

SECTION 2. DEFINITIONS

For the purposes of this By-law, the definitions herein shall govern.

ABATTOIR

shall mean a building or structure where animals are slaughtered for the purposes of processing meat into food for human consumption; and where meat products are produced, processed, handled, or stored.

ACCESSORY

when used to describe a use, building, or structure shall mean a use, building, or structure that is:

- a) incidental, subordinate and exclusively devoted to a main use, building or structure;
- b) located on the same lot as the main use, building or structure;
- c) unless specified otherwise in this By-law, not used for human habitation.

AGRICULTURE-RELATED SERVICE USES (ADDED by By-law 2023-53)

shall mean the use of land and/or buildings or structures for the manufacturing, service, distribution and wholesale and/or retail of goods, parts or equipment that are necessary to support Agricultural Uses. Examples of the permitted use can include farm machinery, parts and equipment used for the tillage of soil, the planting, spraying, harvesting, transporting, treatment, processing and storage of agricultural crops and products.

AGRICULTURAL SALES ESTABLISHMENT

shall mean the use of land, buildings or structures for the purposes of the sale of goods, materials or services that support or are otherwise associated with agricultural uses including, but not limited to, the sale, processing and storage of feed, fertilizer and chemical products.

AGRICULTURAL USE

shall mean the cultivation of land, the production of crops and the processing and selling of such products on a lot, and the breeding, raising, and care of livestock and the selling of such livestock or the products of such livestock raised on a lot and, without limiting the generality of the foregoing, may include animal husbandry, aquaculture, forestry, fur farming and the raising and harvesting of field, bush, tree or vine crops, market gardening, greenhouses, sod farming, apiaries, agricultural research and nurseries. This definition includes "Cannabis Cultivation" but does not include the retail sale of "Cannabis".

AGRI-TOURISM USE

shall mean the use of land, buildings or structures in agricultural zones for purposes that promote the enjoyment, education or participation in activities related to agriculture or the farm operation.

ALTER

shall mean, when used in reference to a building or structure, 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 decrease or increase the width, depth, or area thereof or to decrease or increase the frontage, depth, or area of any required yard, setback, or parking area, or to change the location of any boundary of such lot with respect to a road, whether such alteration is made by conveyance or alienation of any portion of the said lot, or otherwise.

ANIMAL CLINIC

shall mean a building, designed, used or intended for use by a veterinarian and his assistants for the purposes of providing for the care and treatment of pets raised or housed for recreational or hobby purposes but not livestock and without limiting the generality of the foregoing includes dogs, cats, and birds.

ANIMAL HOSPITAL

shall mean a building designed, used or intended for use by a veterinarian and his assistants for the purposes of providing for the care and treatment of livestock and may include an animal clinic

APARTMENT DWELLING

shall mean a dwelling, consisting of four (4) or more dwelling units which units have a common entrance from the street level and the occupants of which have the right to use, in common, halls and/or stairs and/or elevators and yards.

ART GALLERY

shall mean a building erected, used or intended for the retailing of works of art such as paintings, sculpture, pottery, ceramics, weaving and similar items.

ARTERIAL ROAD

shall mean a road, under the jurisdiction of the County, designed and constructed to connect urban centres to Provincial Highways. Arterial Roads which connect major urban centres to Provincial Highways are further classified as Major Arterial Roads comprising two to four travelled lanes and Arterial Roads which connect smaller urban centres to Provincial Highways are further classified as Minor Arterial Roads comprising two travelled lanes and include Highway 401 Emergency Detour Routes.

ATTACHED

shall mean a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an adjacent building or buildings.

AUCTION SALES ESTABLISHMENT

shall mean a building used for the retail sale of articles or goods to the members of the public bidding the highest offer for the article or goods during the sale proceedings.

BAKE SHOP

shall mean a retail store where bakery products are offered for sale, some or all of which may be prepared on the premises.

BANQUET HALL

shall mean a privately owned and operated building designed, used or intended for use as a meeting place by the public for which rental charges are paid, and may include associated dining rooms and beverage rooms but does not include a club or restaurant as defined elsewhere in this By-law.

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 grade level.

BED & BREAKFAST ESTABLISHMENT

shall mean a single unit detached dwelling in which not more than four (4) bedrooms are made available by the person or persons occupying the said dwelling as a principle residence, for the purposes of providing temporary accommodation for the travelling or vacationing public and within which meals may be offered and served.

BOARDING HOUSE OR ROOMING HOUSE

shall mean a building, in which the proprietor resides and supplies lodging for hire or gain to other persons and may include meals but shall not include a hotel, hospital, home for the young or the aged, institution or restaurant accommodating the general public.

BUILDING

shall mean a structure, whether temporary or permanent, designed, used or intended for sheltering any use or occupancy and consisting of a wall, roof and floor, or any one or more of these, or a structural system serving the functions thereof, including all the works, fixtures, and service systems appurtenant thereto, but shall not include a boundary wall, fence, travel trailer, camping trailer, truck camper, motor home or tent.

BUILDING LINE

shall mean a line within a lot drawn parallel to a lot line which establishes the minimum distance between the lot line and any building or structure which may be erected. Where the lot line is a curve, the building line shall be a line drawn parallel to the chord of the arc constituting the lot line.

BUILDING SUPPLY OUTLET

shall mean the use of lands buildings and structures for the storage and sale of a broad range of building materials, products and supplies including tools and related items, household furnishings and supplies.

BULK SALES ESTABLISHMENT

shall mean the use of land, buildings or structures for the purpose of buying, selling, and storing fuel oil, wood, lumber, building materials or similar bulk commodities but excludes any manufacturing, assembling or processing of these commodities.

BUSINESS OR PROFESSIONAL OFFICE

shall mean a building in which one or more persons are employed in the management, direction or conducting of an agency, business, profession, labour or fraternal organization, but excludes such uses as retail trade; the manufacturing, assembly or storage of goods; or places of assembly and amusement.

CABIN

shall mean a building designed, used or intended primarily for sleeping purposes but not including kitchen facilities and usually associated with a campground or trailer park, church camp and similar outdoor uses.

CAMPGROUND OR TRAILER PARK

shall mean a use, consisting of at least five camping sites and comprising land used for seasonal recreational activity between April 1st and October 31st of any given year as grounds for camping and the siting of cabins, tents, motor homes, travel trailers, truck campers and park models but not mobile homes.

CANNABIS

shall mean a genus of flowering plants in the family of Cannabaceae. Synonyms include but are not limited to marijuana and marijuana. This definition does not include the industrial or agricultural productions of hemp (a source of food stuffs (hemp milk, hemp seed, hemp oil), fiber and biofuels).

CANNABIS CULTIVATION

shall mean lands, buildings or structures registered with, or licensed by, Health Canada to undertake cultivation, planting, growing and harvesting of Cannabis, pursuant to the Cannabis Regulations under the Cannabis Act, or successor legislation. Notwithstanding any other regulations in this By-law, the processing, packaging, retail sale and any other accessory use associated with cannabis cultivation is prohibited.

CANNABIS CULTIVATION AND PROCESSING

shall mean lands, buildings or structures registered with, or licensed by, Health Canada to undertake cultivation, planting, growing and harvesting of Cannabis and the processing, manufacturing, synthesis, analytical testing, research, destroying, packaging, shipping and retail sale of cannabis, pursuant to the Cannabis Regulations under the Cannabis Act, or successor legislation.

CANNABIS PROCESSING

shall mean lands, buildings or structures registered with, or licensed by, Health Canada to undertake processing, manufacturing, synthesis, analytical testing, research, destroying, packaging, shipping and retail sale of cannabis, pursuant to the Cannabis Regulations under the Cannabis Act, or successor legislation.

CAR WASH

shall mean a building designed, used, or intended for the installation and operation of automatic or semi-automatic equipment for the washing of motor vehicles, machinery and equipment.

CARPORT

shall mean a roofed structure for the parking of a motor vehicle and the storage of household goods and items incidental to residential occupancy and where such structure is attached to a main building it shall be deemed to be part of the main building and not an accessory building.

CATERER'S ESTABLISHMENT

shall mean a building in which food and beverages are prepared for consumption off the premises and are not served to customers on the premises or to take out.

CELLAR

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

CEMETERY

shall mean the use of land, buildings, or structures, or portions thereof for the internment of the deceased or in which human bodies have been buried and may include a crematorium, mausoleum and a columbarium.

CHURCH

shall mean a building dedicated to religious worship and may include a church hall, church auditorium, parish hall, church day nursery, mosque or synagogue.

CHURCH CAMP

shall mean the use of land, buildings or structures by a non-profit religious organization for assembly, worship and recreational camping between April 1st and October 31st of any given year and includes lands for the siting of cabins, tents, travel trailers and truck campers, and buildings and structures accessory thereto.

CLINIC

shall mean a building designed, used or intended for the purposes of medical or dental practice and, without limiting the generality of the foregoing, may include the offices or consulting rooms of members of the medical or dental professions or of a chiropractor.

CLUB

shall mean a building designed, used or intended for use as a meeting place for the members of an organization, association, fraternal order, or similar group, not operated for profit and wherein athletic facilities, dining rooms and beverage rooms may be provided.

COLLECTOR ROAD

shall mean a road, under the jurisdiction of the County, designed and constructed to connect hamlet and activity centres and to provide linkages to the arterial road system.

COLUMBARIUM

shall mean a building or structure designed, used or intended for the interment of cremated human remains.

COMMERCIAL CENTRE

shall mean a building or group of buildings designed, used or intended to function as a unit and having shared off-street parking provided on the same lot therewith, and which building or buildings is intended or designed to contain more than one of the uses permitted in the zone in which it is located.

COMMERCIAL MOTOR VEHICLE

shall mean a vehicle licensed by the Province of Ontario:

- a) as a public vehicle under the Public Vehicles Act; or
- b) as a public commercial vehicle under the Public Commercial Vehicles Act.

COMMERCIAL USE

shall mean the use of land, buildings or structures for the purposes of buying and/or selling commodities and supplying services for profit or intended for profit.

COMMUNITY CENTRE

shall mean a building designed, used, or intended for community activities and not for commercial purposes, the control of which is vested in the Municipality, a local board or trustees.

CONCRETE BATCHING PLANT

shall mean an industrial establishment used for the production of concrete, or concrete products used in building or construction and includes facilities for the administration and management of the business, the stockpiling of bulk materials used in the production process or a finished product manufactured on the premises and the storage and maintenance of required equipment, but does not include the retail sales of finished concrete.

CONSERVATION AREA

shall mean environmentally significant lands used exclusively for the protection, maintenance and enhancement of the natural environment including soil, water, vegetation and wildlife.

CONSERVATION AUTHORITY

shall mean the Lower Thames Valley Conservation Authority or its duly appointed successor.

CONTRACTOR'S YARD OR SHOP

shall mean the use of land, buildings or structures for the purpose of storing equipment, material and for performing shop work or assembly work.

CONVERTED DWELLING

shall mean a dwelling originally designed as a single unit detached dwelling, which because of its size or design, is or is capable of being converted by partition and the addition of sanitary facilities and cooking facilities into more than one dwelling unit.

CORNER LOT

shall mean a lot situated at the intersection of and abutting upon two (2) roads which intersect at an angle of not more than one hundred and thirty-five (135) degrees.

COUNTY

shall mean The Corporation of the County of Elgin.

CREMATORIUM

shall mean a building or structure used to incinerate human remains.

CUSTOM WORKSHOP

shall mean a building, or portion thereof, where goods are produced to special order and sold on the premises, but shall not include a building or structure where the manufacture of goods is performed on a mass production or assembly line basis.

DAY CARE CENTRE

shall mean a single unit dwelling, building or structure in which five (5) or more persons of any age are provided with care for compensation for a portion of the day not exceeding a 24 hour period.

DAY NURSERY

shall mean a building or structure designed, used or intended for accommodating more than five (5) children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both care and guidance, for a continuous period not exceeding twenty-four hours, where the children are:

- a) under eighteen (18) years of age for children with a developmental disability, and
- b) under ten (10) years of age in all other cases

and, may include a day nursery as defined in the Day Nurseries Act.

DERELICT OR ABANDONED MOTOR VEHICLE

shall mean motor vehicle that is in a state of advanced disrepair having missing or damaged parts or deteriorated body parts which renders it inoperative and may include a motor vehicle that has been evidently abandoned by its owner and left in a place or state of apparent disuse or disinterest by the owner regardless of whether it is either operable or inoperable or licensed or unlicensed for operation.

DOG KENNEL

shall mean a lot, building, or structure, on or within which four (4) or more dogs more than four (4) months of age are housed, groomed, bred, boarded, trained or sold and which may offer provisions for veterinary treatment.

DOG POUND

shall mean the use of land, buildings or structures for the purpose of impounding dogs pursuant to a by-law of the Municipality, and where such dogs are kept for a minimum redemption period as defined in the Animals for Research Act.

DOUBLE DUPLEX DWELLING

shall mean a dwelling that is divided horizontally into four (4) dwelling units each of which has an independent entrance either directly or through a common vestibule.

DRIVE-IN RESTAURANT

shall mean a building, designed, used or intended for the sale of food or refreshments to the general public, and where such food or refreshment may be made available to a person while in his motor vehicle or while within the building, and where provision may be made for the consumption of such food or refreshment by the person while in his motor vehicle, or within the building, or elsewhere on a lot.

DRIVEWAY

shall mean a private passageway for a motor vehicle, having at least one end thereof connected to a road, and providing the principal means of vehicular access to a lot.

DRY CLEANING ESTABLISHMENT

shall mean a building where dry cleaning, dry dyeing, cleaning or pressing of articles or goods of fabric is carried on and in which only non-flammable solvents are or can be used which emit no odours or fumes, and in which no noise or vibration causes a nuisance within or outside the premises.

DUPLEX DWELLING

shall mean a dwelling that is divided horizontally into two (2) dwelling units each of which has an independent entrance either directly or through a common vestibule.

DWELLING

shall mean a building, occupied or capable of being occupied exclusively as a home, residence or sleeping place by one or more persons, but shall not include hotels, boarding houses, rooming houses, motels, institutions, mobile homes; or living quarters for a caretaker, watchman, or other person accessory to a non-residential building or structure.

DWELLING UNIT

shall mean one or more habitable rooms occupied or capable of being occupied by a person or household as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the use of such person or family, with a private entrance from outside the building or from a common hallway or stairway inside the building in which the dwelling unit is located.

ERECT

shall include build, construct, reconstruct, alter and relocate and, without limiting the generality of the foregoing, shall include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

ESTABLISHED BUILDING LINE

a building line shall be considered to be established between existing single unit dwellings where at least two (2) single unit dwellings have been erected on any one side of a continuous one hundred and fifty (150) metre strip of land fronting on a road. The established building line shall thus mean the average setback of the existing dwellings.

ESTATE WINERY

shall mean a building or structure accessory to a vineyard for the production of wine including the retail sale of wine and wine related products and hospitality facilities as accessory uses not exceeding four hundred (400) square metres of floor area in total and where food and wine may be prepared and served for the enjoyment of the general public.

EXISTING

shall mean existing as of the date of the passing of this By-law.

EXTERIOR SIDE YARD

shall mean a side yard immediately adjoining a street.

FACTORY OUTLET

shall mean a building or portion thereof accessory to an industrial use or a service trade, wherein products manufactured, produced, processed or stored on the premises are kept or displayed for wholesale or retail sale, or wherein orders are taken for the delivery of such products.

FARM OR IRRIGATION POND

shall mean a body of water located outdoors, contained by natural or artificial means and designed, used or intended for agricultural purposes including irrigation and watering for livestock but not for recreational purposes.

FARM EQUIPMENT SALES & SERVICE

shall mean the use of land, buildings or structures where farm vehicles and equipment are stored for the purpose of sale, lease, or hire and where such vehicles and equipment are repaired or serviced for purposes of being maintained in an operable condition.

FARM FUEL SALES

shall mean the use of land, buildings or structures where fuel specifically intended for use in farm vehicles and equipment is stored for the purpose of dispensing and sale, and may include the storage and sale of gasoline, diesel fuel, propane, natural gas and lubricants.

FARM WINERY

shall mean the use of land, buildings, structures and equipment for the making of wine from fruit grown primarily on the premises including fermentation, storage and aging and may include the tasting and sale of wine produced thereon by or to the general public.

FEED MILL

shall mean a building in which agricultural products are prepared, processed, preserved, graded or stored for eventual consumption by livestock or domestic pets, and may include retail and wholesale sale of such products to the general public.

FIRST STOREY

shall mean the lowest storey of a building excluding the basement.

FITNESS CENTRE

shall mean a building where facilities, machines and equipment are provided to the general public or to members, for a fee, for the purposes of physical training and improving physical health and fitness.

FLEA MARKET

shall mean the use of land, buildings or structures open to the general public and operated for gain or profit, for the sale of general merchandise, food, goods, crafts, antiques and wares, and may include outdoor displays and shows and the sale of prepared food out of a building or a portion thereof for consumption on the premises.

FLOOR AREA

shall mean the sum of the areas of all floors of a building measured from the outside of all exterior walls exclusive of any attic, basement, garage, veranda, porch or sunroom unless such enclosed porch or sunroom is an integral part of the building and habitable in all seasons, and excluding any floor area with a floor ceiling height of less than two (2.0) metres.

FOOD PROCESSING PLANT

shall mean a building, other than a restaurant or caterer's establishment, in which agricultural products are prepared, processed, preserved, graded or stored for eventual human consumption, and includes a flour mill, a dairy, a bakery, a grain elevator or an egg grading station, but excludes an abattoir or any premises used for the slaughtering of animals or the boiling of blood, bones or tripe.

FRONT YARD

shall mean a yard extending across the full width of the lot between the front lot line of the lot and the nearest main wall of any main building or structure on the lot. FRONT YARD DEPTH means the least horizontal dimension between the front lot line of the lot and the nearest main wall of any main building or structure on the lot.

FRUIT AND VEGETABLE STAND

shall mean a temporary structure, designed and erected in a manner so as to be readily portable and open to the air on at least one side, for the purpose of the sale of produce where such produce is offered for sale only during the season which it is harvested.

FUNERAL HOME

shall mean a building or structure wherein a licensed undertaker prepares corpses for interment and includes facilities for accommodating the public.

GARAGE, PORTABLE

shall mean a structure designed to be assembled and disassembled consisting of a wood, metal, or composite frame and fabric shell intended for the storage of motor vehicles and/or associated outdoor household equipment, including but not limited to snowblowers and shovels.

GARDEN CENTRE

shall mean the use of land, buildings or structures for the purpose of selling trees, shrubs and plants, lawn and garden equipment, furnishings and supplies.

GARDEN SUITE

shall mean a one-unit detached dwelling containing bathroom and kitchen facilities, accessory to an existing single unit dwelling, that is designed to be portable and may include a mobile home.

GAS BAR

shall mean the use of land, buildings or structures for the sale of gasoline, propane, oil and allied products for motor vehicles and the introduction of such liquids into motor vehicles and may include the sale of small accessory items required for the operation of motor vehicles, but does not include provisions for motor vehicle repairs, oil changes, lubrications, or similar mechanical services and does not include a motor vehicle service establishment or a public garage.

GOLF COURSE

shall mean the use of land for the purpose of playing golf and without limiting the generality of the foregoing includes a driving range, a miniature golf course or combination thereof and buildings, facilities and structures accessory thereto.

GRADE LEVEL

shall mean, when used with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of the front of such building, and when used with reference to a structure means the average elevation of the finished grade of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment, and when used with reference to a road means the elevation to the road established by the authority having jurisdiction.

GRAIN HANDLING FACILITY

shall mean the use of land, buildings or structures for the commercial drying, cleaning, handling, or storing of crops, or combination thereof.

GROUP HOME

shall mean a dwelling in which a minimum of three (3) and a maximum of five (5) persons, excluding staff or the receiving household, live under responsible supervision consistent with their needs and licensed or approved under the laws of the Province of Ontario or the Government of Canada or otherwise under the jurisdiction of the Ontario Ministry of Community and Social Services and without limiting the generality of the foregoing may include satellite residences for seniors and accommodation services for the developmentally handicapped.

HALF STOREY

shall mean the portion of a building located wholly or partly within a sloping roof, having side walls not less than one (1.0) metre in height, and a ceiling with a minimum height of two (2.0) metres over an area equal to at least fifty (50) percent of the area of the floor next below.

HALF WAY HOUSE

shall mean a dwelling in which a maximum of five (5) persons, excluding staff or the receiving household, live under responsible supervision consistent with their needs and licensed or approved under the laws of the Province of Ontario or the Government of Canada for psychiatric patients who are transitionally or permanently discharged from a psychiatric hospital; persons who have been placed on probation under the provisions of the Probation Act, the Criminal Code of Canada, the Young Offenders Act, or who have been released on parole under the provisions of the Ministry of Correctional Services Act or the Parole Board of Canada or persons who have been charged under the Young Offenders Act but who have been placed in open or secure custody.

HAZARD LAND

shall mean lands which exhibit a hazardous condition as a result of their instability; susceptibility to flooding, erosion, subsidence; or the presence of organic soils; or steep slopes and includes lands lying below the regulatory floodline as may be established from time to time by the conservation authority.

HEIGHT

shall mean, when used with reference to a building or structure, the vertical distance between the horizontal plane through grade level and a horizontal plane through:

- a) the highest point of the roof assembly in the case of a building with a flat roof, a deck roof or a domed roof;
- b) the average level of a one slope roof, between the ridge and the eaves, provided that such roof having a slope of less than twenty (20) degrees with the horizontal shall be considered a flat roof;
- c) the average level between eaves and ridges in the case of a roof type not covered in subsections a) and b).

HEREIN

shall mean within this By-law.

HOME OCCUPATION

shall mean an occupation for gain or support owned, managed and conducted by persons residing on the lot on which the home occupation is conducted including those who reside elsewhere as may be specified herein. A home occupation shall be confined in its entirety to a dwelling except where specified otherwise and may, without limiting the generality of the foregoing, include the offices, workrooms or consulting rooms of a profession, trade, craft, or hobby but shall not include or permit group instruction, a hairdressing establishment if more than two persons are engaged in the business, a retail store except for the sale of crafts, goods or items produced on site, a service shop or a restaurant. Where a home occupation is permitted within an accessory building, such uses may, without limiting the generality of the foregoing, include a carpentry shop, a welding shop, a machine shop, a service shop, a workshop or a studio but shall not include an auto repair shop or public garage.

HOTEL

shall mean a building, used, or intended for the purposes of catering to the needs of the public by supplying food and sleeping accommodation consisting of not less than five (5) guest rooms and may include a restaurant, tavern or a bar.

HOUSEHOLD

shall mean a single and independent housekeeping unit occupying and using only one dwelling unit.

HUNTING PRESERVE

shall mean the use of lands for the purposes of hunting wildlife in a safe and environmentally responsible manner subject to any applicable regulations of the Ministry of Natural Resources which may apply, and may include an accessory building use for the temporary accommodation and comfort of hunters.

INDIVIDUAL ON-SITE WATER SERVICES

shall mean individual, autonomous water supply systems that are owned, operated and managed by the owner of the lot upon which the system is located.

INDIVIDUAL ON-SITE SEWAGE SERVICES

shall mean sewage systems, as defined in O. Reg. 332/12 under the *Building Code Act*, 1992, that are owned, operated and managed by the owner of the lot upon which the system is located.

INDUSTRIAL MALL

shall mean a building or group of buildings designed, used or intended for use which are held in single ownership or by participants in a condominium corporation or cooperative, and divided into units for separate and independent occupancy by industrial uses for which common loading and parking facilities and other common services may or may not be provided.

INDUSTRIAL USE

shall mean the use of land, buildings or structures for the purpose of manufacturing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, distributing, warehousing, storing or adapting for sale any goods, substance, article or thing, including the storage of building and construction equipment and materials.

INDUSTRIAL USE LIGHT

shall mean the use of land, buildings or structures for the purpose of manufacturing, assembling, or processing of component parts to produce finished products suitable for retail, wholesale or service trade and including repairing; servicing; distributing; warehousing; storing or adapting for sale any goods, substance, article or thing, but excluding any operation or activity which creates a nuisance as a result of the emission of any noise or air pollution that can be smelled, heard or otherwise detected outside the building or structure in which the operation is conducted.

INSTITUTIONAL USE

shall mean the use of land, buildings or structures for public or social purposes but not for the purpose of gain or profit and may include governmental, religious, educational, charitable, philanthropic or other similar but non-business uses such as public schools, churches, hospitals and museums.

INTERIOR LOT

shall mean a lot other than a corner lot.

INTERIOR SIDE YARD

shall mean a side yard other than an exterior side yard.

LANDING STRIP

shall mean the use of land, for the sole purpose of those residing thereon for the landing and taking off of non-commercial aircraft and may include buildings and structures accessory thereto.

LANDSCAPED OPEN SPACE

shall mean the area of a lot which is used for the growth and maintenance of grass, flowers, shrubbery and other landscaping materials, both natural and artificial, and includes any surfaced walk, patio, or similar area, but does not include any access driveway or ramp, parking lot, deck or any open space beneath or land, within any building or structure.

LAUNDRY ESTABLISHMENT

shall mean a building designed, used, or intended for the drying, ironing and finishing of laundered goods and where no odours, fumes, noise or vibration which create a nuisance outside the business are emitted, and may include a self-service, coin operated laundromat.

LIBRARY

shall mean a library, branch library, bookmobile, or distributing station operating under The Public Libraries Act, as amended from time to time, or any successor thereto.

LIVESTOCK

shall mean farm animals kept for use, for propagation or intended for profit or gain and without limiting the generality of the foregoing include cattle, horses, swine, sheep, laying hens, chicken and turkey broilers, emus, turkeys, goats, geese, ducks, mink, and rabbit but excluding animals such as pets raised or housed for recreational or hobby purposes.

LIVESTOCK MARKETING YARD

shall mean the use of land, buildings or structures for the temporary confinement of livestock for the purpose of sale, auction and distribution.

LONG TERM HEALTH CARE FACILITY

shall mean a building or part thereof where accommodation is provided for the sick, elderly or infirm and which provides long term medical, nursing, social and similar care for such persons and may include a retirement home and all such facilities operated under the Long Term Care Act, the Nursing Homes Act, the Charitable Institutions Act and the Homes for the Aged and Rest Homes Act as amended and revised from time to time.

LOT

shall mean a parcel or tract of land, which is

- a) the whole of a lot on a registered plan of subdivision, so long as such registered plan is not deemed, pursuant to the Planning Act, or any predecessor or successor of such section, not to be a registered plan of subdivision; or,
- b) all of the land held or owned under distinct and separate ownership from the ownership of the fee or equity of redemption in abutting land.

LOT AREA

shall mean the total horizontal area within the lot lines of a lot, except in the case of a corner lot having street lines rounding at the corner, where the lot area of such lot shall be calculated as if the lot lines were projected to the intersection.

LOT COVERAGE

shall mean the percentage of the area of any lot upon which buildings or structures are erected or permitted to be erected (not including an outdoor swimming pool erected entirely below grade) measured at grade level including all porches and verandahs, steps, cornices, eaves, bay windows and chimneys.

LOT DEPTH

shall mean the horizontal distance between the front and rear lot lines. Where these lines are not parallel, the lot depth shall mean the length of a straight line joining the mid-points of the front lot line and the rear lot lines. Where there is no rear lot line, lot depth shall mean 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

shall mean the horizontal distance between the side lot lines of a lot measured at right angles. Where such side lot lines are not parallel, the lot frontage shall be measured perpendicularly to the line joining the mid-point of the front and the centre of the rear lot line at a point six (6.0) metres back from the front line, and where such side lot lines meet, lot frontage shall be measured perpendicularly to the line joining the apex of the triangle formed by the side lot lines and a point six (6.0) metres back from the front lot line.

LOT LINES

shall mean the boundary lines of a lot defined as follows:

- a) Front Lot Line shall mean, except in the case of a corner lot, the line dividing the lot from the road. In the case of a corner lot, the shorter boundary line abutting the street shall be deemed the front lot line and the longer boundary line abutting the street shall be deemed to be the side lot line. In case each of such lot lines should be of equal length, the front lot line shall be deemed to be the front lot line as established in the block by prior construction. In the case of a through lot, the shorter boundary dividing the lot from the road shall be deemed the front lot line and the opposite longer boundary shall be deemed the rear lot line. In case each of such lot lines should be of equal length, the front lot line shall be deemed to be the front lot line as established in the block by prior construction.

- b) Rear Lot Line shall mean the lot line of a lot having four (4) or more lot lines which is farthest from or opposite to the front lot line.
- c) Side Lot Line shall mean a lot line other than a front or rear lot line. In the case of a corner lot, the side lot line dividing the lot from the street shall be deemed to be the exterior side lot line and the other side lot line shall be deemed to be the interior side lot line.

M² or m²

shall mean square metres.

MACHINE SHOP

shall mean a building where equipment and machinery and/or small engines are serviced or repaired.

MAIN BUILDING

shall mean the building on a lot or portion thereof designed, used, or intended for the permitted and principle use of the lot or part thereof.

MAIN WALL

shall mean the exterior front, side or rear wall of a building, and all structural members essential to the support of a fully enclosed space or roof.

MARINA

shall mean the use of land, buildings and structures where boats are moored, and may be stored, rented or hired, and launched and/or where boats, boat motors and boat accessories are sold, repaired or refuelled, and may include a building or structure for the sale of accessories, supplies, and/or refreshments.

MARKET GARDEN

shall mean the use of land, buildings or structures for the purpose of buying and selling fruits and vegetables.

MICRO BREWERY

shall mean a building or structure wherein beer and or wine are produced and offered for retail sale, exclusively for consumption off the premises.

MINIMUM SEPARATION DISTANCE (MDS I AND MDS II)

shall mean formulae used for the purposes of determining, in the case if MDS I, the minimum distance required for non-agricultural uses establishing or expanding in proximity to livestock building and structures located on a separate lot, and in the case of MDS II, the minimum distance required for establishing or expanding livestock buildings and structures in proximity to non-agricultural uses located on a separate lot.

MINI-STORAGE WAREHOUSE

shall mean the use of lands, buildings, or structures for individual storage units rented or leased to the public for the storage of goods, wares, merchandise, non-perishable foodstuffs, substances, articles or things, but excluding the storage of fuels, solvents, paints or other inflammable substances.

MOBILE FOOD OUTLET

shall mean a structure designed as an integral part of a self-propelled motor vehicle or as a unit which is towed by a motor vehicle, from which food and refreshment is made available to the general public.

MOBILE HOME

shall mean a building designed and constructed in accordance with the specifications of the Canadian Standards Association (CAN/CSA-Z240), having a pitched roof with a slope of 3:1 or greater, transported or designed to be transported on its own or in two (2) or more separate sections or modules each on its own wheels, on a flatbed, or by other means and joined together to form one (1) dwelling unit and its running gear comprising the hitch and wheel assembly, if any, removed. The building shall be placed on a totally enclosed masonry foundation which extends below the frost line and which is constructed in accordance with the Ontario Building Code.

MOBILE HOME STAND

shall mean that part of a lot which is reserved for the placement of a mobile home.

MOTEL

shall mean a building, or two (2) or more detached buildings designed, used or intended for the purpose of catering to the needs of the travelling public by furnishing sleeping accommodation with or without supplying food.

MOTOR HOME

shall mean a structure built on and made an integral part of a self-propelled motor vehicle chassis other than a passenger automobile chassis, primarily designed to provide temporary living quarters for recreation, camping and travel use.

MOTOR VEHICLE

shall mean a wheeled self-propelling vehicle for the transportation of passengers and goods and without limiting the generality of the foregoing, includes automobiles, trucks, buses, ambulances, hearses, motor homes and tractors.

MOTOR VEHICLE SALES ESTABLISHMENT

shall mean the use of land, buildings or structures where motor vehicles are kept for sale, and where motor vehicles may be oiled, greased or and where repairs essential to the operation of motor vehicles are performed.

MOTOR VEHICLE SERVICE ESTABLISHMENT

shall mean the use of land, buildings or structures or combination thereof for the sale of gasoline, propane, oil, grease, antifreeze, tires, batteries and other accessories for motor vehicles where motor vehicles may be oiled, greased or cleaned, or have their ignition adjusted, tires inflated or batteries charged or where only minor or running repairs essential to the operation of motor vehicles are performed.

MULTIPLE UNIT DWELLING

shall mean a dwelling comprised of three (3) or more dwelling units.

MUNICIPAL DRAIN

shall mean a drainage works as defined by the Drainage Act.

MUNICIPAL WATER SUPPLY SYSTEM

shall mean a system of underground piping for conveying water and related storage, pumping, and treatment facilities, operated by the Municipality for public use, and to which a lot has access to make connection thereto.

MUNICIPAL SANITARY SEWAGE SYSTEM

shall mean a system of underground piping for conveying human sewage and related storage, pumping and treatment facilities operated by the Municipality for public use, and to which a lot has access to make connection thereto.

MUNICIPALITY

shall mean the Corporation of the Municipality of West Elgin.

MUSEUM

shall mean a building erected, used or intended for use as a repository for art, historical artifacts, relics or documents which may be periodically placed on display for public viewing.

NET FLOOR AREA

shall mean that portion of the floor area of a building which is used exclusively for a non-residential use defined herein or specifically permitted elsewhere in this By-law, but excluding:

- a) any part of such building used for any other non-residential use defined herein or specifically permitted elsewhere in this By-law;
- b) any part of such building used as a dwelling unit, a public concourse or a common hallway or stairway not used exclusively by the said non-residential use;
- c) any part of such building used solely for the storage of electrical equipment or of equipment to heat, cool or otherwise control the environment of such building or a portion thereof;
- d) the thickness of any exterior walls of such building.

NON-AGRICULTURAL

shall mean, when used in reference to a use, building or structure, shall mean used, intended or designed for purposes other than those of an agricultural use.

NON-COMPLYING

shall mean a building or structure which does not comply or agree with the regulations of this By-law but does not include a non-conforming use, building or structure.

NON-CONFORMING

shall mean a use, building or structure which is not a use, building or structure permitted in the zone in which the said use, building or structure is situated.

OCCUPANCY

shall mean to reside in as owner or tenant on a permanent or temporary basis.

OUTDOOR AMENITY AREA

shall mean a contiguous landscaped space outside and accessible to a dwelling or dwelling unit and situated on the same lot therewith, designed, used or intended to be used for the passive enjoyment and recreational needs of the occupants and upon which no vehicle is parked or driven but which may include walkways and other space normally incidental to pedestrian traffic.

OUTDOOR FURNACE

shall mean any outdoor appliance designed or intended for burning solid fuel for the purpose of heating buildings, but shall not include a heating device used in the operation of a sugar bush or the production of maple syrup.

OUTSIDE STORAGE

shall mean the storage of goods, materials or equipment in the open air on a lot or portion thereof.

PAINTBALL PARK

shall mean the use of premises for the purposes of organized outdoor recreational activity in which the participants engage in interactive play using low speed paint ball guns firing or capable of firing non-hazardous, environmentally friendly propellant, protective gear and other equipment as may be necessary or required, where members of opposing teams attempt to secure a common flag, or variations thereof.

PARKING LOT

shall mean a lot used or intended for the temporary parking of two (2) or more motor vehicles and may include aisles, parking spaces and related entrance and exit lanes, but shall not include any part of a road.

PARKING SPACE

shall mean a space, whether or not enclosed, having a minimum width and a minimum length as specified herein exclusive of aisles, entrance and exit lanes, accessible to a road, and designed, used or intended for the purpose of the temporary parking or storage of a motor vehicle.

PARK MODEL TRAILER

shall mean living quarters for recreational camping or seasonal occupancy, designed and constructed in accordance with the specifications of the Canadian Standards Association (CAN/CSA – Z241) on a single unit chassis mounted on wheels and capable of being relocated and connected to utilities, and having a gross floor area, including lofts, not exceeding fifty (50) square metres when in the setup mode, and having a width greater than 2.6 metres in the transit mode.

PERMITTED

shall mean permitted by this By-law.

PERSON

shall include an individual, an association, a firm, a partnership, an incorporated company, municipal corporation, agent or trustee and their heirs, executors, or other legal representatives of a person to whom the context of this By-law can apply according to law.

PERSONAL CARE ESTABLISHMENT

shall mean a building wherein a service is performed directly to an individual and includes, without limiting the generality of the foregoing, a hair salon, a tanning salon, a manicurist or a beautician's establishment, a spa but does not include an adult entertainment establishment.

PERSONAL SERVICE ESTABLISHMENT

shall mean a building wherein a service is provided for the alteration, care, making of, and repair of wearing apparel, and includes, without limiting the generality of the foregoing, a shoe repair shop, a tailor or dressmaking shop, a furrier, but does not include an adult entertainment establishment.

PIT OR QUARRY

shall mean any opening or excavation of or in the ground pursuant to a license issued under the Aggregate Resources Act for the purposes of removing soil, rock, sand, gravel, earth, clay, muck or limestone or any combination thereof and may include the processing thereof such as screening, sorting, washing, crushing, stockpiling and other similar operations; the importation of asphalt and concrete for recycling /resale purposes and site rehabilitation.

PLACE OF ENTERTAINMENT OR AMUSEMENT

shall mean a building or part thereof designed, used, or intended as a bowling alley, billiard or pool room, amusement arcade, internet café, or any combination thereof.

PLANTING STRIP

shall mean an area used for no other purpose than the planting and maintaining of a continuous row of evergreen trees, not less than one (1.0) metre in height at time of planting and not less than two (2.0) metres in height at maturity, and the remainder of which is used for landscaping and the planting of ornamental shrubs, flowering shrubs, flower beds, or a combination thereof.

PORCH

shall mean a roofed, open gallery, or portico attached to the exterior of a building.

PRIVATE GARAGE

shall mean a building or structure, designed, used, or intended for the storage of motor vehicles and the storage of household equipment incidental to residential occupancy, wherein no service for profit is rendered; and where such building or structure is within two (2.0) metres of the main building, it shall be deemed to be attached to or part of the main building and not an accessory building.

PRIVATE PARK

shall mean a park other than a public park, regardless of whether or not such park is maintained or operated for gain or profit, but excludes an amusement park.

PRIVATE ROAD

shall mean an improved highway, street or road which affords the principal means of vehicular access to a dwelling or a dwelling unit, and which is not under the jurisdiction of the Municipality, the County or the Province.

PRIVATE SCHOOL

shall mean a school, other than a public school or commercial school, accredited as a private school by the Ministry of Education and Training, and under the jurisdiction of a board of trustees or governors and may include a boarding school.

PROPANE TRANSFER FACILITY

shall mean the use of land, buildings or structures where propane fuel is stored but the sale of propane to the public excluded.

PUBLIC AUTHORITY

shall mean:

- a) the Municipality;
- b) the County;
- c) the Government of Canada;
- d) the Province of Ontario;
- e) the Conservation Authority.

and any other agency, board, commission, committee or other body established or exercising any power or authority under any general or special statute of Ontario or the Government of Canada with respect to any of the affairs or purposes of the Municipality or a portion thereof, and includes any committee or local authority established by by-law of the Municipality.

PUBLIC GARAGE

shall mean the use of land, buildings or structures, other than a private garage, where motor vehicles are kept or stored for remuneration or repair, including the repair of motor vehicle bodies, frames or motors, and the painting, upholstering, washing, and cleaning of such vehicles, and may include the sale of accessories for motor vehicles.

PUBLIC PARK

shall mean a lot, maintained or owned by the Municipality or a public authority for the enjoyment, health and well-being of the public and normally open to the public and may include a conservation area and public fairgrounds.

PUBLIC SCHOOL

shall mean a school operated by and under the jurisdiction of a public authority.

REAR YARD

shall mean a yard extending across the full width of the lot between the rear lot line of the lot and the nearest main wall of any main building or structure on the lot. REAR YARD DEPTH means the least horizontal dimension between the rear lot line of the lot and the nearest main wall of any main building or structure on the lot.

REGULATORY FLOOD

shall mean the standard used by the conservation authority to define the limits of the flood plain for regulatory purposes.

REGULATORY FLOODLINE

shall mean the limits of the floodplain in the Municipality, based on the known regulatory flood event which occurred in 1937.

REQUIRED

shall mean required by this By-law.

RESIDENTIAL USE

shall mean the use of a building or structure as a dwelling.

RESTAURANT

shall mean a building, designed, used or intended for the serving of food or refreshments to the public where the servicing and consumption of food or refreshments takes place entirely within such building or at outside tables immediately adjacent to such building and may include a dining lounge licensed under the Liquor License Act.

RESTRICTED AGRICULTURAL USE

shall mean an agricultural use with the exception of mushroom farming and with the exception of the breeding, raising and care of livestock governed by the Nutrient Management Act and regulations pursuant thereto.

RETAIL STORE

shall mean a building, designed, used, or intended for the selling or buying of goods, wares, merchandise, articles, or things at retail or the providing of a service, primarily to or from the public, and uses accessory thereto.

RETIREMENT HOME

shall mean a building providing accommodation primarily for persons and couples over 60 years of age where each living unit has a private bathroom, basic kitchen facilities and a separate entrance from a common hall and where common facilities for the preparation and consumption of food are provided, common lounges, activity rooms, and where personal and medical care facilities may also be provided.

RIDING SCHOOL

shall mean the use of land, buildings, or structures for the purpose of riding, training, showing, and boarding of horses and where persons are given instructions in the riding of horses and other aspects of horsemanship.

ROAD

shall mean an open common and public road, lane, highway or commons vested in the Municipality, the County, the Province of Ontario or any other public authority having jurisdiction over the same, and includes a bridge or any other structure forming part of a road on, over, or across which a road passes, but does not include an unopened road allowance.

SALVAGE YARD

shall mean the use of land, buildings or structures or combination thereof, where merchandise, articles and goods or things are stored wholly or partly in the open, kept for sale and/or processed and/or re-cycled for further use and, without limiting the generality of the foregoing, may include a junk yard, a scrap metal yard, and a motor vehicle wrecking yard.

SATELLITE DISH

shall mean a parabolic or spherical antenna used for the purposes of receiving television or microwave transmissions or other signals from orbiting satellites or other similar devices.

SAWMILL

shall mean the use of land, buildings, or structures designed, used, or intended for the sawing, planning, sanding, and finishing of wood and wood products.

SEASONAL DWELLING

shall mean a single unit dwelling designed, used or intended for vacation, recreation, rest and relaxation purposes on an occasional as opposed to permanent basis and constructed in a manner such that it is capable of being moved or dragged to a new location to maintain the minimum setbacks prescribed herein.

SECONDARY FARM OCCUPATION

shall mean an agricultural-related occupation conducted on a lot where the main use of the lot is for agricultural or residential purposes, for profit or gain within a building other than a dwelling, by persons residing in a dwelling situated on the said lot and others residing elsewhere as specified herein without limiting the generality of the foregoing includes agricultural-related uses such as the production of value-added agricultural products from the farm operation, the sale of farm supplies, repair and servicing of farm equipment and vehicles and agri-tourism uses.

SEMI-DETACHED DWELLING

shall mean a dwelling that is divided vertically above grade into two (2) dwelling units, each of which has an independent entrance either directly or through a common vestibule.

SERVICE SHOP

shall mean a building where appliances and household machinery are sold, serviced, or repaired and includes the business premises of a tradesman such as a carpenter, an electrician, a plumber and similar trades but excludes any manufacturing, processing or wholesaling.

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 on a lot.

SENIOR CITIZENS' HOME

shall mean a building designed, used or intended as a dwelling for senior citizens, sponsored and administered by a public authority, service club, church or other non-profit organization, which obtains its financing from the Government of Canada, the Province of Ontario, the County, the Municipality or its agencies, or by public subscription or donation, or by any combination thereof, and may include accessory uses such as club and lounge facilities.

SEWAGE TREATMENT PLANT

shall mean lands, buildings or structures and all mechanical appurtenances thereto, designed and used for the collection and treatment of sanitary sewage, and for which a 'Certificate of Approval' has been issued by the Ministry of Environment.

SHIPPING CONTAINER

shall mean a container designed and constructed in accordance with the International Organization for Standardization (ISO) or similar organization intended for and used in the transportation and shipping industry which may be used for the storage of goods, wares, merchandise, substances, articles or things accessory to an agricultural, commercial or industrial use.

SIDE YARD

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 main wall of any building or structure on the lot. SIDE YARD WIDTH means the least horizontal dimension between the side lot line of the lot and the nearest main wall of any main building or structure on the lot.

SIGN

shall mean a name, identification, description, device, display or illustration which is affixed to, or represented directly or indirectly upon a building, structure or lot and which directs attention to an object, product, place, activity, person, institution, organization or business.

SINGLE UNIT DWELLING

shall mean a completely detached dwelling used or intended for occupancy by not more than one (1) household living independently.

STORAGE CONTAINER

shall mean a pre-fabricated, heavy gauge steel, fully assembled structure intended for the storage of goods, wares, merchandise, substances, articles or things.

STOREY

shall mean the portion of the building, other than the basement, which lies between the surface of the floor and the surface of the next floor above it, or if there is no floor above it, then the space between such floor and the ceiling or roof next above it.

STREET

refer to the definition of ROAD.

STREET LINE

shall mean the limit of the road allowance and is the dividing line between a lot and a road.

STRUCTURE

shall mean any material, object, or work erected as a unit or constructed or put together of connected or dependent parts or elements whether located under, on, or above the surface of the ground, but does not include a sign, fence, boundary wall or a swimming pool.

SWIMMING POOL

shall mean a body of water located outdoors contained in whole by artificial means, in which the depth of the water at any point is capable of exceeding 0.6 metres, and has a surface area greater than one (1) square metre, and used or capable of being used for swimming, bathing or diving but shall not include a farm pond, irrigation pond or fish pond.

TAKE-OUT RESTAURANT

shall mean a building, designed, used or intended for the serving of food or refreshments to the public where the servicing and consumption of food or refreshments takes place entirely off the premises.

TARGET RANGE

shall mean the use of land, buildings or structures licensed by the Solicitor General of Ontario, for the purposes of the recreational discharge of fire arms, and may include an indoor/outdoor rifle range, pistol range, trap range, skeet range and archery range.

TAVERN or BAR

shall mean a building erected, used or intended for the sale of alcoholic beverages and food to the public to be consumed on the premises and licensed under the Liquor License Act.

THROUGH LOT

shall mean a lot bounded on two opposite sides by roads; provided, however, that if any lot qualifies as being both a corner lot and a through lot, such lot shall be conclusively deemed to be a corner lot.

TOP-OF-BANK

shall mean a line determined at a point where the oblique plane of the slope meets the horizontal plane.

TOWNHOUSE DWELLING

shall mean a dwelling that is divided vertically into three (3) or more dwelling units, each of which has independent entrances, to a front and rear yard immediately abutting the front and rear walls of each dwelling unit.

TRAVEL TRAILER

shall mean a vehicle, including a camping trailer, designed, used, or intended for the living, sleeping, eating, or accommodation of persons therein for seasonal recreational activity and being either self-propelled or constructed such that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle.

TRIPLEX DWELLING

shall mean a dwelling that is divided horizontally and/or vertically into three (3) separate dwelling units each of which has an independent entrance either directly from the outside or through a common entrance but excludes a converted dwelling.

TRUCK CAMPER

shall mean a portable structure designed to be loaded onto, or affixed to, the bed or chassis of a truck, and capable of providing temporary living quarters for recreation, camping or travel use.

TRUCK TERMINAL

shall mean the use of land, buildings or structures where trucks, buses and/or transports are stored, rented, leased, kept for hire, or parked for remuneration or from which trucks and/or transports are dispatched as common carriers, or where goods are stored temporarily for further shipment.

TWO-UNIT DWELLING

shall mean a dwelling designed, used or intended for occupancy by not more than two (2) households living independently of each other in separate dwelling units but excludes a semi-detached dwelling or a duplex dwelling.

USE

shall mean, when used as a noun, the purpose for which any land, building or structure is designed, used, or intended to be used, or for which it is occupied, used or maintained. When used as a verb, or as in the expression “to use”, shall mean anything done or permitted to be done by the owner or occupant of any land, building or structure, directly or indirectly, or by or through any trustee, tenant, servant, or agent, acting for or with the knowledge or consent of such owner or occupant, for the purpose of making use of the said land, building, or structure.

UTILITY CORRIDOR

shall mean the use of land for the transmission of high voltage electricity and may include secondary complementary uses such as walking and other trails.

UTILITY STATION

shall mean the use of land, buildings or structures in connection with the supply and distribution of utilities and, without limiting the generality of the foregoing, may include a water or sewage pumping station, a water storage reservoir, a water or sewage treatment plant, an electric power transformer station, a telephone repeater station and a micro wave tower.

VARIETY STORE

shall mean a retail store within which is conducted the selling of groceries, tobacco, confectionery goods, food, sundry items and other general merchandise, and may be associated with a motor vehicle service establishment or gas bar.

WAREHOUSE

shall mean a building designed, used or intended for the storage of goods, wares, merchandise, articles or things and may include the selling or distribution thereof at wholesale.

WASTE DISPOSAL SITE

shall mean any land, or land covered by water, licensed under the Environmental Protection Act, upon, into, or through which, or building or structure in which, waste is deposited or processed, and any machinery and equipment or operation required for the treatment or disposal of waste.

WATERCOURSE

shall mean a natural channel for a stream of water, but does not include a drain as defined under the Drainage Act.

WAYSIDE PIT OR QUARRY

shall mean a temporary pit or temporary quarry opened and used by a public road authority, its agents or contractors, on the basis of a permit issued under the Aggregate Resources Act, solely for the purpose of a particular project or road construction contract and not located on a public road allowance.

WILDLIFE PRESERVE

shall mean lands where plants, animals and other organisms, excluding fish, survive in self-sustained populations, and from which they derive services such as cover, protection or food.

YARD

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

YARD SALE

shall mean the occasional selling of household goods and wares and personal items in a yard by a person residing in the dwelling or a dwelling unit associated therewith.

ZONE

shall mean an area delineated on a Zone Map and established and designated by this By-law for a specific use.

ZONE MAP

shall mean a map or maps incorporated in this By-law and showing graphically the location, size and boundaries of zones established by this By-law together with other explanatory text and symbols.