

SECTION 2 – DEFINITIONS

Note: The words, which are capitalized within the text of the definitions and throughout this document, are also defined.

GENERAL

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

In this By-law the word "shall" is mandatory. Words in the singular include the plural. Words in the plural include the single number. Words used in the present tense include the future.

"ABATTOIR" means a Building, Structure, or Lot or part thereof used for the slaughter of Livestock or other animals for the purpose of processing or rendering.

"ACCESSORY" when used to describe a Use, Building or Structure means a Use, Building or Structure subordinate, incidental and secondary to the main Use, Building or Structure located on the same Lot therewith.

"ADULT ENTERTAINMENT PARLOUR" means any premises or part thereof in which is provided, in pursuit of a trade, calling, business or occupation, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations.

"AGGREGATE STORAGE AREA" means the Use of land for the Open Storage of aggregates for sale or Use.

"AGRICULTURE" means the Use of land, for gain or profit, for the growing of crops, including Nursery and horticultural crops; raising of Livestock and other animals for food, or fur, including poultry and fish; aquaculture; agro-forestry; maple syrup production; apiary; and associated on-farm Buildings and Structures. This definition shall include a Farm Produce Outlet. **"AGRICULTURAL"** shall have a corresponding meaning.

"AGRICULTURAL IMPLEMENT SALES ESTABLISHMENT" means land, Structure or Building used for the Outdoor Display and sales of new and/or second hand farm implements and includes the servicing, repair, cleaning, polishing and greasing of farm implements, the sale of accessories and related products and the leasing or renting of farm implements.

"AGRICULTURAL PROCESSING ESTABLISHMENT" means the Use of land, Buildings and/or Structures for the processing and storage of Agricultural produce, such as a feed and grain mill.

"AGRICULTURAL SERVICE ESTABLISHMENT" means an Establishment other than a Motor Vehicle Use, that provides a non-personal service or craft which supports the Agricultural industry, including but not necessarily restricted to, farm drainage and excavation, well drilling, contracting and trades related to farm Buildings, Structures and/or equipment, custom spray, tillage, planting and harvesting services including seed cleaning and grain drying or other goods and services used in Agriculture.

"AGRICULTURAL SUPPLY ESTABLISHMENT" means the Use of land, Building and/or Structure for purposes including but not necessarily restricted to, the sale and/or storage of seeds, fertilizers, and farm equipment. Goods or materials must be used in Agriculture.

"AISLE" means the area used by Motor Vehicles for access to and from all off-Street Parking Spaces, but does not include an access driveway.

"ALTER" when used in reference to a Building, Structure or part thereof, means to change any one or more of the internal or external dimensions of such Building or Structure or to change the type of construction of the exterior walls or roof thereof. When used in reference to a Lot, the word "Alter" means to change the area, frontage or depth thereof; to change the width, depth or area of any Required Yard, Landscaped Open Space or Parking Area; or to change the location of any boundary of such Lot with respect to a Street or Lane whether such Alteration is made by conveyance of any portion of such Lot, or otherwise. **"ALTERED"** and **"ALTERATION"** shall have corresponding meanings.

"AMUSEMENT GAMES ESTABLISHMENT" means a Building or part thereof where five (5) or more pinball machines, video games, or other similar player-operated amusement devices other than a jukebox are maintained for profit, but shall not include premises licensed to sell alcohol, a seasonal fair or any Use specifically defined in this By-law.

"ANIMAL HOSPITAL" means a Building and land where animals are treated by a veterinarian and may include the following facilities: a reception area; an examination room/treatment area; a pharmacy; a Laboratory; a library; radiology equipment; supplies for the administering of anesthesia; surgical preparation area; operating room; and provisions for the confinement and long term treatment of animals. An Animal Hospital may include facilities for the performance of autopsy.

"ANTENNA" means the Use of land, Buildings or Structures for the purpose of sending or receiving electromagnetic waves. An Antenna is Accessory to a Permitted Use and shall include Antennae used exclusively for dispatch communications by the Corporation or the County, any local board of either the Corporation or the County, a Conservation Authority established by the Government of Ontario, or any Ministry or Commission of the Government of Ontario or Canada.

"APPROVED" means Approved by an appropriate authoritative body as required under the Act or Statute that legislates such establishment or development requiring approval.

"ART GALLERY" means a Building or part thereof where works of art such as paintings, sculpture, pottery, glass and weaving are displayed for public viewing and may include sales of art and/or art supplies.

"ASPHALT BATCHING PLANT" means an industrial establishment used for the production of asphalt, or asphalt products used in building or construction and includes facilities for the administration and management of the business, the stockpiling of bulk materials used in the production process or a finished product manufactured on the premises and the Open Storage and maintenance of required equipment, but does not include the retail sale of finished asphalt.

"PORTABLE ASPHALT PLANT" means a temporary asphalt batching plant established for a public Road project.

"ASSEMBLY HALL" means a Building or part of a Building used for the assembly of Persons for religious, civic, charitable, philanthropic, cultural, private recreational or private educational purposes.

"ATTACHED" means a Building otherwise complete in itself that depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an adjacent Building or Buildings. (B/L 107/2010)

"ATTIC" means that portion of a Building situated wholly or partly within the roof of such Building and which is not a one-half storey.

"AUCTION HALL" means a Building or Structure where a public sale is conducted by an auctioneer through a series of competing bids and may include the storage of such articles to be sold at auction.

"AUDITORIUM" means a Building or Structure where facilities are provided for athletic, civic, educational, political, religious or social events. This definition may include an arena, Community Centre, gymnasium, stadium, Theatre or similar Use.

"BAKERY" means a Building for producing, mixing, compounding or baking bread, biscuits, cakes or other baked products.

"BAKE SHOP" means a Retail Store where Bakery goods are offered for sale, some or all of which may be prepared on the premises.

"BALCONY" means a platform projecting from a Building enclosed by a railing or other barrier.

"BANK" means any Federally or Provincially chartered financial institution or business. This definition includes a Credit Union or Caisse Populaire.

"BASEMENT" means that portion of a Building between two floor levels which is partly below Finished Grade level but which has less than seventy percent (70%) of its Height (measured from finished floor to finished ceiling) below adjacent Finished Grade level.

"BED AND BREAKFAST ESTABLISHMENT" means a Home Occupation within a Single Detached Dwelling in which no more than three (3) Guest Rooms are made available by a resident of the said Dwelling for temporary accommodation of travelers. Meals or food are served only to overnight guests. The definition does not include a Hotel, Motel, Boarding House or Restaurant.

"BINGO HALL" means a Building used for the assembly of Persons for the playing of bingo. This Use shall not include any other recreational Use as defined in this By-law.

"BOARDING HOUSE" see **"DWELLING"**.

"BOAT HOUSE" shall mean a Building or Structure Erected over or adjacent to a navigable Watercourse and intended for Use to house, shelter or protect a boat or other water transportation. When Erected in association with a Dwelling Unit a Boat House shall be deemed to be an Accessory Building.

"BREEZEWAY" means a roofed, open or enclosed passage connecting two (2) or more Buildings.

"BREWING ON PREMISES ESTABLISHMENT" means a commercial establishment where individuals produce beer, wine and/or cider, for personal consumption off the premises; and where beer, wine and/or cider ingredients and materials are purchased. Equipment and storage area is used for a fee by the same individuals.

"BUILDING" means a Structure whether temporary or permanent, used or intended for sheltering any Use or Occupancy but shall not include a boundary wall, fence, Travel Trailer, camping trailer, truck camper, Motor Home, or tent. This definition may include a roof supported by columns or walls.

"BUILDING ENVELOPE" means the portion of a Lot remaining after Required Front, Rear and Side Yards have been provided.

"BUILDING HEIGHT" means the vertical distance between the ground floor and the highest point of the Building proper, exclusive of any Accessory roof Structures such as an Antenna, chimney, steeple or tower.

"BUILDING, MAIN" means the Building or Buildings designed and/or intended to accommodate the principal Use Permitted by this By-law.

"BUILDING OR CONTRACTING ESTABLISHMENT" means a premises used for the purposes of undertaking or managing activities engaged in maintaining and building new Structures, or works, additions or Renovations and typically includes the Offices of general building contractors, specialized trades and Building maintenance services such as window cleaning and extermination services and may include a showroom and/or Outdoor Display area open to the general public. Also included is the prefabrication of building equipment and materials and wrecking and demolition contractors' Offices, but does not include Salvage Yards.

"BUILDING SUPPLY ESTABLISHMENT" means a Building or Structure in which building or construction and home improvement materials are offered or kept for retail sale and may include the fabrication of certain materials related to home improvement.

"BULK FUEL DEPOT" means the Use of land, Buildings or Structures for the purpose of storing fuels for distribution.

"BULK SALES ESTABLISHMENT" means the Use of land, Buildings or Structures for the purpose of buying and selling and the Open Storage of lumber, wood, building materials, feed, fertilizer, and allied commodities, but does not include manufacturing or processing.

"BUSINESS SERVICE ESTABLISHMENT" means an establishment primarily engaged in providing services to business establishments on a fee or contract basis, including advertising and mailing, building maintenance, employment services, protective services, and small equipment rental, leasing and repair.

"BY-LAW ENFORCEMENT OFFICER" means an officer or employee of the Municipality or County for the time being charged with the duty of enforcing the provisions of this By-law, and shall include the building inspector.

"CAMP SITE" means a parcel of land within a Campground occupied by or intended for the parking of Travel Trailers, Park Model Homes, tent-trailers, tents or similar transportable accommodation other than Mobile Homes together with all Required Yards and Open Space.

"CAMPGROUND" means land used for the parking and/or erection of Travel Trailers, tent-trailers, tents or similar transportable accommodation excluding Mobile Homes as defined in this By-law.

"CANOPY" means a roof free of enclosing walls, and shall include a Canopy over a Gasoline Pump Island.

“CANTILEVER” means a projecting architectural feature including a beam or Structure supported at only one end, but shall not include any portion of an upper storey overhanging a lower storey beyond the extent of the foundation.

"CARPORT" means an Accessory covered Structure used for the storage of passenger Motor Vehicles wherein neither servicing for profit is conducted nor storage of commercial vehicles in excess of 2,270 kilograms gross weight occurs. The roof of said Structure shall be supported only by piers or columns so that a portion of its wall area is unenclosed.

"CELLAR" means that portion of a Building between two floor levels which has more than seventy percent (70%) of its Height (measured from finished floor to finished ceiling) below adjacent Finished Grade level.

"CEMETERY" means land that is set apart or used as a place for the interment of the deceased or in which human bodies have been buried and may include a crematorium, mausoleum and a columbarium.

"CHURCH" means a Building used by a religious organization for public worship, and may include a rectory or manse, church hall, Day Nursery or religious School associated with or Accessory thereto.

"CLINIC" means a Building or part thereof, used exclusively by physicians, dentists, drugless practitioners, their staff and their patients for the purpose of consultation, diagnosis and office treatment. Without limiting the generality of the foregoing, a Clinic may include administrative Offices, waiting rooms, treatment rooms, laboratories, pharmacies and dispensaries directly associated with the Clinic, but shall not include accommodation for in-patient care or operating rooms.

"CLUSTER HOUSING" see **"DWELLING"**.

"COMMERCIAL GARAGE" means an establishment or premises where Commercial Motor Vehicles are stored indoors or in Open Storage or where Motor Vehicles are repaired or maintained.

"COMMERCIAL GREENHOUSE" means a Building or Structure used for the growing of flowers, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same Lot containing such Building or Structure, but are sold directly from such Lot at wholesale or retail and may include an Outdoor Display area.

"COMMERCIAL RECREATION ESTABLISHMENT" means a Building, or part thereof, used for the purpose of an arena, Auditorium, Assembly Hall, billiard or pool room, Bingo Hall, gym or fitness centre, ice or roller rink, indoor swimming pool, and all places of amusement, but not including an Amusement Games Establishment, cinema or other Theatre, drive-in theatre or amusement park.

"COMMERCIAL STORAGE" means the storage, for hire or gain, of goods, merchandise, materials or equipment in an enclosed Building other than a Temporary Building but shall not include a Warehouse.

"COMMERCIAL USE" means the Use of land, Buildings or Structures for the purpose of buying, renting or selling commodities and supplying services, but does not include an Industrial Use or any other commercial Use otherwise defined or classified in this By-law.

"COMMUNITY CENTRE" means land, Buildings or Structures used for community activities, including Recreation and Institutional Uses.

"CONSERVATION" means the Use of land and/or water for the purpose of planned management of natural resources, including woodlot management, and for the preservation and enhancement of the natural environment.

"CONVENIENCE STORE" means a Retail Store supplying groceries and other daily household necessities to an immediate surrounding residential area, and may include the rental of videos, the heating of pre-packaged food, an automated banking machine and/or Depots for such items as film, laundry or Dry Cleaning.

"CONVERTED DWELLING" see **"DWELLING"**.

"CORPORATION" means the Corporation of the Town of Plympton-Wyoming.

"COUNCIL" means the Council of the Corporation of the Town of Plympton-Wyoming.

"COUNTY" means the Corporation of the County of Lambton.

"COURT" means an open, unoccupied space adjoining a Building, such space being bounded on two (2) or more sides by walls of the said Building.

"CRUSHING PLANT" means an industrial establishment where aggregate is processed through a crushing and sorting operation into various grades of gravel.

"DANGEROUS GOODS" means explosives, flammable or combustible liquids or gases, toxic substances, radioactive material, corrosives or any other product or substance that is considered dangerous to life when handled or transported.

"DATA PROCESSING ESTABLISHMENT" means a Building, or part thereof, used for input, processing and printing of computerized data.

"DAY NURSERY" means a premises that receives more than five (5) children who are not of common parentage, primarily for the purpose of providing temporary care and/or guidance, for a continuous period not exceeding twenty-four (24) hours, where the children are under eighteen (18) years of age in the case of a Day Nursery for children with a developmental handicap and under ten (10) years of age in all other cases. A Day Nursery does not include any part of a School.

"DECK (UNENCLOSED)" means a Structure without a roof or walls, having footings situated a minimum of 0.2 metres above grade, and may be Attached to or abutting one or more walls of a Building or constructed separate from a Building. A Deck (Unenclosed) is subject to the provisions of **Section 3.3.4** of this By-law.

"DERELICT MOTOR VEHICLE" means a Motor Vehicle or any other vehicle propelled or driven otherwise than by muscular power that is inoperative and has no market value as a means of transportation or has a market value as a means of transportation that is less than the costs of repairs to put it into operative condition.

"DETACHED" means not Attached, as defined herein. (B/L 107/2010)

"DRY CLEANING DEPOT" means a Building, or part thereof for the purpose of receiving articles or goods of fabric to be subjected, off the premises, to a process of dry cleaning or dyeing. Such establishment may also be used for pressing and/or distributing any article or good of fabric received at such an outlet.

"DRY CLEANING ESTABLISHMENT" means a Building, or part thereof, where dry cleaning, dye drying, cleaning, or pressing of articles or goods of fabric is performed, and in which only non-combustible and non-flammable solvents are used, emitting no odours, fumes, noise, or vibration which would cause a nuisance or inconvenience within or outside the premises.

"DUPLEX DWELLING" see **"DWELLING"**.

"DUPLICATING SHOP" means a premises engaged in reproducing drawings, plans, maps or other copy, by blueprinting, photocopying or small offset process.

"DWELLING" means a Building or part thereof used or intended, adapted or designed to be used, occupied or capable of being occupied, as a home, residence or sleeping place for one or more Persons having a right to the exclusive Use thereof, but shall not include any Motor Vehicle, Travel Trailer, Hotel, Motel, Private Garage, a Home for the Aged, Nursing Home, Hospital or living amenity or area Accessory to a non-Residential Use.

- a) **"ACCESSORY APARTMENT DWELLING"** shall mean a Dwelling Unit located within a Permitted non-residential Building and located above and/or behind the primary Permitted Use. This definition shall not include a Converted Dwelling Unit or a Multiple Dwelling Unit.
- b) **"ACCESSORY DWELLING"** shall mean a Dwelling Unit, including a Single Detached Dwelling, on a Lot containing a Commercial or Industrial Use as the primary Use. Such Dwelling is Accessory and secondary to the primary Use and is occupied by an owner or employee of the primary Use.
- c) **"BOARDING HOUSE"** means any Building or part thereof in which the proprietor resides and supplies for hire or gain to three (3) or more but not more than six (6) Persons exclusive of the lessee or Owner thereof or members of his family, lodging and/or meals, but shall not include a Hotel, Motel, Bed and Breakfast Establishment, Hospital, or Nursing Home.
- d) **"CLUSTER HOUSING"** means a group or groups of Dwelling Units which may be in various forms, and so located on a Lot that each Dwelling Unit may not have frontage on a public Street or Road and more than one (1) Dwelling Unit may exist on one (1) Lot. Cluster Housing development shall have frontage on a public Street.

e) "**CONVERTED DWELLING**" means a lawfully established Single Detached Dwelling which is altered or converted, subject to **Section 3.23**, so as to provide up to three (3) Dwelling Units.

"**COTTAGE**" shall mean a seasonal residential Building or Structure intended to be used for recreational rest or relaxation throughout the year, excepting winter months and shall not be used or intended to be used as a primary residence and/or year-round permanent Dwelling. Without limiting the generality of the foregoing, a Cottage shall not be converted to a year-round primary residence except in those Zones where such conversion is specifically allowed.

f) "**DUPLEX DWELLING**" means a Dwelling divided horizontally into two (2) separate Dwelling Units, each of which has an independent entrance.

g) "**FARM DWELLING**" means a Dwelling which is Accessory to an Agricultural Use other than a Hobby Farm.

h) "**FOUR-PLEX DWELLING**" means a Dwelling divided horizontally and vertically into four (4) separate Dwelling Units, each of which has an independent entrance from outside the Building.

i) "**GROUP HOME-TYPE 1**" means a residential Dwelling in which three (3) to ten (10) unrelated residents live under responsible supervision consistent with the requirements of its residents. "Residents" excludes staff or receiving family. This does not include a Group Home – Type 2.

j) "**GROUP HOME-TYPE 2**" means a residence maintained and operated primarily for: Persons who have been placed on probation under the provisions of Acts such as the Criminal Code. R.S., Chap. C-46, as amended, The Young Offenders Act. R.S., Chap. Y-1, as amended, The Ministry of Correctional Services Act, R.S.O., 1990, Chap. M.22, as amended and the Parole Act. R.S., Chap. P-2, as amended. The number of Persons residing therein shall be up to eight (8) excluding staff.

k) "**MODULAR HOME**" means a prefabricated Single Detached Dwelling designed to be transported once only to a final location and constructed so as the shortest side of such Dwelling is not less than 6.0 metres in width.

l) "**MOBILE HOME, DOUBLE WIDE,**" means a C.S.A. approved, factory built Dwelling occupied or designed for Occupancy on a permanent basis, towed or designed to be towed in two or more separate sections with each section on its own chassis and joined together to form one (1) Dwelling Unit and placed on a permanent foundation with or without a Basement or Cellar and connected or designed to be connected to public utilities, but shall not include a Single Wide Mobile Home or a Travel Trailer.

m) "**MOBILE HOME, SINGLE WIDE**" means a C.S.A. approved, factory built Dwelling occupied or designed for Occupancy on a permanent basis having a Ground Floor Area of not less than sixty-five (65) m², designed to be towed on its own chassis, notwithstanding that its running gear is or may be removed, placed or designed to be placed on permanent foundations and connected or designed to be connected to public utilities, but shall not include a Double Wide Mobile Home or a Travel Trailer.

n) "**MULTIPLE DWELLING**" means a Building on a Lot used or designed as a residence and containing four (4) or more Dwelling Units all of which have access from a common corridor or hallway and/or an independent entrance from the outside. All of the Units in a Multiple Dwelling-must be Dwelling Units, as defined in this By-law. It shall not, however, include any other Dwelling otherwise defined herein or specifically named elsewhere in this By-law.

o) "**NON-FARM DWELLING**" shall mean a Single Detached Dwelling not Accessory to an Agricultural operation.

p) "**PARK MODEL HOME**" means a manufactured Building used or intended to be used as a seasonal recreational Building of residential Occupancy designed and constructed in conformance with CAN/CSA-Z241 Series-M, "Park Model Trailers".

q) "**SEASONAL HOUSING**" means a Dwelling used or intended, adapted or designed to be used as a home, residence or sleeping place during any portion of the year except winter months by seasonal or migrant workers and/or their families. Seasonal Housing is Accessory to a labour-intensive Agricultural Use on the same Lot.

- r) **"SINGLE DETACHED DWELLING"** means a Detached Dwelling on a Lot containing only one (1) Dwelling Unit or containing one (1) Dwelling Unit plus a second Dwelling Unit established under **Section 3.8** of this By-law.
- s) **"SEMI-DETACHED DWELLING"** means one (1) of a pair of single Dwellings, divided vertically in whole or in part above Finished Grade, below Finished Grade, or both above and below Finished Grade. This definition includes a link home.
- t) **"STREET TOWNHOUSE"** means a Townhouse with each Unit on a separate Lot.
- u) **"TOWNHOUSE"** means the whole of a Dwelling divided vertically into three (3) or more separate Dwelling Units, each such Dwelling Unit having an independent entrance directly from outside the Building.
- v) **"TRIPLEX DWELLING"** means the whole of a Dwelling divided horizontally into three (3) separate Dwelling Units, each such Dwelling Unit having an independent entrance from the outside or from a common hallway or stairway inside the Building.

"DWELLING UNIT" means a suite of two (2) or more Habitable Rooms, in which sanitary conveniences are provided and in which facilities are provided for cooking or for the installation of cooking equipment, and with an independent entrance, either directly from outside the Building or from a common corridor inside the Building. This definition shall not include a Motor Home, a Private Garage or a Travel Trailer.

"DWELLING UNIT AREA" means the habitable area contained within the inside walls of a Dwelling Unit, excluding any Private Garage, Carport, Porch, verandah, unfinished Attic, Cellar or sun room (unless such sun room is habitable in all seasons of the year), and excluding common hallways, common stairways or other common areas.

"EASEMENT" means a right or privilege that one has over the lands of another, registered on title to the said lands and may pertain to access rights above, below or on the said lands.

"ERECT" means to build, construct, reconstruct or relocate and, without limiting the generality of the word, also includes:

- a) any preliminary operation such as excavation, infilling or draining;
- b) Altering any Existing Building or Structure by an addition, enlargement, extension or other structural change; and
- c) any work which requires a Building permit.

"ESTABLISHED BUILDING LINE" on a Lot that is between two (2) adjacent Lots on one side of one block within the same Zone, on which are located Existing Buildings not more than 100 metres apart, shall mean the average of the established Setbacks on the said adjacent Lots. Existing Buildings on the Lot for which construction is being proposed may be factored into the average for determining the Established Building Line. Detached Accessory Buildings shall not be factored in determining an Established Building Line for a Main Building. (B/L 107/2010)

"EXISTING" means Existing on the date of passing of this By-law, legally established under the regulations in place at the time of its establishment and with respect to a Building or Structure, also means in a sound condition not requiring demolition or significant repairs or alterations or removed within the last 12 months and determined by the By-law Enforcement Officer to have been in such condition prior to its removal. (B/L 107/2010)

"EXISTED" shall have a corresponding meaning.

"EXTRACTIVE USE" means the Use of land Licensed for the removal of gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other similar substance for construction, industrial or manufacturing purposes, and includes an Aggregate Storage Area, Accessory Uses, Buildings or Structures. Permitted Accessory Uses include the blending of recovered materials that are brought to the Extractive Use.

"FARM PRODUCE OUTLET" means a Use, Accessory to a Permitted farm, which consists of the retail sale of Agricultural products produced on the farm where such outlet is located.

"FARMERS MARKET" means a Building, part of a Building, or an open area where Agricultural produce is offered or temporarily stored for retail sale on the site by more than one (1) vendor.

"FARM PRODUCE PROCESSING ESTABLISHMENT" means the Use of land, Buildings or Structures where Agricultural produce, including meat and poultry products, are prepared or packaged and from which such produce and products are shipped to a wholesale or retail outlet.

"FINISHED GRADE" means the average elevation between the highest and lowest point of the finished surface of the ground measured around the perimeter of the base of a Building or Structure exclusive of any embankment in lieu of steps.

"FLEA MARKET" means the occasional or periodic market held in an open Outdoor Display area or in a Building or Structure, where groups of individual sellers display and offer goods for sale to the public, but does not include a Garage Sale.

"FLOOR AREA, GROSS" in the case of a Dwelling, means the sum total area of the floors excluding internal Parking Areas in the Building or Buildings on a site measured from the exterior walls or from the centre line of common walls separating the Buildings provided that where the floor area is within a roofed Structure without exterior walls the Gross Floor Area shall be the area covered by the roof, or in the case of a Building other than a Dwelling, means the aggregate of the area of all floors devoted to retail sales, customer service and/or Office Use measured from the outside face of exterior walls but shall not include storage or mezzanine areas, mechanical rooms, common halls, stairwells, garbage and electrical rooms and parking Structures.

"FLOOR AREA, GROUND" means the area of a Building or Structure measured from the outside of its exterior walls at Grade and exclusive of any Attached Accessory Building, terrace, unenclosed sun room, Deck, Porch or verandah.

"FORESTRY" means the proper implementation of harvest, renewal and maintenance activities known to be appropriate for the forest and environmental conditions under which they are being applied and that minimize detriments to forest values including significant ecosystems, important fish and wildlife habitat, soil and water quality and quantity, forest productivity and health and the aesthetics and recreational opportunities of the landscape.

"FOUR SEASON CAMPGROUND & RECREATION FACILITY" shall mean a Private Park which includes a Campground, as well as facilities for Active and Passive Recreation. Such a facility may also include Accessory commercial uses that serve only the needs of the users of the facility.

"FUNERAL HOME" means 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 and may include a chapel for funeral purposes.

"FURTHER CONTRAVENE" means the making of an addition to an Existing Non-Complying Building or Structure, any part of which addition does not comply with the required Setbacks or any other provision of this By-law.

"GARAGE SALE" means an occasional sale, held by the occupants of a Dwelling Unit on their own premises, of household goods and not merchandise which was purchased for resale or obtained on consignment.

"GARDEN CENTRE" means the Use of land, Buildings or Structures for the purpose of buying, selling and raising plants, shrubs and trees and includes the Outdoor Display, storage and sale of products generally used for landscaping and gardening purposes.

"GAS BAR" means one (1) or more fuel pumps for the sale of motor fuels and related products for Motor Vehicles, together with any necessary Gasoline Pump Islands, light standards, Propane Transfer Facility, kiosk, concrete aprons, Canopy, storage tanks and related facilities required for the dispensing of fuel.

"GAS COMPRESSOR STATION" means the Use of land, Buildings or Structures for the storage, regulation of flow and distribution of natural gas.

"GASOLINE PUMP ISLAND" means the portion of a Lot where a pump or pumps used to transfer fuel from storage tanks to Motor Vehicles is (are) situated.

"GASOLINE RETAIL FACILITY" means a premises where the retail sale of fuel or lubricants for Motor Vehicles constitutes either the sole Use, such as a Gas Bar, or an Accessory Use, such as a Gasoline Pump Island or Propane Transfer Facility. This definition shall not include a Motor Vehicle Service Establishment.

"GAZEBO" means an Accessory Structure that consists of a platform and roof but no walls and that is unenclosed except that a wire-mesh bug screen, benches and/or railings around its perimeter and such posts as are reasonably necessary to hold the roof erect shall be permitted. **(B/L 90/04)**

"GIFT SHOP" means a Retail Store specializing in the sale of ornaments, cards, magazines and confectioneries.

"GOLF COURSE" means a public or private area designed and operated primarily for the purpose of playing golf excluding a Miniature Golf Course.

"GOLF COURSE, MINIATURE" means a Use which provides facilities designed and operated primarily for what is commonly known as miniature golf but does not include a Golf Driving Tee or Range or a Golf Course as defined herein.

"GOLF DRIVING TEE OR RANGE" means a Use which provides facilities designed and operated primarily for the practicing of golf shots but does not include Miniature Golf Courses or Golf Courses as defined herein.

"GRAIN ELEVATOR" means a Building or Structure used for the storage of grain.

"GROUP HOME-TYPE 1" see **"DWELLING"**.

"GROUP HOME-TYPE 2" see **"DWELLING"**.

"GUEST ROOM" means a room or suite of rooms which contain no facilities for cooking or for the installation of cooking equipment and which is used or designed for gain or profit by providing accommodation to the travelling or vacationing public.

"HABITABLE ROOM" means a room within a Dwelling Unit designed to provide living, dining, sleeping, bathroom or kitchen accommodation for Persons. This definition shall not include any Private Garage, Carport, Cellar, unheated Porch or verandah, unfinished Attic, unfinished Basement, or any space used for the service and maintenance of a Dwelling or for vertical travel between storeys.

"HEALTH/RECREATIONAL FACILITY" means a Private Club or public facility (athletic, health or recreational), including Uses such as reducing salons and weight control establishments, game courts, exercise equipment, locker rooms, jacuzzi and/or sauna and pro shop.

"HEIGHT" means **"BUILDING HEIGHT"**, when referring to a Building, and in all other cases, where no method for determining Height is described, shall mean the vertical distance between Finished Grade and the highest vertical point of the Structure, Sign, fence, Planting Strip or other object.

"HOBBY FARM" means a Livestock Facility with a Livestock Housing Capacity of no greater than four (4) Livestock Units or fifty (50) animals, whichever is less.

"HOLDING PROVISIONS" can be applied to lands to delay their development until specific conditions have been fulfilled. The Planning Act, as amended, enables Council to place these restrictions on the Use of land. Holding provisions are depicted by the letter (H), which can be added as a suffix to any Zone symbol. The Council will remove the (H) symbol, once conditions for the proper development of the affected lands are satisfied.

"HOME FOR THE AGED" means a Building, Structure or Portion thereof operated as an Approved Home for the Aged or Rest Home established and maintained by the Municipality or jointly by one or more municipalities of the County of Lambton and operated under a board of management for accommodation and amenities for senior citizens in return for compensation. A Home for the Aged is subsidized by the Province under a service agreement with the Crown. A Home for the Aged shall not include a public or Private Hospital, Nursing Home or Group Home.

"HOME OCCUPATION" means an Accessory Use to a Dwelling Unit, owned by and employing at least one of the permanent residents of that Dwelling Unit, to conduct one or more full-time or part-time occupations or business activities. This definition shall include a Bed & Breakfast and a Clinic. **(B/L 107/2010)**

"HOSPITAL" means any institution, Building or other premises or place 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 as a public Hospital. This definition shall also include a **"PRIVATE HOSPITAL"**, which means a Dwelling in which four (4) or more patients are or may be admitted for treatment, other than an independent health facility, institution for the reclamation and cure of habitual drunkards, a children's residence or a lodging house.

"HOTEL" means a Building in which a minimum of four (4) Guest Rooms are provided for the travelling public, and may include dining and other public rooms, provided that each Guest Room may be entered from inside or outside of the Building.

"INDUSTRIAL USE" means the Use of land, Structures or Buildings for each or any of the following operations:

- a) the carrying on of any process of manufacture whether or not a finished article results there from;
 - b) the dismantling and separating into parts of any article, machinery or vehicle, but not including a Motor Vehicle Wrecking Establishment;
 - c) the breaking up of any articles, goods or machinery;
 - d) the treatment of waste materials of all descriptions;
 - e) the recovery and processing of sand, gravel, clay, turf, soil, rock, stone or similar substances;
 - f) the repairing and servicing of vehicles, machinery and Buildings;
- and may include;
- i) the Open Storage of goods used in connection with or resulting from any of the above operations;
 - ii) the provisions of amenities for Persons engaged in such operations;
 - iii) the sale of goods resulting from such operations; and
 - iv) any work of administration or accounting in connection with the undertaking;

and without limiting the generality of the foregoing, includes any industry particularly defined in this By-law, but does not include a "Home Occupation" or "Agricultural Home Industry".

"INDUSTRIAL USE, DRY" means any Industrial Use Permitted by the applicable Zone where water is only required for employee washrooms and eating facilities, cooling or pressure testing of equipment, the washing of Accessory vehicles and similar ancillary Uses and not for processing.

"INDUSTRIAL USE, GENERAL" means any Industrial Use other than a Service and Repair Shop, a Light Industrial Use, or an Offensive Industrial Use.

"INDUSTRIAL USE, LIGHT" means any Industrial Use in which the Building or the Structure thereby occupied or employed, the processes carried on, the material used or stored, the machinery employed and the transportation of materials, goods and commodities to and from the premises will not cause injury to or prejudicially affect the amenity of the locality by reason of the appearance of such Building, Structure or materials or by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste paper, waste products, grit, oil or otherwise. Light Industrial Uses shall not include the dismantling and separating into parts of any article, machinery or vehicle; the treatment of waste materials of all descriptions; and the winning, processing or storage of sand, gravel, soil, rock, stone or similar substance.

"INDUSTRIAL USE, OFFENSIVE" means any business or industry which by reason of the process involved or the method of manufacture or the nature of the material or goods used, produced or stored is likely to cause or causes by reason of destructive gas or fumes, dust, objectionable odour, noise or vibration, or unsightly storage of goods, wares, merchandise, salvage, junk, waste or other material, a condition which may be or become hazardous or injurious as regards health or safety or which prejudices the character of the neighbourhood or interferes with or may interfere with the normal enjoyment of any land, Building or Structure.

"INSTITUTIONAL USE" means the Use of any land and/or Building or part thereof by a government, educational, charitable or non-profit organization in the carrying out of its function and without limiting the

generality of the foregoing, shall include municipal Offices, Libraries, fire halls, Churches, Hospitals, Schools, Community Centres, Private Clubs and Assembly Halls.

“**JUNK YARD**” shall have the same meaning as “Salvage Yard”.

"**KENNEL**" means any premises on which four (4) or more domesticated animals over four (4) months of age are kept, bred, trained, or boarded and may be kept for sale.

"**LABORATORY**" means a Building, or part thereof, used for scientific, medical and/or research purposes.

"**LANDSCAPED OPEN SPACE**" means the open, unobstructed space, on a Lot, accessible by walking from the Street on which the Lot is located and which is maintained and suitable for the growth and maintenance of grass, flowers, bushes, trees and other landscaping. This definition may include any surfaced walk, patio, or similar area provided that such surfaced walk, patio, or similar Structure is not more than 40% of the Landscaped Open Space area, but shall not include any driveway or ramp, whether surfaced or not, nor any curb, retaining wall, or any Parking Area; nor any open space beneath or within a Building or Structure.

"**LANE**" means a private thoroughfare which affords only a secondary means of access for vehicular traffic to abutting Lots and which is not intended for general traffic circulation.

"**LAUNDROMAT**" means an establishment containing one (1) or more washers, and could include drying, ironing, finishing and incidental equipment, provided that only water, soaps and detergents are used and provided that no such operation shall emit any noise or vibrations which cause a nuisance or inconvenience within or without the premises. This definition may include a self-service coin operated Laundromat.

"**LAUNDRY PLANT**" means a Building or a Structure in which the business of a laundry is conducted in which only water and detergent is used, and where the drying, ironing and finishing of such goods are conducted.

"**LIBRARY**" means a Library, branch Library or distribution station established as a public Library by by-law by Council or the County and the trustees of an improvement district or established under the Public Libraries Act or a predecessor.

“**LICENSED**” means Licensed by an appropriate authoritative body as required under the Act or Statute, which legislates such establishment requiring licensing.

"**LIVESTOCK**" means farm animals kept for Use, for propagation, or intended for profit or gain, and without limiting the generality of the foregoing includes dairy and beef cattle, swine, poultry, horses, goats, sheep, ratites, fur-bearing animals, deer and elk, game animals, birds and other animals identified in Appendix “A”, Table 1. **(B/L 19 of 2007)**

"**LIVESTOCK FACILITY**" means one or more Buildings or Structures designed, used or intended for housing, feeding or keeping Livestock including anaerobic digesters, manure transfer facilities and Manure Storages. Portions not storing manure or not occupied by Livestock long enough for substantial amounts of manure to accumulate are not subject to MDS I or MDS II measurements. **(B/L 19/2007)**

"**LIVESTOCK HOUSING CAPACITY**" means the number of Livestock that can be accommodated by all Livestock Facilities on a Lot at any one time, including those that are empty but able to house Livestock. **(B/L 19/2007)**

"**LIVESTOCK, LARGE**" means any Livestock of a type of which an adult equals more than one fifteenth of a Nutrient Unit. **(B/L 107/2010)**

"**LOADING SPACE**" means 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 Motor Vehicle while loading or unloading merchandise or materials, and which abuts a Street, Lane, or other appropriate means of access. The provision of Loading Spaces shall be in accordance with **Section 3.26**.

"**LOT**" means land within a registered plan of subdivision (but not including plans deemed not to be registered pursuant to Section 50(4) of The Planning Act, R.S.O. 1990, Chap. P. 13, as amended) or any land that may be legally conveyed under the exemption provided in clause (b) or (f) of subsection 3 or clause (a) or (f) of subsection 5 of Section 50 of The Planning Act, R.S.O. 1990, Chap. P. 13 as amended, the boundaries of which are recorded in the Registry Office for the Registry Division of the County of Lambton. **(B/L 19 of 2007)**

- a) **"CORNER LOT"** means a Lot, situated at the intersection of and abutting upon two (2) or more Streets, provided that the angle of intersection of such Streets is not more than one hundred and thirty-five (135) degrees.
- b) **"INTERIOR LOT"** means any Lot having Street Access, other than a Corner Lot.
- c) **"THROUGH LOT"** means an Interior Lot having Street Access on two (2) or more Street Lines, other than a Corner Lot.

"LOT AREA" means the total horizontal area within the Lot Lines of a Lot, except that for Lots for Residential Uses in an Environmental Protection – Lakeshore (EP-L) or Hazard (H) Zone, Lot Area shall exclude the horizontal area between the toe and top of an embankment of thirty (30) degrees or more from the horizontal, unless otherwise specified in this By-law.

"LOT COVERAGE" means that percentage of the Lot Area covered by the perpendicular projections onto a horizontal plane of the area of all Buildings and Structures on the Lot. Lot Coverage shall not include Balconies, Canopies and overhanging eaves provided none of the foregoing are less than 2.4 metres above Finished Grade. Lot Coverage shall not include private Decks (Unenclosed) and Private Swimming Pools.

"LOT DEPTH" means 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 with the middle of the Rear Lot Line. If there is no Rear Lot Line, Lot Depth means the length of a straight line joining the middle of the Front Lot Line with the apex of the triangle formed by the Side Lot Lines.

"LOT FRONTAGE" means the horizontal distance between the Side Lot Lines, measured perpendicularly from a line joining the middle of the Front and Rear Lot Lines and at a point thereon, a distance equal to the minimum Front Yard Depth required by this By-law. Where there is no Rear Lot Line, Lot Frontage means the horizontal distance between the Side Lot Lines, measured perpendicularly from a line joining the middle of the Front Lot Line with the apex of the triangle formed by the Side Lot Lines and at a point thereon, a distance equal to the minimum Front Yard Depth required by this By-law. Lot Frontage shall not include the extent to which a Lot abuts an unopened Street Allowance or the end of a Street, other than a Street that terminates in a cul-de-sac.

"LOT LINE" means any boundary of a Lot or the vertical projection thereof. There shall be deemed to be two (2) Lot Lines in cases where a Lot Line changes by a direction that is less than 135°. There shall be deemed to be one continuous Lot Line in cases where the change in direction is 135° or greater.

- a) **"FRONT LOT LINE"** means in the case of an Interior Lot, the line dividing the Lot from the Street. In the case of a Corner Lot, the shorter Lot Line abutting a Street shall be deemed the Front Lot Line. In the case of a Through Lot or a Corner Lot whose Exterior Side Lot Lines are the same length, the Lot Line where the principle access to the Lot is provided shall be deemed to be the Front Lot Line.
- b) **"REAR LOT LINE"** means in the case of a Lot having four (4) or more Lot Lines, the Lot Line farthest from and opposite to the Front Lot Line. If a Lot has less than four (4) Lot Lines, there shall be deemed to be no Rear Lot Line. On a Through Lot, all Street Lines other than the Front Lot Line shall be Rear Lot Lines. (B/L 107/2010)
- c) **"SIDE LOT LINE"** means a Lot Line other than a Front or Rear Lot Line, and shall include Interior Side Lot Line and Exterior Side Lot Line.
- d) **"EXTERIOR SIDE LOT LINE"** - on a Corner Lot, means the longer Lot Line abutting a Street.
- e) **"INTERIOR SIDE LOT LINE"** - means a Side Lot Line other than an Exterior Side Lot Line.

"LUMBER YARD" means the Use of land, Buildings or Structures for the purpose of the buying, selling and Open Storage of wood and wood products and lumber but does not include any manufacturing or processing Uses.

"MANURE STORAGEES" as listed in Appendix "A", Table 5, means land, Buildings or Structures designed, used or intended to be used as permanent storages for manure or "digestate" produced from an anaerobic digester. It does not include manure transfer facilities, anaerobic digesters or temporary field storages. **(B/L 19 of 2007)**

“EARTHEN MANURE STORAGE AREA” means any excavated pit used as a Manure Storage Area where manure is stored in contact with bare soil or is separated from bare soil by only a liner.

“MARINA” shall mean a Commercial Use where boats are stored for rent or hire, and/or where boats are stored for the convenience of the owner of said boat, and/or where boats, boat motors, or boat accessories are sold, repaired or refueled and may include a Building or Structure for the sale of such accessories or refreshments, but shall not include a private dock Accessory to a Dwelling, nor shall Commercial or manufacturing establishments not adjacent to a navigable Watercourse be included.

"MARINE SALES AND SERVICE ESTABLISHMENT" means a Building and/or land used for the Outdoor Display and sale of new and/or second-hand boats and watercraft, and may include the servicing, repair, and cleaning, of such, and the sale of accessories and related products.

"MAXIMUM ENCROACHMENT" means the greatest distance a Structure may be built into a Required Front, Rear or Side Yard.

“METEOROLOGICAL MAST” means a separate, guyed tower having instruments mounted thereon for the purpose of assessing a site’s wind characteristics on a temporary basis of up to three years or for assessing the performance of a wind turbine or farm once erected. (B/L 104/07)

‘MINIMUM DISTANCE SEPARATION’ or **“MDS”** shall mean the setbacks that non-Agricultural Uses must meet from Livestock Facilities (MDS I) and that Livestock Facilities must meet from non-Agricultural Uses (MDS II) as required in Section 5.2 of this By-law and calculated in Appendix “A” to this By-law. **(B/L 19 of 2007)**

"MOBILE HOME PARK" means a parcel of land containing two (2) or more Mobile Home Sites and which is under single management and ownership.

"MOBILE HOME, DOUBLE WIDE" see **"DWELLING"**.

"MOBILE HOME, SINGLE WIDE" see **"DWELLING"**.

"MOBILE HOME SALES ESTABLISHMENT" means land, Building or Structure used for the sale and Outdoor Display of new Mobile Homes, Modular Homes, and Travel Trailers and may include the servicing and repair of such Structures and vehicles, but shall not include any other Uses defined in this By-law.

"MOBILE HOME SITE" means a parcel of land within a Mobile Home Park occupied by or intended for Occupancy by one (1) Single-Wide Mobile Home, Double-Wide Mobile Home or Park Model Home together with all Yards and Open Space required by this By-law.

"MODULAR HOME" see **"DWELLING"**.

"MOTEL" means a Building, part of a Building or group of Buildings wherein accommodation without private cooking or housekeeping facilities is provided for the travelling public, but may include dining rooms and other public rooms. Each Guest Room or sleeping room may be entered from the exterior of the Building. Sanitary facilities shall be included for each Guest Room or suite.

"MOTOR HOME" means a self-propelled recreational vehicle capable of being used for the temporary sleeping or eating accommodation of Persons.

"MOTOR VEHICLE" means an automobile, motorcycle, all-terrain vehicle and any other vehicle propelled or driven otherwise than by muscular power; but does not include other Motor Vehicles running only upon rails, or a farm tractor, self-propelled implement of husbandry or road-building machine.

"MOTOR VEHICLE, COMMERCIAL" means a Motor Vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, buses and tractor-trailers designed for hauling purposes on the highway.

"MOTOR VEHICLE REPAIR ESTABLISHMENT" means a Building and/or land used for the servicing, repair, cleaning, polishing, lubricating and greasing of Motor Vehicles and may include vehicular body repair and re-painting, but shall not include any other Motor Vehicle Use defined in this By-law.

"MOTOR VEHICLE SALES ESTABLISHMENT" means a Building and/or land used for the Outdoor Display and sale of new and/or second-hand Motor Vehicles and may include the servicing, repair, cleaning, polishing

and greasing of Motor Vehicles, the sale of Motor Vehicle accessories and related products and the leasing or renting of Motor Vehicles, but shall not include any other Motor Vehicle Use defined in this By-law.

"MOTOR VEHICLE SERVICE ESTABLISHMENT" means a Building and/or land used for the sale of fuels for Motor Vehicles and may include the servicing, repair, cleaning, polishing and greasing of Motor Vehicles and the sale of Motor Vehicle accessories and related products, but shall not include any other Motor Vehicle Use defined in this By-law.

"MOTOR VEHICLE WASHING ESTABLISHMENT" means a Building and/or land used for the washing or cleaning of Motor Vehicles including a self service or conveyor operation and may include the sale of fuels to Motor Vehicles, but shall not include any other Motor Vehicle Use defined in this By-law.

"MOTOR VEHICLE WRECKING ESTABLISHMENT" means a Building and/or land used for the wrecking or dismantling of Motor Vehicles and for the Open Storage and sale of scrap material, salvage and parts obtained there from, but shall not include any other Motor Vehicle Use defined in this By-law.

"MULTIPLE DWELLING" see **"DWELLING"**.

"MUNICIPAL DRAIN, CLOSED" means an "Open Municipal Drain", located entirely within the ground and designed, used, or intended for Use for the conveyance of precipitation.

"MUNICIPAL DRAIN, OPEN" means any "drainage work" subject to the Drainage Act, R.S.O. 1990, Chap. D-17, as amended, which includes a drain constructed by any means including the improving of a natural Watercourse, and includes the works necessary to regulate the water table or water level within or on any lands or to regulate the level of the waters of a drain, reservoir, lake or pond, and includes a dam, embankment, wall, protective works or any combination thereof.

"MUNICIPALITY" means the Corporation of the Town of Plympton-Wyoming.

"NON-COMPLYING" means a Permitted Use which does not comply with one or more provisions of this By-law for the Zone in which such Building or Structure is located on the date of passing of this By-law or amendments thereto.

"NON-CONFORMING" means a lawfully Existing Use, Building or Structure prohibited by this By-law in the Zone in which it is situate.

"NON-FARM DWELLING" see **"DWELLING"**.

"NURSERY" means the Use of land, Buildings or Structures or part thereof where trees, shrubs, sod or plants are grown or stored for the purpose of transplanting, for Use as stocks for building or grafting or for the purpose of retail or wholesale, together with the sale of soil, planting materials, fertilizers and similar materials (including Outdoor Display and Open Storage) and may include the storage of necessary machinery and vehicles used in connection with such business. Landscaping and gardening supplies may also be kept or be offered for sale or rent.

"NURSING HOME" as defined in The Nursing Homes Act, R.S.O. 1990, Chap. N.7, as amended, means any premises maintained and operated for Persons requiring nursing care or in which such care is provided to two (2) or more unrelated Persons, but does not include any premises falling under the jurisdiction of The Homes for the Aged and Rest Homes Act, R.S.O. 1990, Chap. H.13, as amended, the Private Hospitals Act, R.S.O. 1990, Chap. P.24, as amended and the Public Hospitals Act, R.S.O. 1990, Chap. P.40, as amended.

"NUTRIENT UNIT" means a measure based on nutrient quantities for comparing sizes of Livestock Facilities of differing Livestock types as listed in Appendix "A", Table 1. **(B/L 19 of 2007)**

"OCCUPANCY" means to reside in as Owner or tenant on a permanent or temporary basis.

"OCCUPANT LOAD" as defined in the Ontario Building Code Act, R.S.O. 1990, Chap. B.13 as amended, means the number of Persons for which a Building, or part thereof, is designed.

"OFFICE" means a Building or part thereof designed, intended or used for the practice of a profession, the carrying on of a business, and/or the conduct of public administration, but shall not include a Clinic.

"OPEN DRAINAGE DITCH" means a man made depression dug into the earth, with well defined banks and a bed at least 0.6 metres below the surrounding land, serving to give direction to a current of water.

"OPEN SPACE" means an unoccupied space open to the sky except such land as is used or required for parking purposes by this By-law, and shall include recreation facilities, landscaped areas, patios, and walkways.

"OPEN STORAGE" means the storage of goods, merchandise, or equipment outside of a Building or Structure on a Lot or portion thereof.

"OUTDOOR DISPLAY" means an area set aside outside of a Building or Structure used in conjunction with a business located within the Building on the same property, for the display, rental and/or sale of goods, materials, vehicles or equipment.

"OWNER" means the Person who holds legal title to a piece of property or has an equitable interest in the same.

"PARK" means an area, consisting largely of Open Space, which may include a recreational area, playground, play field or similar Use, but shall not include a Mobile Home Park or Campground.

a) **"PUBLIC PARK"** means a Park owned or controlled by the Corporation or by any Ministry, board, Commission or Authority established under any statute of Ontario or Canada.

b) **"PRIVATE PARK"** means a Park other than a Public Park.

"PARK MODEL HOME" see **"DWELLING"**.

"PARKING AREA" means an area or Structure provided for the parking of Motor Vehicles and includes any related Aisles, Parking Spaces or driveways, accessible to or from a Street or Lane but shall not include any part of a Street. This definition may include a Private Garage.

"PARKING LOT" means any Parking Area that functions independently as a separate operation such as a commercial or municipal lot and shall not include a Parking Area Accessory to a Permitted Use on the same Lot.

"PARKING SPACE" means a portion of a Parking Area, exclusive of any Aisles or driveways, which may be used for the temporary parking or storage of a Motor Vehicle, accessible from an Aisle, Street or Lane.

"PASTURE AREA" means a contiguous area of land not less than 0.4 hectare in area, exclusive of Buildings, Structures, lawn, driveways and the like, which is available for the grazing of Livestock.

"PERMITTED" means Permitted by this By-law.

"PERSON" means any human being, association, firm, partnership, corporation, agent or trustee, and the heirs, executors or other legal representative or a Person to whom the context can apply according to law.

"PERSONAL SERVICE ESTABLISHMENT" means a Building, or a part thereof, in which Persons are employed in furnishing services and otherwise administering to the individual and personal needs of Persons, and including premises such as, but not necessarily limited to, a barber, hairdresser, beautician, tailor, dressmaker, Laundromat, Dry Cleaning and laundry Depot, suntanning shop and a formal rentals shop but shall not include a body massage, body piercing, tattooing or Adult Entertainment Parlour. The sale of merchandise shall be Permitted only as an Accessory Use to the personal service provided.

"PETROLEUM WELL" means a hole drilled into a geological formation of Cambrian or more recent age for the purpose of oil or gas exploration or production, the storage of oil, gas or other hydrocarbons in a geological formation, the disposal of oil field fluid in a geological formation, solution mining or geological evaluation or testing, but does not include a hole where no oil or gas is encountered that is drilled for the production of fresh water.

"PETROLEUM WORK" means a pipeline or other Structure or equipment that is used in association with a Petroleum Well.

"PLACE OF ENTERTAINMENT" means a motion picture or other Theatre, Auditorium, billiard or pool room, bowling alley, ice or roller skating rink, or dance hall, but does not include any other place of entertainment or recreation otherwise defined or classified in this By-law.

"PLANTING STRIP" means an area which shall be used and maintained for no purpose other than planting a continuous unpierced hedgerow of evergreens or shrubs. The hedgerow may be adjacent to the Lot Line or

portion thereof for which such Planting Strip is required. The remainder of the Planting Strip shall be used for no purpose other than planting shrubs, flowers, grass or similar vegetation.

"PLANTING STRIP WIDTH" means the least horizontal dimension of a Planting Strip measured perpendicularly to the Lot Line adjoining such Planting Strip.

"PORCH" means a covered entrance, either enclosed or unenclosed, to a Building.

"POULTRY PROCESSING PLANT" means the Use of a Building or Structure for the slaughtering, processing, manufacturing, or packaging of poultry or poultry products and may include as an Accessory Use the wholesale or retail sale of poultry or poultry products.

"PRINTING ESTABLISHMENT" means an establishment used for the blueprinting, engraving, stereotyping, electro-typing, printing or typesetting, and shall include a Duplicating Shop and a letter-shop.

"PRIVATE CLUB" means a Building or part of a Building used as a meeting place for members of a chartered organization and shall include a lodge, a fraternity or sorority house, and a labour union hall.

"PRIVATE GARAGE" means an Accessory Building or Structure, Attached to or Detached from a Dwelling, which is used for the sheltering of Permitted Motor Vehicles and storage of household equipment incidental to the residential Occupancy and in which there are no facilities for the repairing or servicing of vehicles for gain or profit. This definition may include a Carport or other open shelter.

"PROCESSED GOODS INDUSTRY" means a Building or part thereof used by textiles, leather and rubber industries; plastics and synthetic resins industries; paper and wood products industries; metal products industries; oil and coal by-products industries; chemical products industries; and non-metallic products industries. Processed Goods Industries exclude pulp and paper industries and primary metal industries.

"PROPANE TRANSFER FACILITY" means a facility at a fixed location having not more than one (1) storage container and such container shall not have an aggregate propane storage capacity in excess of 50,000 litres.

"PUBLIC RECREATIONAL USE" means the Use of land, water and/or Buildings for the purpose of Passive and Active Recreation, as defined in this By-law, owned or controlled by the Corporation or by any Ministry, board, Commission or Authority established under any Statute of Ontario or Canada.

"PUBLIC USE, NON-RECREATIONAL" means a Building, Structure or Lot used for public services by the Corporation or the County, any local board of either the Corporation or the County, a Conservation Authority established by the Government of Ontario, or any Ministry or Commission of the Government of Ontario or Canada.

"PUBLIC GARAGE" means a Non-Recreational Public Use where publicly owned Motor Vehicles such as road maintenance equipment are stored, repaired and/or maintained.

"PUBLIC UTILITY" means any water works, gas works, electric heat, light or power works, telegraph or telephone lines and works for the transmission of gas, oil, water or electrical power or energy or any similar works supplying the general public with necessities or conveniences. This definition excludes any processing, manufacturing, generation or like facility or process as well as any site where on-site personnel are employed on a regular basis. (B/L 107/2010)

"QUARRY" means the Licensed Use of land or land under water from which unconsolidated aggregate is being or has been excavated by means of an open excavation to supply material for construction, industrial or manufacturing purposes, and that has not been rehabilitated and may include an Aggregate Storage Area, but does not mean land or land under water excavated for a Building or Structure on the excavation site, and does not include a Wayside Quarry.

"RECREATION, ACTIVE" means the Use of land, water and/or Building for the purpose of organized active leisure activities requiring the erection of Buildings or the alteration of topography and shall include an arena, a sports field, and a Golf Course.

"RECREATION, COMMERCIAL" means the commercial Use of land and/or Buildings for the purpose of recreation but shall not include a Place of Entertainment.

"RECREATION, PASSIVE" means the Use of land and/or water for the purpose of passive leisure activity and shall include a Park, a garden, a picnic area and the like, as well as a play lot with activity equipment for children.

"RENOVATION" means the replacement, repair and restoration of land, Building or Structure to good condition but shall not include its Replacement.

"REPAIR AND RENTAL ESTABLISHMENT" means a business engaged in maintaining, repairing, installing and renting articles and equipment for household, personal, construction and Industrial Use such as: radios and television; refrigerators and air conditioners; appliances; watches, clocks and jewelry; upholstery and furniture repair; and power tools, mobile construction equipment and moving equipment, for which Open Storage is Permitted. This does not include any other Use specifically referred to or defined in this By-law.

"REPLACEMENT" when used in reference to a Building or Structure or part thereof, means the removal and rebuilding, repairing or restoring of more than 25% of the total Building or Structure as it Existed on the date of passing of this By-law and shall include any Structural Alteration except that which is necessary to integrate the supporting elements of an Existing Building or Structure with those of an addition.

"RESEARCH AND DEVELOPMENT ESTABLISHMENT" means a Building or part thereof used by raw material development and testing firms; processed products development and testing firms; and chemical and biological products development and testing firms.

"RESOURCE EXTRACTION" means the Use of land for the drilling, production from the ground, and storage of, natural gas, brine or salt but excluding the refining of said products. This is separate from Petroleum Well as defined herein.

"RESTAURANT" means a Building or part of a Building where food is prepared and offered or kept for retail sale to the public for consumption either on or off the premises and includes such Uses as a cafe, cafeteria, ice cream parlour, tea or lunch room, dairy bar, donut shop, coffee shop, snack bar or refreshment room or stand. This definition shall not include a Drive-In Restaurant.

"RESTAURANT, DRIVE-IN" means an establishment where food is offered for sale or sold to the public for consumption, such establishment being designed for consumption of the food within a Motor Vehicle parked in a Permitted Parking Space on the premises of the establishment.

"RESTAURANT, DRIVE THROUGH SERVICE FACILITY" means an element of a Restaurant Use associated with ordering and serving food and beverages to patrons where they remain within a Motor Vehicle, and includes any associated speaker system and order board.

"REST HOME" means a Home for the Aged, which is also administered by a committee of management.

"RETAIL STORE" means a Building or part of a Building in which goods, wares, merchandise, substances, articles or things are offered or kept for retail sale to the public and shall include a grocery store.

"RETAIL WAREHOUSE" means a Building or part of a Building used for the storage and display of goods, merchandise, or materials and may include the carrying out of commercial transactions involving the sale of such goods, merchandise or materials by retail sale to the general public, but shall not include a grocery store or any other Use defined in specific terms herein.

"RIDING SCHOOL" means the commercial Use of land and buildings for the instruction of Persons in the manner of riding horses and may include the boarding or stabling of horses.

"RIGHT-OF-WAY" means:

- a) a right enjoyed by a Person of passing over another Person's land subject to such conditions and restrictions as are specified by grant, sanctioned by custom or by whatever other means, by virtue of which the right exists, and/or;
- b) a term commonly applied to a more or less uniform strip of land used for the purposes of constructing a highway, railway, pipe line, telephone or power transmission line, etc.

"ROAD" means a Street as defined in this By-law.

"SALVAGE YARD" means a Lot, Building or Structure used for the wrecking, dismantling, storing, Open Storage or selling of second hand goods, wares or materials including, but not so as to limit the generality of the foregoing, rags, bottles, metals, clothing, furniture, paper, machinery, building materials and vehicles and parts thereof. This definition shall exclude a Motor Vehicle Wrecking Establishment.

“SANITARY SEWER” shall mean a system of underground conduits operated by the Corporation, another municipality or by the Ministry of the Environment, which carries sewage to a sewage treatment facility.

"SAWMILL" means the Use of land, Buildings or Structures for the purpose of processing logs or other unfinished wood into lumber, shingles, pallets, sawdust, firewood or related products, and may include Open Storage of such products.

"SCHOOL" means an elementary or secondary School under the jurisdiction of a public or separate, English-language or French-language board, a School operated on a non-profit basis and under charter granted by the Province of Ontario, or a private School.

"SEASONAL HOUSING" see **DWELLING**". (B/L 107/2010)

"SEMI-DETACHED DWELLING" see **"DWELLING"**.

"SERVICE AND REPAIR SHOP" means an establishment wherein articles of goods such as appliances, furniture or similar items may be repaired or serviced. This definition shall not include any manufacturing operation or establishment used for the service or repair of Motor Vehicles.

"SERVICE TRADE" means an establishment, other than an Motor Vehicle Use, that provides a non-personal service or craft to the public, including, but not necessarily restricted to, a printer's shop, a tinsmith's shop, a plumber's shop, a painter's shop, a merchandise service shop, a furrier's shop, an upholsterer's shop, a Bakery, a catering establishment, a Machine Shop, or a monument engraving shop.

"SETBACK" means the minimum horizontal distance between a Lot Line and the nearest part of the foundation or Main Wall, whichever is nearer, of any Building or Structure on the Lot or the nearest Open Storage or Outdoor Display Use on the Lot.

"SHOPPING CENTRE" means a group of commercial establishments related in locations, size, and type to the trade or residential area it serves and conceived, designed, developed and managed as an interdependent and interrelated unit whether by a single Owner or tenant or by a group of Owners or tenants, acting in collaboration.

"SIGHT TRIANGLE" means the triangular space formed by the Street Lines of a Corner Lot and a line drawn from a point in one Street Line to a point in the other Street Line, each such point being a minimum distance specified in **Section 3.16.4** of this By-law from the point of intersection of the Street Lines (measured along 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 to the Street Lines.

"SIGN" means a name, identification, description, device, display or illustration which is affixed to or represented directly or indirectly upon a Building, Structure or Lot which directs attention to an object, product, place, activity, Person, institute, organization or business.

"SINGLE DETACHED DWELLING" see **"DWELLING"**.

“STABLE SLOPE” means the plane projecting landward from the toe of an embankment at a 3:1 (run to rise) ratio (30° angle) and terminating either at the finished grade of the land located above such embankment or at a horizontal plane, which is equal to the elevation of the finished grade of the land located above such embankment, and shall include any portion of a Lot located vertically above such plane.

"STOCK YARD" means the Use of land, a Building or a Structure for the temporary containment of Livestock, for a maximum of seven (7) days.

"STORAGE DEPOT" means an area including reservoir, silo and tank storage; hangers; open air parking; and Open Storage. Storage Depots exclude Salvage Yards, Resource Extraction operations, and Wayside Pits.

“STOREY” shall mean the portion of a Building, other than an Attic, Cellar or Basement, included between any floor level and the floor, ceiling or Attic above it. Any loft or mezzanine greater than 50% of the Ground Floor Area of the floor below shall be considered a separate Storey.

a) **“ONE STOREY”** means a Building having one Storey and no loft, mezzanine or partial floor whatsoever.

b) **“ONE AND ONE HALF STOREY”** means a Building having a loft or mezzanine not exceeding 50% of the Ground Floor Area of the floor below.

c) **“TWO STOREY”** means a Building with two Storeys.

"STORM SEWER" means a pipe located entirely within the ground and designed, used, or intended for Use for the conveyance of precipitation.

"STREET" means a public thoroughfare intended for vehicular traffic and which is under the jurisdiction of either the Corporation, the County or the Province of Ontario. This definition shall not include any Lane or private Right-of-Way. **"STREET ALLOWANCE"** shall have a corresponding meaning.

"STREET ACCESS" means, when referring to a Lot, that such Lot has a Lot Line or portion thereof which is also a Street Line.

"STREET LINE" means the limit of the Street Allowance and is the dividing line between a Lot and a Street.

"STREET TOWNHOUSE" see **"DWELLING"**.

“STRUCTURAL ALTERATION” means the construction or reconstruction of supporting elements of a Building or other Structure. Repairs, maintenance or installations that Alter the size of the Building or involve the rearrangement or replacement of structural supporting elements are considered Structural Alterations. Structural elements include the foundation, floor joists, exterior walls, weight bearing walls and trusses.

"STRUCTURE" means anything that is Erected, built or constructed of parts joined together or requiring a foundation to hold it erect, but shall not include free standing walls and fences.

"SWIMMING POOL, PRIVATE" means a Structure located on privately owned property, used and maintained for the purpose of swimming or wading. Private Swimming Pools shall be subject to the provisions of **Section 3.3.4** of this By-law.

“TAVERN” means a Licensed establishment where alcoholic beverages are sold to be consumed on the premises and may or may not include the preparation and sale of food to the public for consumption on the premises.

"TEMPORARY BUILDING" means a Building or Structure intended for removal or demolition within a prescribed time not exceeding two (2) years as set out in a Building permit.

"TERMINAL GRAIN ELEVATOR" means an establishment for the storing, receiving, shipping of grain and similar Agricultural products, and includes associated Offices, weigh scales, and Accessory Uses.

"THEATRE" means a Building, or part thereof, used for the presentation of the performing arts.

"TILLABLE HECTARES" means the total area of land including pasture that can be worked or cultivated.

“TIRE DISPOSAL SITE” shall mean the Use of any land, Building or Structure for the receiving and permanent storage of used tires and shall include any Lot on which five thousand (5000) or more tires are stored.

"TOP-OF-BANK" means a line delineated at a point where the oblique plane of the slope associated with a Watercourse, meets the horizontal plane.

"TOURIST CENTRE" means any land, Buildings or Structures used for the purpose of providing tourist information and activities to the travelling public.

"TOWNHOUSE" see **"DWELLING"**.

“TRANSMISSION TOWER” means a Structure situated in a non-Residential Zone that is intended for transmitting or receiving television, radio, telephone or other communications signals, but shall not include an Antenna.

"TRAVEL TRAILER" means a vehicle designed, intended and used exclusively for travel, recreation and vacation and which is either capable of being drawn by a passenger Motor Vehicle or is self-propelled, notwithstanding that such Travel Trailer is jacked up or that its running gear is removed, and shall include tent trailers, vans, Motor Homes and similar transportable accommodation excepting a Single or Double Wide Mobile Home.

"TRAVEL TRAILER SALES ESTABLISHMENT" means land and/or Buildings used for the Outdoor Display for sale of Travel Trailers and includes the servicing, repair, cleaning, polishing and greasing of such vehicles and the sale of accessories and related products and the leasing or renting of such vehicles, but does not include a Motor Vehicle Sales Establishment as defined in this By-law.

"TRIPLEX DWELLING" see **"DWELLING"**.

"TRUCK STOP" means the Use of any land, Buildings or Structures upon which a business, service or industry involving the maintenance, servicing, storage or repair of Commercial Motor Vehicles is conducted or rendered including the dispensing of motor fuel or petroleum products directly into Motor Vehicles, the sale of accessories or equipment for trucks and similar Commercial Motor Vehicles. A Truck Stop may also include overnight accommodation, laundry and shower facilities for the Use of truck crews, and Restaurant facilities.

"TRUCK TRANSPORT TERMINAL" means a Building, Structure, or Lot used for the Open Storage, repairing, or dispatching of Commercial Motor Vehicles or trailers and may include a Bonded Warehouse.

"TYPE A LAND USES" include Industrial (excluding M4 Zones), Rural Commercial C3 Zones) and Passive Recreation Uses and/or Zones Permitting such Uses and shall also include retail and office areas associated with a Nursery or Commercial Greenhouse. (B/L 107/2010) For the purposes of MDS I a dwelling or up to three new non-Agricultural Lots are also Type A Land Uses. For the purposes of MDS II, Dwellings and residential Uses not recognized as residential areas in the Town Official Plan, or Cemeteries located in an Agricultural Zone are also Type A Land Uses. **(B/L 19 of 2007)**

"TYPE B LAND USES" include Institutional, Active Recreation and Commercial (excluding C3 Zones) Uses and/or Zones Permitting such Uses. For the purposes of MDS I, Cemeteries, a Building with three or more Dwelling Units, expansion of a settlement are, more than three new non-Agricultural Lots, Zones for residential Use, or a consent that would result in four contiguous residential Lots are also Type B Land Uses. For the purposes of MDS II, Cemeteries not in an Agricultural Zone and areas specifically designated in the Town Official Plan as residential or settlement areas are also Type B Land Uses. **(B/L 19 of 2007)**

"USE" where it appears as a noun, means the purpose for which a Lot, Building or Structure, or any combination thereof is designed, arranged, occupied or maintained. **"USES"** shall have a corresponding meaning.

"UTILITY SERVICE BUILDING" means a Building used in connection with the supplying of Public Utilities including a water and sewage pumping station, a water storage reservoir, a gas regulator Building, a hydro sub-station, a telephone exchange Building or similar Buildings.

"VALUE ADDED INDUSTRY" means a business or activity carried out on an Agricultural Lot by Persons residing on the Lot. Such business or activity adds value or further processes a commodity or by-product produced by the main Agricultural Operation or uses such as the primary ingredient or material in a product produced on the site. It shall not include any processes or materials with significantly greater potential to cause site contamination than normal Agricultural activities. (B/L 107/2010)

"WALL, MAIN" means an outside wall of a Building which supports a roof and shall include a wall under a gable end.

"WAREHOUSE" means a Building or Structure or part thereof used or intended to be used for the storage and display of goods, merchandise or materials, and may include the carrying out of commercial transactions involving the sale of such goods, merchandise and materials solely by wholesale.

"WAREHOUSE, BONDED" means a Warehouse, certified by the Federal government and guaranteed by a bonding agency, where goods may be stored until duties or taxes are paid.

"WASTE DISPOSAL SITE" means any land upon, into, in or through which, or Building or Structure in which, waste is deposited, disposed of, handled, stored, transferred, treated or processed, and any operation carried out or machinery or equipment used in connection with such depositing, disposal, handling, storage, transfer, treatment or processing. Waste includes ashes, garbage, refuse, domestic waste, industrial waste or municipal refuse.

"WATERCOURSE" means any natural or artificial stream, river, creek, ditch, including an Open Drainage Ditch, channel, canal, culvert, drain, gully or ravine in which water flows in a definite direction or course, either

continuously or intermittently, and has a definite channel, bed and banks and includes any area adjacent thereto subject to inundation by reason of flood water and shall include Lake Huron.

"WAYSIDE PIT" OR "WAYSIDE QUARRY" means a temporary pit or Quarry opened and used by a public Road authority solely for the purpose of a particular project or contract of Road construction and not located on the Road Right-of-Way.

"WHOLESALE ESTABLISHMENT" means any establishment that sells merchandise to others for resale and/or to industrial or commercial users.

"WIND FARM" means a Lot having Wind Turbines located thereon that meet the criteria for defining a Lot as a Wind Farm under Sections 3.31.1 i) and j). (B/L 104/07)

"WIND TURBINE" means a tubular or latticed, guyed or freestanding tower having located thereon a generator, which converts wind energy into electricity. A wind turbine, tower, foundation and any appurtenances are manufactured and erected with consideration for site soil conditions and in accordance with CSA standards, engineered design and/or applicable industry standards. This definition shall include Structures Accessory thereto. (B/L 104/07)

"WIND TURBINE, ACCESSORY" means a Wind Turbine that produces electricity primarily for use on the Lot on which it is located or to produce credits for use on another Lot under the same ownership as the Wind Turbine operator. Although it may be connected to the utility grid and/or practice net metering, it does not produce electricity for sale to the utility grid. (B/L 104/07)

"WIND TURBINE, COMMERCIAL" means a Wind Turbine that produces electricity primarily for profit by sale to the utility grid. (B/L 104/07)

"WIND TURBINE, DERELICT" means a Wind Turbine that is no longer operable; exhibits signs of compromised structural integrity; has rusted, missing or damaged parts; has not been operated for a period of one year or more; is no longer fit to produce electricity; or no longer meets applicable safety standards. (B/L 104/2007)

"YARD" means 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 this By-law.

- a) **"FRONT YARD"** means a Yard extending across the full width of the Lot between the Front Lot Line of the Lot and the foundation of any Main Building on the Lot.
- b) **"FRONT YARD DEPTH"** means the least horizontal dimension between the Front Lot Line of the Lot and the foundation of any Building or Structure on the Lot, or the nearest Open Storage or Outdoor Display Use on the Lot.
- c) **"REAR YARD"** means a Yard extending across the full width of the Lot between the Rear Lot Line of the Lot and the foundation of any Main Building on the Lot. If there is no Rear Lot Line, there shall be deemed to be no Rear Yard.
- d) **"REAR YARD DEPTH"** means the least horizontal dimension between the Rear Lot Line of the Lot and the foundation of any Building or Structure on the Lot, or the nearest Open Storage or Outdoor Display Use on the Lot.
- e) **"SIDE YARD"** means a Yard extending from the Front Yard to the Rear Yard and from the Side Lot Line of the Lot to the foundation of any Main Building on the Lot. In the case of a Lot, which has no Rear Lot Line, the Side Yard shall extend from the Front Yard to the opposite Side Yard.
- f) **"SIDE YARD WIDTH"** means the least horizontal dimension between the Side Lot Line of the Lot and the foundation of any Building or Structure on the Lot, or the nearest Open Storage or Outdoor Display Use on the Lot.
- g) **"EXTERIOR SIDE YARD"** means a Side Yard immediately adjoining a Street, extending from the Front Yard to the Rear Lot Line.
- h) **"INTERIOR SIDE YARD"** means a Side Yard other than an Exterior Side Yard.

i) **"REQUIRED YARD"** means a Yard with the minimum Front Yard Depth, Rear Yard Depth, or Side Yard Width required by the provisions of this By-law. A Required Side Yard shall extend from the Required Front Yard to the Required Rear Yard, or in the case of a Lot which has no Rear Lot Line, the Required Side Yard shall extend from the Required Front Yard to the opposite Required Side Yard.

"ZONE" means a designated area of land Use shown on Schedule 'A' of this By-law or its part maps.

"ZONING ADMINISTRATOR" shall mean the officer or employee of the Municipality charged with the duty of enforcing the provisions of this By-law.