabrication of certain materials related to home improvements but does not include any use or activity otherwise defined or classified herein.

7.27 BULK STORAGE TANK

Shall mean a tank for the bulk storage of petroleum, gasoline, diesel or other fuels, oil, gas, propane or flammable liquid or fluid but does not include a container for flammable 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.

7.28

(2012-122)

File No.: B-77-912

BUSINESS OR PROFESSIONAL OFFICE

Shall mean a building or part of a building in which one or more persons are employed in the management, direction or conducting of a business or where professional qualified persons and their staff serve clients or patients who seek advice, consultation or treatment, but shall not include any use or activity otherwise defined or classified herein.

7.29 BY-LAW

Shall mean the Corporation of the Township of Thurlow Zoning By-law.

7.30 BY-LAW ENFORCEMENT OFFICER

Shall mean the officer or employee of the Corporation for the time being charged with the duty of enforcing the provisions of the By-laws of the Corporation and shall include a chief official appointed under the provisions of the Building Code Act.

7.31 CABIN ESTABLISHMENT

Shall mean an establishment comprising two or more tourist cabins.

7.32 CABIN, PRIVATE

Shall mean a detached accessory building or structure located on the same lot as the principal building or structure, the accessory use being for sleeping accommodation in which sanitary facilities may be provided, but shall not contain cooking facilities.

7.33 CABIN, TOURIST

Shall mean a detached building for the sleeping accommodation of guests in which sanitary facilities may be provided but shall not contain any facilities for the preparation or cooking of food.

7.34 CAMP, CHARITABLE

Shall mean a seasonal camp operated by a charitable corporation approved under the Charitable Institutions Act.

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7.35 CAMPING ESTABLISHMENT

Shall mean a tourist establishment consisting of at least five (5) camping lots and comprising land used or maintained as grounds for the camping or temporary parking of trailers, motorized mobile homes, truck campers, campers or tents, but does not include parks or camping grounds maintained by:

any department of the Government of Ontario or of Canada; or any Crown corporation, commission or board.

7.36 CAMPING SITE

Shall mean that part of a camping establishment which is occupied on a temporary basis only, by a trailer, motorized home, truck camper, camper or tent.

7.36.1 CANNABIS PROCESSING CENTRE (2019-57)

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.

7.36.2 CANNABIS PRODUCTION FACILITY (2019-57)

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.

7.36.3 CANNABIS TESTING AND RESEARCH FACILITY (2019-57)

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.

7.37 CARPORT

Shall mean a portion of a dwelling house which is a roofed enclosure designed for the storage or parking of a motor vehicle with at least 40 percent of the total perimeter open and unobstructed.

7.38 CARTAGE OR TRANSPORT DEPOT

Shall mean a building, structure or place where trucks or tractor trailers are rented, leased, kept for hire, or stored or parked for remuneration, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers, and which may include a bonded or sufferance warehouse.

7.38.1 (2014-112)

File No.: B-77-923
CASINO

Shall mean a gaming facility approved by the Ontario Lottery and Gaming Corporation,

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but for the purpose of this By-law does not include any other use or activity otherwise defined or classified in this By-law.

7.39 CELLAR

Shall mean that portion of a building between two floor levels which is partly or wholly underground and which has more than one-half of its height, from finished floor to finished ceiling, below adjacent finished grade.

7.40 CEMETERY

Shall mean land that is set apart or used as a place for the internment of the dead or in which human bodies have been buried, within the meaning of the Cemeteries Act, as amended.

7.41 CERTIFICATE OF OCCUPANCY

Shall mean a certificate issued by the Chief Building Official for the occupancy of any land building, excavation or structure to the effect that the proposed use or activity complies with this By-law.

OMB File No. R880022

7.42 CHIEF BUILDNG OFFICIAL

Shall mean the officer employed by the Corporation of the Township of Thurlow as is appointed under the Building By-law and shall include any inspector likewise appointed.

7.43 CHURCH

Means a building used for public worship or related uses by a recognized religion that is:

7.43.1 Charitable according to the laws of Ontario;

7.43.2 Organized for the conduct of religious worship; and

7.43.3 Permanently established both as to the continuity of its existence and as to the religious beliefs and practices.

7.44

(2012-122)

File No.: B-77-912

CLINIC

Shall mean a building or portion of a building used solely for its purpose of consultation, diagnosis and treatment of patients by two or more legally qualified physicians, dentists, optometrists, chiropodists, chiropractors 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 pharmacies used in connection and forming part of the practices, but shall not include accommodation for in-patient care or operating rooms for major surgery, or any use or activity otherwise defined or classified herein.

7.45 COMMERCIAL CLUB

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Shall mean a building or part of a building where a club is operated for gain or profit and may include facilities for physical fitness and recreation.

7.46 COMMERCIAL VEHICLE

Shall mean any motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, fire apparatus, police patrols, motor buses and tractors used for hauling purposes on the highways.

7.47 COMMUNITY CENTRE

Shall mean any tract of land, or building or buildings or any part of any building used for community recreational and/or social activities whether used for commercial purposes or not, the control of which is vested in the Municipality, a local board or agent thereof, including any building, structure or facility established as a Community Recreation Centre within the meaning of the Community Centres Act.

7.48 CONTRACTOR'S YARD

Shall mean a yard of any building trade or contractor where equipment and material are stored or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein.

7.49 CONVENIENCE STORE

Shall mean a retail commercial establishment supplying groceries and other daily household necessities to the immediate surrounding area.

7.50 CORPORATION

Shall mean the Corporation of the Township of Thurlow.

7.51 COTTAGE

See Dwelling, Seasonal Dwelling House

7.52 COTTAGE, HOUSEKEEPING

Shall mean one of a group of buildings in a tourist establishment designed for human habitation and equipped with a kitchen, which shares a water supply with other such buildings in the group.

7.53 COTTAGE, TOURIST

Shall mean a building designed to accommodate one or more guests, which contains at least two rooms, that are at least partially furnished and in which the guest is permitted to prepare and cook food, but shall not include a seasonal dwelling house as herein defined.

7.54 COUNCIL

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Shall mean the Municipal Council of the Corporation of the Township of Thurlow.

7.55 COUNTY

Shall mean the Corporation of the County of Hastings.

7.56 COUNTY ROAD

Shall mean a street or road under the jurisdiction of the Corporation of the County of Hastings.

7.57 COURT

Shall mean an open and unoccupied space from ground to sky appurtenant to a building and bounded on two or more sides by the walls of the building.

7.58 CRAFT SHOP

Shall mean a building or part of a building where crafts, souvenirs and other similar items are offered or kept for sale at retail to the general public but shall not include any other establishment otherwise defined or classified herein.

7.59 CREMATORIUM AND COLUMBARIUM

Shall mean a building fitted with the proper appliances for the purpose of the cremation of human remains, and includes everything incidental or accessory thereto, as well as the storage of the ashes of human remains that have been cremated.

7.60 CUSTOM WORKSHOP

Shall mean a building or part of a building used by a trade, craft or guild for the manufacture in small quantities of made to measure clothing or articles including the sale of such products at retail, and, for the purpose of this By-law shall include upholstering but does not include metal spinning, woodworking or furniture manufacture or any use or activity otherwise defined or classified herein.

7.61 DAY NURSERY

Shall mean a day nursery operated for pre-school age children within the meaning of the Day Nurseries Act, as amended.

7.62 DRIVE-IN RESTAURANT

Shall mean premises consisting of a building or structure, together with a parking lot, where food is prepared and/or cooked and offered for sale or sold to the public for consumption either in an automobile parked on the parking lot or for consumption on the premises and where dining tables may be provided but table service is not provided.

7.63 DRIVEWAY

Shall mean an area of land which provides vehicular access from the travelled portion of a street to a parking area or garage.

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7.64 DRY CLEANERS ESTABLISHMENT

Shall mean a building or part of a building used for the purpose of collection, distribution and processing of articles or goods of fabric to be subject to the process of dry cleaning, dry dyeing, cleaning, and spotting and stain removing.

7.65 DRY INDUSTRY

Shall mean an industry in which the water consumption is used only for employees and not in an industrial process.

7.66 DUPLEX

See Dwelling, Duplex Dwelling House

7.67 DWELLING

Shall mean a permanently affixed building occupied as the home, residence, or living quarters for one or more families, but does not include a group home, a mobile home or trailer.

7.67.1 APARTMENT DWELLING HOUSE

Shall mean the whole of a dwelling house that contains four or more dwelling units which have a common entrance from street level and are served by a common corridor.

7.67.2 BACHELOR DWELLING UNIT

Shall mean a dwelling unit consisting of one bathroom and not more than two habitable rooms providing therein living, dining, sleeping and kitchen accommodation in appropriate individual or combination room or rooms.

7.67.3 BOARDING OR LODGING HOUSE

Shall mean a dwelling house, containing not more than four guest rooms used or maintained for the accommodation of the public, in which the owner or head lessee supplies, for hire or gain, lodgings with or without meals for three or more persons but does not include any other establishment otherwise defined or classified herein.

7.67.4

(2016-86) File No.:B-77-1001

CONVERTED DWELLING HOUSE

Shall mean a single-family dwelling house, including any additions thereto constructed for permanent use, which has been altered or converted so as to provide therein not more than four dwelling units prior to August 12, 1987.

7.67.5 DUPLEX DWELLING HOUSE

Shall mean the whole of a dwelling house that is divided horizontally into two separate dwelling units each of which has an independent entrance either

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directly from the outside or through a common vestibule.

7.67.6
(2016-86) File No.: B-77-1001
DWELLING UNIT

Shall mean a suite of two or more rooms, designed or intended for use by one family only, in which sanitary conveniences are provided, in which facilities are provided for cooking or for the installation of cooking equipment in which a heating system is provided and containing a private entrance from outside the building or from a common hallway or stairway inside. A dwelling unit shall contain only one kitchen.

7.67.7 DWELLING UNIT AREA

Shall mean the habitable area contained within the walls of a dwelling unit excluding any private garage, carport, porch, verandah, unfinished attic, cellar or sunroom (unless such sunroom is habitable in all seasons of the year); and excluding public or common halls or areas, stairways and the thickness of outside walls.

7.67.8 FOURPLEX DWELLING HOUSE

Shall mean the whole of a dwelling house that is divided into four separate dwelling units and each dwelling unit has an independent entrance either from the outside or through a common vestibule.

7.67.9 MOBILE HOME DWELLING

Shall mean a transportable, factory-built single-family dwelling providing space standards substantially equal to those laid down in the Canadian Code for Residential Construction (Residential Standards 1980) designed to be transported on its own wheels and chassis to the mobile home lot, and may be supported on wheels, jacks, posts or piers, or with a permanent foundation and shall be designed to be connected to service utilities so as to be suitable for year-round, long-term occupancy.

7.67.10 ROW DWELLING HOUSE

Shall mean a group of three or more attached single-family dwelling houses owned in common, with each having independent entrances directly from the outside.

7.67.11 SEASONAL DWELLING HOUSE

Shall mean a single-family dwelling house used occasionally for recreation rest or relaxation, but not occupied continuously or as a principal permanent residence.

7.67.12 SINGLE-FAMILY DWELLING HOUSE

Shall mean a dwelling house containing one dwelling unit and occupied by not more than one family.

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7.67.13 SEMI-DETACHED DWELLING HOUSE

Amended by By-law 2018-186 to delete in its entirety and replace with the following:

(2018-186) 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.

7.67.14 TOWN HOUSE

Shall mean a separately owned single-family dwelling house which forms part of a row dwelling house.

7.67.15 TRIPLEX DWELLING HOUSE

Shall mean the whole of a dwelling house that is divided into three separate dwelling units each of which has an independent entrance either directly from the outside or through a common vestibule.

7.67.16 SECOND UNIT DWELLING

(2018-186)

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.

7.67.17 COACH HOUSE DWELLING

(2018-186)

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 town house dwelling containing only one dwelling unit.

7.67.18 SEMI-DETACHED DUPLEX DWELLING HOUSE

(2018-186)

Shall mean one of a pair of two attached duplex dwelling houses with a common masonry wall dividing the pair of duplex dwelling houses vertically which are both located on one lot.

7.68 EATING ESTABLISHMENT

Shall mean a building or part of a building where food is offered for sale or sold to the public for immediate consumption and includes such uses as a restaurant, dining room, café, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar or refreshment room or stand; but does not include a boarding or lodging house.

7.68.1 EATING ESTABLISHMENT, TAKE-OUT

Shall mean a building or part of a building designed, intended or used for the sale

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of food and refreshments to the general public but which does not include any provision for consumption of the food by the customer while in his vehicle, within the building or elsewhere on the site.

7.69 EAVE

Shall mean a roof overhang, free of enclosing walls, without supporting columns.

7.70 EQUIPMENT RENTAL ESTABLISHMENT

Shall mean a building or part of a building, structure or yard in which articles, machinery and equipment, including heavy machinery are offered for rent and may be serviced or repaired, but shall not include any other establishment defined or classified in this By-law.

7.71 ERECT

Shall mean building construction, reconstruction and relocation and, without limiting the generality of the word, also includes:

7.71.1 Any preliminary physical operation, such as excavating, filling and drainage;

7.71.2 Altering any existing building or structure by an addition, enlargement, extension, movement or other structural change;

7.71.3 Any work for the doing of which a building permit is required under the Building Code Act or regulations;

7.71.4 Erect, erected and erection shall have a corresponding meaning.

7.72 ESTABLISHED BUILDING LINE, RURAL

Shall mean the average setback from the street line of existing buildings when at least five buildings have been erected on any one side of a continuous 280 metres of land with street frontage. Similarly, where at least five buildings have been erected in a continuous 280 metres of shoreline, the "established building line" shall mean the average setback from the high water mark.

7.73 ESTABLISHED BUILDING LINE, URBAN

Shall mean the average setback from the street line of existing buildings on one side of one side of one block where more than one-half of the frontage of the said side of the block has been built upon.

7.74 EXISTING

Shall mean existing, being a reality or an actuality on the date of passing of this By-law.

7.75 FAMILY

Family as used herein in reference to a dwelling shall mean one or more human beings related in blood or marriage, or common law marriage or legal adoption or a group of not more than three human beings who need not to be related by blood or marriage, living

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together as a single housekeeping unit. “Family” also includes domestic servants or not more than two roomers or boarders. “Common law marriage” means a man and woman living together as a family without the sanctity of marriage.

7.76

(2016-04)

File No.: B-77-991

FARM

Shall mean land used for the tillage of soil and the growing of vegetables, fruits, grains or other staple crops and includes livestock raising, dairying or woodlands. “Farm” shall include a single-family dwelling house and buildings and structures, such as barns and silos, which are incidental to the operation of the farm, but shall not include any use or activity otherwise defined or classified herein.

7.77 FARM FACILITIES AND PRACTICES SPECIALIZED

Shall mean buildings and structures designed to accommodate 2 or more animal units as defined in Appendix “A” hereto, such as barns, stables, shelters, pens, cages, kennels or other buildings or structures, used in conjunction with poultry farms, pig farms or farms where fur bearing mammals are raised and areas such as cattle feed lots, manure storage areas and other areas where obnoxious operations relating to farming are carried on.

7.78 FARM IMPLEMENT AND SUPPLY DEALER

Shall mean a building, structure or area where farm equipment and farm supplies are kept for sale at retail but shall not include any other establishment otherwise defined or classified herein.

7.79 FARM PRODUCE RETAIL OUTLET

Shall mean a building, or part of a building, in which farm produce, exclusive of meat or poultry, is offered for sale at retail, but shall not include the sale of farm produce which has been reprocessed nor shall it include a slaughter house.

7.80 FLEA MARKET

Shall mean a building or part of a building where second hand goods, articles and antiques are offered or kept for sale at retail to the general public but shall not include any other establishment otherwise defined or classified herein.

7.81 GROSS FLOOR AREA

(3864)

Shall mean the total floor area, as defined herein, exclusive however, of:

- 7.81.1 In a non-residential structure or building, any part of the building or structure below finished grade which is used for heating, the storage or parking of motor vehicles, locker storage and laundry facilities, children’s play areas and other accessory uses, or used as living quarters by the caretaker, watchman or other supervisor of the building or structure.

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7.81.2 In a residential building or structure, any part of the building or structure below finished grade, any private garage, carport, porch or verandah, sunroom (unless such sunroom is habitable at all seasons of the year).

7.82 FLOOR AREA, GROUND

Shall mean the maximum ground floor area of a building measured to the outside walls, excluding, in the case of a dwelling house, any private garage, carport, porch, verandah, sunroom (unless such sunroom is habitable at all seasons of the year).

7.83 FLOOR AREA, RETAIL

Shall mean that portion of the gross floor area of an establishment which is used for retail sales purposes but does not include areas for storage of finished products or offices.

7.84 FLOOR AREA, TOTAL

Shall mean the aggregate of the horizontal areas of each floor, whether any such floor is above or below grade, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor.

7.85 FOOD SUPERMARKET

Shall mean a building or part of a building wherein food and other household items are kept for sale at retail to the general public and which operates on a self-service, cash and carry basis.

7.86 FORESTRY

Shall mean the management, development cultivation and harvesting of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection and production of water supplies, and preservation of the recreation resource.

7.87 FUEL STORAGE TANK

See Bulk Storage Tank

7.88 FUNERAL HOME

Shall mean a building or structure 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.

7.89 GARAGE, PRIVATE

Shall mean a detached accessory building or portion of a dwelling house which is designed or used for the sheltering of a private motor vehicle and storage of household equipment incidental to the residential occupancy and which is fully enclosed and roofed and excludes a carport or other open shelter.

7.90 GARAGE, PUBLIC

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Shall mean a building or structure where the services performed or executed on motor vehicles for compensation shall include the installation of exhaust systems, repair of the electrical systems, transmission repair, brake repair, radiator repair, tire repair and installation, rustproofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar use and in conjunction with which there may be a towing service, a motor vehicle service station and motor vehicle rentals for the convenience of the customer while the motor vehicle is being repaired, but shall not include any other use or activity otherwise defined or classified in this By-law.

7.91 GOLF COURSE

Shall mean a public or private area used for the purpose of playing golf, inclusive of club house facilities, but does not include driving ranges, miniature golf courses and similar uses.

7.92 GRADE, FINISHED

Shall mean the average elevation of the finished surface of the ground adjacent the ground level of the building or structure.

7.93 GRAVEL PIT OR QUARRY

Shall mean any pit or excavation, made for 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.

7.94 GROUP HOME

Shall mean a residence that is licensed or approved under an Act of the Parliament of Canada or the Province of Ontario, for the accommodation of three to ten persons exclusive of staff, living under supervision in a single housekeeping unit, and who by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement.

7.95 GUEST

Shall mean a person, other than a boarder, who contracts for accommodation and includes all the members of the person's party.

7.96 GUEST ROOM

Shall mean a room or suite of rooms used or maintained for the accommodation of an individual or individuals to whom hospitality is extended for compensation.

7.97 HABITABLE ROOM

Shall mean a room or enclosed floor space of not less than 70 square feet, 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.

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7.98 HEIGHT AND HEIGHT OF BUILDING

Shall mean the vertical distance, measure between the finished grade at the front of the building, and:

- 7.98.1 In the case of flat roof, the highest point of the roof surface;
- 7.98.2 In the case of a mansard roof, the deck roof line; and
- 7.98.3 In the case of a gable, hip or gambrel roof, the average height between the eaves and ridge.
- 7.98.4 Accessory roof fixtures and facilities, such as chimney, towers, steeples or television antennas, shall be disregarded in calculating the height of a building.

7.99 HEREIN

Shall mean in this By-law and shall not be limited to any particular part of this By-law.

7.100 HIGHWAY

Shall mean a highway within the meaning of the Highway Traffic Act.

7.101 HOME FOR THE AGED

Shall mean a home for the aged within the meaning of the Homes for the Aged Act, as amended.

7.102 HOME OCCUPATION

Shall mean a use which is clearly incidental or secondary to the residential use of a dwelling and is conducted entirely within such a dwelling by an inhabitant hereof, such as the offices of a real estate agent, dentist, doctor, chiropractor, physiotherapist, licensed massage therapist or osteopath. In addition, home occupation uses may include any other professional office, hairdressing, dressmaking, the making of crafts or repairs and the refinishing of furniture.

7.103 HOSPITAL, PRIVATE

Shall mean any institution, building or other premises in which four or more patients are or may be admitted for treatment, other than,

- 7.103.1 A hospital or other establishment supported in whole or in part by provincial aid,
- 7.103.2 An institution in respect of which a licence under the Private Sanatoria Act is in force,
- 7.103.3 An institution for the reclamation and cure of habitual drunkards established under the Municipal Act,

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7.103.4 A house, registered under the Maternity Boarding Houses Act,

7.103.5 A lodging house licensed under a municipal By-law.

7.104 HOSPITAL PUBLIC

Shall mean any institution, building or other premises established for the treatment of persons afflicted with or suffering from sickness, disease or injury, or for the treatment of convalescent or chronically ill persons that is approved under the Public Hospitals Act as a public hospital.

7.105 HOTEL

Shall mean an establishment that consists of one building or two or more connected or adjacent buildings which throughout all or part of a year cater to the needs of the travelling public by furnishing sleeping accommodation, may or may not be licensed under the Liquor Licence Act, but does not include any other establishment otherwise defined or classified by this By-law.

7.106 KENNEL

Shall mean a building or structure where dogs, cats, or other domestic household pets are kept or boarded and the operation is registered by an appropriate recognized professional organization or club and is licensed by the Corporation.

7.106.1
(2016-86)

File No.: B-77-1001
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.

7.107 LANDSCAPED OPEN SPACE

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

7.108 LANE

Shall mean a public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.

7.109 LAUNDRY, COIN-OPERATED

Shall mean a building or structure where the services of coin-operated laundry machines, using only water, detergents and additives, are made available to the public

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for the purpose of laundry cleaning.

7.110 LAUNDRY AND DRY CLEANING SHOP

Shall mean a building or part of a building used for the purpose of receiving articles or goods of fabric to be subjected to a commercial process of laundering, dry cleaning, dry dyeing or cleaning elsewhere and for the pressing and distribution of any such articles or goods which have been subjected to any such process and shall include self-service dry cleaning establishments.

7.111 LIBRARY

Shall mean a public library within the meaning of the Public Libraries Act, as amended.

7.112 LIQUOR LICENCED PREMISES

Shall mean any building, structure or premises licenced under the Liquor Licence Board of Ontario.

7.113 LOADING SPACE

Shall mean an off-street space on the same lot as the building or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, lane or other appropriate means of access.

7.114 LODGE

Shall mean an establishment catering to the vacationing public by providing meals and sleeping accommodation with at least five guest rooms or cabins, but shall not include any establishment otherwise defined or classified herein.

7.115 LOGGING

Shall mean the removal or cutting of merchantable timber either by strip or clear or total cutting operations, but does not include the selective harvesting of mature timber nor does it include clearing of land only as an incident to putting the land in condition to the extent necessary for the bona-fide exercise of a use specifically permitted herein and selective harvesting as used herein means the harvesting of mature timber while causing a minimum of damage to adjacent growth in accordance with good forestry practice.

7.116 LOT

Shall mean a parcel of land which the owner or owners would be entitled to convey without contravention of any of the provisions of the Planning Act, R.S.O. 1983 as amended; and where a consent under that legislation would be required to avoid contravention, such consent has in fact been obtained and is in effect.

7.116.1 LOT AREA

Shall mean the total horizontal area within the lot lines of a lot, excluding the horizontal area of each lot covered by water or marsh.

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7.116.2 LOT CORNER

Shall mean a lot situated at the intersection of two streets, of which two adjacent sides that abut the intersecting streets contain an angle of not more than one hundred and thirty-five (135) degrees and, where such adjacent sides are curved, the angle of intersection of the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the interior lot lines, provided that:

7.116.2.1 In the latter case, the corner of the lot shall be deemed to be that point on the street line nearest to the point of intersection of the said tangents; and

7.116.2.2 Any portion of a corner lot distant more than 30 metres from the corner measured along the street line shall be deemed to be an interior lot.

7.116.3 LOT COVERAGE

Shall mean the percentage of the lot area covered by the perpendicular vertical projection of the area of all buildings onto a horizontal plane.

7.116.4 LOT DEPTH

Shall mean the horizontal distance between the front and rear lot lines. If the front and rear lot lines are not parallel, "lot depth" means the length of a straight line joining the middle of the front lot line and the middle of the rear lot line. When there is no rear lot line "lot depth" means the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.

7.116.5 LOT FRONTAGE

Shall mean the horizontal distance between the side lot lines, such distance being measured perpendicularly to the line joining the middle of the front lot line with either the middle of the rear lot line or the apex of the triangle formed by the side lot lines and at a point therein distant equal to the required depth of the front yard, from the front lot line.

7.116.6 LOT INTERIOR

Shall mean a lot other than a corner lot.

7.116.7 LOT, THROUGH

Shall mean a lot bounded on two opposite sides by streets.

7.117 LOT LINE

Shall mean any boundary of a lot or the vertical projection thereof.

7.117.1 LOT LINE, FRONT

Shall mean in the case of an interior lot, the line dividing the lot from the street.

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In the case of a corner lot, the shorter lot line abutting a street shall be deemed the front lot line and the longer lot line abutting a street shall be deemed an exterior side lot line. In the case of a through lot, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line. In the case of a lot fronting on a navigable waterway, the shorter lot line directly adjacent to the navigable waterway, shall be deemed to be the front lot line. In the case of a lot fronting on a navigable waterway and on a street, the lot line abutting the street shall be deemed the front lot line.

7.117.2 LOT LINE, REAR

Shall mean the lot line farthest from and opposite to the front lot line.

7.117.3 LOT LINE, SIDE

Shall mean a lot line other than a front or rear lot line.

OMB File NO. R880022

7.117.4 LOT WIDTH

Shall mean the horizontal distance between the two side lot lines measured in conformity with Section 7.116.5 hereof.

7.118 LUMBER YARD

Shall mean an area where finished and unfinished lumber is stored but does not include an establishment or area otherwise defined in this By-law.

7.119

(2016-04)

File No.: B-77-991

MANUFACTURING, ASSEMBLING, FABRICATING OR PROCESSING PLANT

Shall mean a plant in which the process of producing a product suitable for use, by hand and/or mechanical power and machinery is carried on systematically with division of labour, but shall not include any use or activity otherwise defined or classified herein.

~~7.119.1 (Deleted by By-Law 2019-57)~~

~~(2016-04) File No.: B77-991~~

~~MARIHUANA DISPENSARY~~

~~Shall mean the principal use of a building or structure where marihuana or cannabis products are sold or dispensed.~~

7.120 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 or kept for sale and where facilities for the sale or marine fuels and lubricants may be provided.

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7.121 MARINE DEALER

Shall mean any building, lot or structure where boats and marine equipment is kept for sale at retail and may include the servicing of boats and marine equipment. It may also include the sale and repair of motorized snow vehicles.

7.122

(2016-04)

File No.: B-77-991

MARKET GARDEN

Shall mean the use of land for the intensive commercial cultivation of vegetables, fruits or flowers, but shall not include any use or activity otherwise defined or classified herein.

~~7.122.1 (Deleted by By-Law 2019-57)~~

~~(2016-04) File No.: B-77-991~~

~~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.~~

7.122.2

(2012-122) File No.: B-77-912 (Definition re-numbered from 7.122.1 to 7.122.2)

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.

7.122.3

(2003-41) File No.: B-77-714

(2016-04) File No.: B-77-991 (Definition re-numbered from 7.122.1 to 7.122.3)

MINI-STORAGE FACILITY

Shall mean a one-storey building containing individual storage units where, for a fee, articles, goods or materials may be stored, but does not include a warehouse.

7.122.4

(2016-86) File No.: B-77-1001

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.

7.123 MOTEL

Shall mean an establishment that consists of one or more than one building containing more than one rental unit for the purpose of catering to the travelling public, to whom the motor vehicle is the principal means of transportation, by furnishing sleeping accommodation with or without meals, may include permanent staff accommodation and

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may or may not be licenced under the Liquor Licence Act but does not include any other establishment otherwise defined or classified in this By-law.

7.123.1 MOTEL, HOUSEKEEPING UNIT

Shall mean an establishment that consists of one or more than one building containing more than one rental dwelling unit, designed or intended for the purpose of catering to the travelling or vacationing public throughout all or part of the year and may include permanent staff accommodation but does not include any other establishment otherwise defined or classified in this By-law.

7.124 MOTORIZED A.T.V. OR A.T.C.

7.125 MOTORIZED MOBILE HOME

Shall mean any motor vehicle so constructed as to be a self-contained, self-propelled unit, capable of being utilized for the living, sleeping or eating accommodation of persons.

7.126 MOTORIZED SNOW VEHICLE

Shall mean a motorized snow vehicle with the meaning of the Motorized Snow Vehicles Act.

7.127 MOTOR VEHICLE

Shall mean automobile, truck, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine within the meaning of the Highway Traffic Act.

7.127.1 MOTOR VEHICLE, COMMERCIAL

Shall mean any commercial motor vehicle within the meaning of the Highway Traffic Act.

7.127.2 MOTOR VEHICLE BODY SHOP

Shall mean a building or structure used for the painting or repairing of motor vehicle bodies, exterior and undercarriage, and in conjunction with which there may be a towing service and motor vehicle rentals for customers while the motor vehicle is under repair, but shall not include any other use or activity otherwise defined or classified in this By-law.

7.127.3 MOTOR VEHICLE DEALERSHIP

Shall mean a building or structure where a licensed dealer displays new or used motor vehicles for sale or rent in conjunction with which there may be a motor vehicle repair or not, which is inoperable and has no market value as a means of transportation or has a market value that is less than the cost of repairs required to render the said motor vehicle operable.

7.127.4 MOTOR VEHICLE, DERELICT

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Shall mean a motor vehicle within the meaning of the Highway Traffic Act, as amended, whether or not same is intended for use as a private passenger motor vehicle or not, which is inoperable and has no market value as a means of transportation or has a market value that is less than the cost of repairs required to render the said motor vehicle operable.

7.127.5 MOTOR VEHICLE GASOLINE BAR

Shall mean one or more pump islands, each consisting of one or more gasoline pumps, and a shelter having a floor area of not more than 9 square metres (107.64 square feet), and may include facilities for the refilling of propane tanks and the changing of oil, greasing and lubricating of motor vehicles, including the sale of automotive accessories, antifreeze and additives, but shall not include any other use or activity otherwise defined or classified in this By-law.

7.127.6 MOTOR VEHICLE RENTAL

Shall mean a building structure where motor vehicles are kept for rent, lease or hire under agreement for compensation.

7.127.7 MOTOR VEHICLE REPAIR GARAGE

Shall mean a building or structure where the services performed or executed on motor vehicles for compensation shall include the installation of exhaust systems, repair of the electrical systems, transmission repair, brake repair, radiator repair, tire repair and installation, rustproofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar use and in conjunction with which there may be a towing service, a motor vehicle service station and motor vehicle rentals for the convenience of the customer while the motor vehicle is being repaired.

7.127.8 MOTOR VEHICLE SERVICE STATION

Shall mean a building or structure where gasoline, propane, oil, grease, antifreeze, tires, tubes, tire accessories, electric light bulbs, sparkplugs, batteries and automotive accessories for motor vehicles, or similar automotive products are stored or kept for sale to the general public, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged, or where only minor mechanical or running repairs essential to the actual operation of motor vehicles are executed or performed.

7.127.9 MOTOR VEHICLE WASH, AUTOMATIC

Shall mean a building or structure containing facilities for washing motor vehicles for profit or gain either using production line methods and mechanical devices or by a self-service operation, and for the purpose of this By-law may include a motor vehicle gasoline bar but shall not include any other use or activity otherwise defined or classified in this By-law.

7.127.8 MUNICIPAL, COUNTY, PROVINCIAL MAINTENANCE DEPOT

Shall mean any land, building or structure owned by the Corporation of the

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Township of Thurlow, the County of Hastings or the Province of Ontario used for the storage, maintenance or repair of equipment, machinery or motor vehicles used in connection with civic works and shall include a public works yard.

7.129 NON-COMPLYING USE

Shall mean a permitted land use building or structure existing at the date of the passing of this By-law which does not comply with the provision of the zone within which it is located.

7.131 NOXIOUS

Shall mean, when used with reference to any use or activity in respect of any land, building or structure or a use or activity which, from its nature or from the manner of carrying on same, creates or is liable to create, by reason of destructive gas or fumes, dust, objectionable odour, noise or vibration or unsightly storage of goods, wares, merchandise, salvage, machinery parts, junk, waste or other material, a condition which may become hazardous or injurious as regards to health or safety or which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any use or activity in respect of any land, building or structure.

7.132 (2016-04)

File No.: B-77-991
NURSERY OR GARDEN CENTRE

Shall mean a place where young trees or plants are grown for transplanting for sale, and may also include the sale of related accessory supplies as well as the sale of fruits and vegetables provided such sale is subordinate to the production and sale of select nursery stock, but shall not include any use or activity otherwise defined or classified herein.

7.133 NURSING HOME

Shall mean a nursing home within the meaning of the Nursing Homes Act, being Chapter 320 as amended from time to time.

7.134 NURSERY SCHOOL

Shall mean a day nursery within the meaning of the Day Nurseries Act, being Chapter 111, of the Revised Statutes of Ontario, 1980 as amended from time to time, and shall include a day care centre.

7.135 OFFICE, ADMINISTRATIVE, BUSINESS OR PROFESSIONAL

Shall mean a building or structure primarily designed and used for the purpose of providing accommodation for the offices of professional persons, such as legally qualified physicians, dentist, optometrists, chiropodists, chiropractors, drugless practitioners, barristers, solicitors, engineers, architects, Ontario Land Surveyors, Chartered Accountants and for any purpose incidental thereto; the administrative office or offices of a non-profit organization; a business administrative office or offices.

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7.136 OPEN SPACE

Shall mean the open, unobstructed space on a lot, including the open, unobstructed space accessible to all occupants of any residential or commercial building or structure on the lot which is suitable and used for the growth and maintenance of grass, flowers, bushes and other landscaping and may include any surface pedestrian walk, patio, pools, or similar area, but does not include any driveway, ramp or parking spaces, parking aisles, loading spaces, maneuvering areas and similar areas.

7.136.1

(2012-122) File No.: B-77-912

OPIOID SUBSTITUTION THERAPY CLINIC

Shall mean a Clinic or a Business or Professional Office that treats clients using Opioid Substitution Therapy as the primary activity of the clinic or office, but does not include a Public Hospital.

7.137 ORNAMENTAL STRUCTURE

Shall mean any ornamental fountain, statue, monument, cenotaph or other memorial or decorative structure not being part of or accessory to any other structure.

7.138 OUTSIDE STORAGE PRINCIPAL

Shall mean storage outside a building or structure which is accessory to the principal use on the site.

7.139 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.

7.140 PARK, PRIVATE

Shall mean any open space area other than a public park which is owned operated and maintained on a commercial or private member basis and which may include therein one or more of the following facilities and activities: Swimming, wading, boating facilities, picnic areas, cross country and downhill ski areas, facilities for the serving of meals and the retail sale of sports equipment or provision of accessory health and fitness facilities, but for the purpose of this By-law shall not include a camping establishment.

7.141 PARK, PUBLIC

Shall mean any open space area, owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario and may include therein neighbourhood, community, regional and special parks or areas and may include one or more athletic fields, field houses, bleachers, swimming pools, greenhouses, botanical gardens, zoological gardens, bandstands, skating rinks, tennis courts, bowling greens, refreshment rooms, fair grounds, golf courses, or similar uses including accessory buildings, but for the purpose of this By-law shall not include a

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camping establishment.

7.142 PARKING

7.142.1 PARKING AISLE

Shall mean an area of land which abuts and provides direct vehicular access to one or more parking spaces, having a minimum width of not less than 6.0 metres where it services two-way traffic and not less than 4.0 metres where it services one-way traffic.

7.142.2 PARKING ANGLE

Shall mean the angle which is equal to or less than a right angle, formed by the intersection of the side of the parking space and line parallel to the aisle.

7.142.3 PARKING AREA

Shall mean an area provided for the parking of motor vehicles and may include aisles, parking spaces, pedestrian walkways, and related ingress and egress lanes, but shall not include any part of a public street.

7.142.4 PARKING LOT

Shall mean any parking area other than a parking area accessory to a permitted use.

7.142.5 PARKING SPACE

Shall mean an area, exclusive of any aisles, ingress or egress lanes, for the parking or storage of a motor vehicle and may include a private garage.

7.143 PERSON

Shall mean any human being, association, firm, partnership, incorporated company, corporation, agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

7.144 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 excavation to supply materials for construction, industrial or manufacturing purposes, but does not include a wayside pit as defined by the Pits and Quarries Control Act, as amended.

7.145 PLACE OF ENTERTAINMENT

Shall mean a motion picture or other theatre, public hall, billiard or pool room, a bowling alley, ice or roller skating rink, dance hall or music hall, but for the purposes of this By-law does not include any other use or activity otherwise defined or classified in this By-law.

7.146 PLACE OF WORSHIP

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Shall mean a building dedicated to religious worship and includes a church, synagogue or assembly hall and may include such accessory uses as a nursery school, a school of religious education, convent, monastery or parish hall.

7.147 PLANTING SCREEN

Shall mean a continuous hedgerow of evergreen trees or shrubs, not less than 1.6 metres (5.25 ft.) in height, immediately adjacent to the lot line or portion thereof along which such planting screen is required herein.

7.148 PRINCIPAL OR MAIN BUILDING

Shall mean the building in which is carried on the principal purpose for which the building lot is used.

7.149 PRINTING OR PUBLISHING ESTABLISHMENT

Shall mean a building or part of a building in which the business of producing books, newspapers or periodicals, by mechanical means, and reproducing techniques, such as photocopying, is carried on, and may include the sale of newspapers, books, magazines, periodicals, or like, to the general public.

7.150 PRIVATE CLUB

Shall mean a building or part of a building used for the purposes of a non-profit, non-commercial organization which includes social, cultural, athletic or recreational activities.

OMB File No. R880022

7.151 PRIVATE SEWAGE DISPOSAL SYSTEM

Shall mean any sewage disposal system, which includes a septic tank and dispersals field, duly authorized by the Medical Officer of Health or the Ontario Water Resources Commission. The requirements of 7.185 apply only in relation to water's edge.

OMB File No. R880022

7.151(a) PROCESSING PLANT

Shall mean a plant for crushing and screening of aggregate material, a concrete batching plant and includes a portable, asphalt and washing plant.

7.152 PROVINCIAL HIGHWAY

Shall mean a street or road under the jurisdiction of the Ministry of Transportation and Communications.

7.153 PUBLIC AUTHORITY

Shall mean Federal, Provincial, County or Municipal agencies, and includes any commission, board, authority or department established by such agency.

7.153.1 PUBLIC USE

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Means any use of land, buildings or structure by or on behalf of a public authority.

7.154 PUBLIC SEWAGE SYSTEM

Shall mean a sewage works or water control pollution plant under the care and maintenance of the Township or the Ontario Ministry of the Environment.

7.155 PUBLIC UTILITY

Shall mean a water works or water system, sanitary or storm water sewage works, electrical power or energy generating system, street lighting system, natural or artificial gas works; and includes any land, building, equipment, collection, distribution, supply or transmission systems required for the administration or operation of any such system.

7.156 QUARRY

Shall mean a place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry or open pit metal mine as defined in the Pits and Quarries Control Act, as amended.

7.157 RECREATIONAL VEHICLE DEALERSHIP

Shall mean a building or structure where a licensed dealer displays new recreational vehicles, including motorcycles, all-terrain vehicles and snowmobiles, for sale or rent in conjunction with which there may be a recreational vehicle repair garage and gasoline bar, but shall not include any other use or activity otherwise defined or classified in the By-law.

7.158 RENTAL AGENCY

Shall mean a building or part of a building or structure in which articles are offered or kept for rent, lease or hire under agreement for compensation, but shall not include any other establishment defined or classified in this By-law.

7.159 RESORT

Shall mean an establishment that operates throughout all or part of the year and that has facilities for serving meals and furnishing accommodation equipment, supplies or services to persons in connection with recreational purposes.

7.160 RESTAURANT

See Eating Establishment

7.161 RESTAURANT, DRIVE-IN

See Drive-in Restaurant

7.162 RESTAURANT, TAKE-OUT

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See Eating Establishment; Take-out

7.163 RETAIL COMMERCIAL ESTABLISHMENT

Shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept of sale at retail, or on a rental basis, but does not include any establishment otherwise defined or classified herein.

7.164 RIGHT-OF-WAY, PRIVATE

Shall mean a private road which affords access to abutting lots and does not include a lane, street, road or highway as herein defined.

7.165 ROOMING HOUSE

See Dwelling, Boarding or Lodging House

7.166 SALVAGE OR SCRAP YARD

Shall mean a place where goods, wares, merchandise, articles or things are processed for further use and where such goods, wares, merchandise, articles or things are stored wholly or partly in the open and may include a junk yard, a scrap metal yard and a motor vehicle wrecking yard or premises.

7.167 SANITARY SEWER

Shall mean an adequate system of underground conduits, operated either by the 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.

7.168 SAW MILL

Shall mean a building, structure or area where timber is cut, sawed or planed, either to furnished lumber or as an intermediary step and may include facilities for the kiln drying and storage of lumber and may or may not include the distribution of such products on a wholesale or retail basis.

7.169 SCHOOL, PUBLIC

Shall mean a school under the jurisdiction of a Board as defined by the Ministry of Education.

7.170 SELECTIVE CUTTING

Shall mean the harvesting of mature timber without causing undue damage to adjacent standing growth.

7.171 SENIOR CITIZEN HOUSING

Shall mean housing owned and operated by government to provide residential accommodation for senior citizens.

7.172 SENIOR CITIZEN LODGE

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Shall mean a building in which the proprietor supplies for hire or gain lodging with meals for senior citizens and in addition may provide medical, nursing or similar care or treatment if required.

7.173 SERVICE SHOP

Shall mean a building or part of a building, not otherwise defined or classified herein, and whether conducted in conjunction with a retail store or not, for the servicing or repairing of articles, goods or materials other than heavy machinery or equipment, or motor vehicles.

7.174 SERVICE SHOP, PERSONAL

Shall mean a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, such as a barber's shop, a ladies hairdressing establishment or other similar services.

7.175 SETBACK

Shall mean the horizontal distance from the centre line of the street allowance, measured at right angles to such centre line, to the nearest part of any building or structure or excavation on the adjacent lot.

7.176 SHOPPING CENTRE

Shall mean a group of commercial uses, which have been designed, developed and managed as a unit by a single owner or tenant, or a group of owners or tenants, as distinguished from a business area comprising unrelated individual uses.

7.177 SIGHT TRIANGLES

Shall mean the triangular space formed on a corner lot by the street lines and a line drawn from a point in one street line to a point in the other street line, each such point being 7.5 metres (25.00 feet) measured along the street line from the point of intersection of the street lines. Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents of the street lines.

7.178 SIGN

Shall mean a structure or advertising device having illustrations affixed thereto or displayed thereon in any manner, which is used to identify, advertise or attract attention to any object, product, place, activity, person, institution, organization, firm, group, profession, enterprise, industry or business, or which display or include any letter, work, model number, banner, flag, pennant, insignia, device or representation used as an announcement, direction or advertisement.

7.179 SOLAR COLLECTOR

Shall mean any structure subordinate to a principal structure designed specifically for the collection of solar energy for experimental or for the purposes of converting such energy for heating, lighting, water production or any other domestic or commercial use that may be obtained from such source.

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7.180

(2016-86)

File No.: B-77-1001

STOREY

Shall mean the portion of a building, other than an attic, or cellar, included between any floor level and the floor, ceiling or roof next above it.

7.181 STORM SEWER

Shall mean a sewer which carries storm sewage or surface runoff but excludes any sanitary sewer or any combination of sanitary sewers and storm sewers.

7.182 STREET OR ROAD

Shall mean a highway as defined by the Municipal Act, as amended, and the Highway Traffic Act, as amended, which affords the principal means of access to abutting lots and does not include a lane or private right-of-way as defined in this By-law.

7.183 STREET, IMPROVED PUBLIC

Shall mean a street or road under the jurisdiction of the Province of Ontario, the County of Hastings or the Corporation of the Township of Thurlow which is maintained so as to allow normal vehicular access to adjacent properties throughout all seasons of the year.

7.184 STREET LINE

Shall mean the limit of the street or road allowance and is the dividing line between a lot or block and street or road.

7.185

(2016-86)

File No.: B-77-1001

STRUCTURE

Shall mean anything constructed or erected, the use of which requires location on the ground, or attached to something having location on the ground, but shall not include unitary equipment as defined herein.

7.186 TENT

Shall mean every kind of temporary shelter for sleeping that is not permanently affixed to the site and that is capable of being easily moved.

7.187 TOURIST ESTABLISHMENT

Shall mean any premises operated to provide sleeping accommodation for the travelling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided, and without limiting the generality of the term, also includes a cabin establishment, a tourist home, a tourist cottage and a housekeeping cottage but does not include:

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7.187.1 A camp operated by a charitable corporation approved under the Charitable Institutions Act.

7.187.2 A summer camp within the meaning of the regulations under the Public Health Act; or

7.187.3 A club owned by its members and operated without profit or gain.

7.188 TOURIST HOME

Shall mean a private dwelling that is not part of or used in conjunction with any other tourist establishment and in which there are at least five rooms for rent to the travelling or vacationing public, whether rented regularly, seasonally or occasionally.

7.189 TOWNSHIP STREET OR ROAD

Shall mean a street or road under the jurisdiction of the Corporation.

7.190 TRAILER

Shall mean a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn and for the purposes of this By-law shall not include a mobile home dwelling unit as defined herein.

7.191 TRAILER CAMP OR PARK

Shall mean an establishment consisting of at least five camping lots and comprising land used or maintained as grounds for the overnight camping or parking of trailers, truck campers, campers or setting up of tents for recreational or vacation use and designed for seasonal occupancy only, EXCEPT parks or camping grounds maintained by any department or Ministry of the Government of Ontario or of Canada, or any Crown Corporation, Commission or Board.

7.192 TRAILER, MOBILE CAMPER

Shall mean any vehicle in which the assembly can be erected, while stationary, using the trailer body and related components for support and utilized for living, shelter and sleeping accommodation with or without cooking facilities, which is collapsible and compact while being drawn by a motor vehicle.

7.193 TRAILER SITE

Shall mean an area of land within a travel trailer park that is or is intended to be occupied by one trailer, or similar vehicle within the meaning of a trailer as defined herein with adequate access to a driveway or public street.

7.194 TRANSMISSION TOWER

Shall mean a building or structure, typically higher than its diameter, which may

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comprise a skeleton framework, the purpose of which is to relay radio waves or microwaves.

7.195 TRUCK CAMPER

Shall mean any unit so constructed that it may be attached upon a motor vehicle, as a separate unit, and capable of being utilized for the living: sleeping or eating accommodation of persons.

7.195.1

(2002-63) File No.: B-77-692
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.

7.195.2

(2016-86) File No.: B-77-1001
UNITARY EQUIPMENT

Shall include central air conditioning units, heat pumps, swimming pool filters, and domestic fuel tanks.

7.196 USE

Shall mean, when used as a noun, the purpose for which a lot or building or structure, or any combination thereof, is designed, arranged, occupied or maintained and when used as a verb, "USED" shall have a corresponding meaning.

7.197 VEHICLE

Shall mean an automobile, all-terrain vehicle, snowmobile, motorcycle, motor assisted bicycle, traction engine, farm tractor, road-building machine, self-propelled implement of husbandry, and any other vehicle propelled or driven other than by muscular power, but not including a railroad car or other motor vehicle running only upon rails.

7.198 VETERINARIAN CLINIC

Shall mean a building or part of a building in which facilities are provided for the prevention, cure and alleviation of disease and injury to animals and in conjunction with which there may be facilities provided for the sheltering of animals during the treatment period.

7.199 WAREHOUSE

Shall mean a building or part of a building used for the storage and distribution of goods, wares, merchandise, substances, articles or things, and may include facilities for a wholesale or retail commercial outlet, but shall not include a cartage or transport depot.

7.200 WASTE DISPOSAL AREA

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Shall mean a place where garbage, refuse or domestic or industrial waste, exclusive of liquid industrial waste, is disposed of or dumped, and, for the purposes of this By-law, may include a sanitary landfill site.

7.201 WATERCOURSE

Shall mean a water body or the natural channel for a perennial or intermittent stream of water.

OMB File No. R880022

7.201.1 WATERS EDGE, HIGH WATER MARK

Shall mean the existing mark made by the action of water under natural conditions on the shore or bank of a body of water which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.

7.202 WATER FRONTAGE

Shall mean the boundary between the water and land fronting on and providing access to a watercourse, bay or lake.

7.203 WATER SUPPLY

Shall mean an adequate distribution system of underground piping and related storage, including pumping and purification appurtenances operated by a municipal corporation and/or the Ministry of the Environment and/or any public utilities commission for public use.

7.204 WATER SUPPLY PLANT

Shall mean a building or structure, approved by the Ministry of the Environment where water is treated for human consumption.

7.205 WAYSIDE PIT OR QUARRY

Shall mean 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.

7.206 WELL

Shall mean an underground source of water which has been rendered accessible by the drilling or digging of a hole from ground level to the water table and may include a private piped system from a surface water source.

7.207 WORKSHOP

Shall mean a building or structure where manufacturing is performed by tradesmen requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, a commercial welder's shop, or similar uses.

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7.208 YARD

Shall mean a space, appurtenant to a building or structure, located on the same lot as the building or structure, and which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted elsewhere in the By-law.

7.208.1 YARD, FRONT

Shall mean a yard extending across the full width of the lot between the front lot line of the lot and the nearest part of any building or structure on the lot or the nearest open storage use on the lot.

7.208.2 YARD, FRONT DEPTH

Shall mean the least horizontal dimension between the front lot line of the lot and the nearest part of any building or structure on the lot, or the nearest open storage use on the lot.

7.208.2.2 YARD, REAR

Shall mean a yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of any building or structure on the lot, or the nearest open storage use on the lot.

7.208.3 YARD, REQUIRED

Shall mean the minimum yard required by the provisions of this By-law.

7.208.4 YARD, SIDE

Shall mean a yard extending from the front yard to the rear yard and from the side lot line of the lot to the nearest part of any building or structure on the lot, or the nearest open storage use on the lot.

7.208.4.1 YARD, SIDE, EXTERIOR

Shall mean a side yard immediately adjoining a public street.

7.208.4.2 YARD, SIDE, WIDTH

Shall mean the least horizontal dimension between the side lot line of the lot and the nearest part of any building or structure on the lot, or the nearest open storage use on the lot.

7.209 ZONE PROVISIONS

The permissible uses, the minimum area and dimensions of lots, the minimum dimensions of yards, the maximum lot coverage, the minimum landscaped open space, the maximum height of buildings, minimum parking requirements, and all other Zone provisions are set out within the By-law for the respective Zones.

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7.211 RETIREMENT HOME (3123)

Shall mean an establishment that consists of one or more than one building containing more than one rental unit for the purpose of catering to individuals by furnishing sleeping accommodation with meals, light resident care and consultation and/or diagnosis and treatment of residents by qualified nurses and/or physicians, dentists, optometrists, chiropodists, chiropractors and drugless practitioners and their qualified assistants and may include permanent staff accommodation and cafeteria and catering facilities but does not include any other establishment otherwise defined or classified in this By-law.