

Section 9

Definitions

Abattoir: a facility for the slaughtering and processing of animals for food products. **(2013-115-ZO)**

Abutting: two or more lots sharing a common boundary of at least one point; or a lot sharing a common boundary with a public road. **(2020-060-ZO)**

Accessory: a building or structure normally incidental, subordinate and exclusively devoted to the main building or structure. **(2020-060-ZO)**

Accessory Farm Dwelling Unit: a dwelling unit for the use and occupation of a person employed on a farm, provided that such accessory farm dwelling unit is accessory to the main dwelling unit on that lot.

Accessory Outdoor Storage: is defined as the exterior storage of goods, products, materials, equipment and machinery that are directly associated with the principle use and business activity occurring on the property. Parking areas for licensed commercial vehicles and employees/visitors are not included in the definition of Accessory Outdoor Storage. **(2011-152-ZO)**

Accessory Restaurant: a restaurant in a building having a minimum Gross Floor Area of 929 m² where the maximum size of the accessory restaurant is the lesser of 10% the main building or 110 m² **(2013-157-ZO)**

Accessory Retail Store: is a retail store associated with a manufacturing facility where merchandise is sold to the public. **(2011-118-ZO)**

Accessory Use: a use of land, building(s) or structure(s) that is incidental or subordinate to the principal use of land, building(s) or structure(s) located on the same lot and used exclusively as an accessory to the principal use of land, building(s) or structure(s). **(2020-060-ZO)**

Addition: In reference to a building or structure, an expansion of the building or structure. **(2020-060-ZO)**

Adult Entertainment Establishment: any premises or part thereof or accessory thereto, including parking areas, where goods or services of a sexual nature are offered, sold, rented, made available, viewed or distributed, and includes a body-rub parlour.

Adult Retraining School: an institution or commercial enterprise providing educational and/or vocational training for adults. **(2013-115-ZO)**

Agricultural Uses, Buildings and Structures: land, buildings or structures used for:

- i) growing crops, including nursery and horticultural crops
- ii) raising livestock and other animals, including horses, poultry and fish
- iii) aquaculture
- iv) tree farms and syrup production **(2011-152-ZO)**

Aggregate Transfer Site: any property that temporarily stores Aggregate Material for the purpose of drying, decanting, testing, staging, crushing, storing, screening, or transferring. **(PL131393)**

Aggregate Materials: materials comprised of gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock and topsoil. **(PL131393)**

Angular Plane: a line extending from the centre line of a street across a property at a 45% angle. **(2016-145-ZO)**

Animal Daycare Centre: premises providing daily non-medical care for, grooming of, and/or obedience training of domestic animals kept as pets, on a short term basis (less than 12 hours within a 24-hour period) as a component of and operating from the same premises and location as a licensed kennel. For clarification, obedience training does not include the training of guard dogs.

Animal Grooming Centre: premises providing daily non-medical care for, grooming of, and/or training of domestic animals kept as pets, on a short-term basis within a wholly enclosed building. Such premises shall not include any outdoor facilities, such as dog runs or exercise yards, as a component of the operation.

Antique Outlet: any building used for the sale of any old and authentic objects of personal property, which was made, fabricated or manufactured sixty or more years earlier and which has a unique appeal and enhanced value mainly because of its age, and, in addition, may include the sale of any article of personal property which was made, fabricated or manufactured twenty or more years earlier and because of public demand, has attained value in a recognized commercial market in excess of its original value. **(2013-115-ZO)**

Apartment Building: a building containing three or more dwelling units, external access to which is through a common vestibule and/or a common corridor or corridors. **(2013-112-ZO) (2013-115-ZO)**

Aquifer Vulnerability: an aquifer's intrinsic susceptibility as a function of the thickness and permeability of underlying layers to contamination from both human and natural impact on water quality.

Asphalt Plant: is a plant used for the manufacture of asphalt macadam and other forms of coated road stone. **(2011-118-ZO)**

Assembly Hall: a building, or part of a building, in which facilities are provided for such purposes as meetings for civic, educational, political, entertainment or social purposes, and may include a bingo hall, a banquet hall, a fitness club, a private club or a fraternal organization, but does not include a place of worship.

Automatic Car Wash: a structure containing facilities for washing automobiles using a chain conveyor or other method of moving the cars along and automatic or semi-automatic application of cleaner, brushes, rinsing and drying.

Automobile Service Station: a building with one or more gas bars and associated or accessory garage where vehicles are repaired or serviced mechanically and may contain an accessory vehicle towing service or car wash but not a motor vehicle body repair shop. **(2011-152-ZO)**

Automotive Campus: an integrated development of three or more car dealerships where common elements necessary to service the clientele are incorporated into the site design and layout.

Automotive Sales and Service Use: premises used for any of sales, leasing or servicing of motor vehicles, and may include the sale of motor vehicle fuels and accessories and the washing of motor vehicles, but shall not include a gas bar or a motor vehicle body repair shop.

Average Grade: the average of the elevations of the finished ground level at each wall of a building.

Back-to-Back Townhouse Dwelling: a building containing a minimum of four dwelling units that are divided vertically by common walls, including a common rear wall without a rear yard. Each dwelling unit has an independent direct entrance to grade. **(2013-115-ZO) (2016-145-ZO)**

Balcony: a platform projecting from the wall of a building with no direct access to grade. **(2013-115-ZO)**

Bed and Breakfast Establishment: an establishment that provides sleeping accommodation (including meals, services, facilities and amenities for the exclusive use of guests) for the travelling or vacationing public in up to three guest rooms within a single detached dwelling that is the principal residence of the proprietor of the establishment.

Boat and Marine Supply, Storage, Repair or Sales: A facility for the storage, repair or sales of boat and marine products. **(2013-115-ZO) (2016-145-ZO)**

Body-Rub: includes the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a person's body or part thereof, but does not include body-rubs which are performed or offered by persons licensed or registered by the Province of Ontario, or who are members of the Canadian Federation of Aromatherapists, and also

does not include body-rubs which are performed or offered by a Certified Holistic Health Professional.

Building: a structure consisting of a wall, roof and floor, or any one of them, or a structural system serving the function thereof, including all the works, fixtures and service systems appurtenant thereto, and includes, without limiting the generality of the foregoing, an awning or tent.

Building Supply and Lumber Store: buildings or structures in which building or construction and home improvement materials are offered or kept for retail sale, and may include the fabrication of materials related to home improvements.

Bulk Storage Tank: a tank or container for the bulk storage of petroleum, gasoline, diesel or other fuels, oil, gas, propane, or flammable liquids or fluids, but does not include a container for flammable liquid, gas or fluid legally and properly kept in a retail store, or a tank for storage incidental to some other use of the premises.

Business Services: a building or part of a building used for the provision of services to businesses such as printing, publishing, courier, delivery and business travel.
(2013-157-ZO)

Campground: an area of land managed as a unit, providing temporary accommodation for tents, tent trailers, house trailers, recreational vehicles or campers in conjunction with or in proximity to major recreational amenities. **(2011-118-ZO)**

Cannabis (Marijuana) Production Facility: any building, structure, or lands licensed by Health Canada to undertake cultivation, processing, sale, analytical testing, and research of cannabis, pursuant to the Cannabis Regulations under the Cannabis Act, or successor legislation. **(2020-060-ZO)**

Car Wash: a building or structure for use by the general public containing facilities for the washing of motor vehicles. **(2011-152-ZO)**

Cemetery: lands that are set apart for the interment of the deceased or in which human remains have been buried, and may include a crematorium, a columbarium, a mausoleum, a funeral home, and a transfer service establishment for human remains.
(2011-118-ZO) (2016-145-ZO)

Clinic: a building or part of a building used by physicians, surgeons, dentists drugless practitioners or any other health care professionals, their staff and their patients for the purpose of consultant, diagnosis or treatment of humans and may include medical laboratories or an ancillary pharmacy. **(2013-115-ZO)**

Club: an association of persons operating as a corporate entity or fraternal organization, and, if the context requires, may mean a place where such an association provides for

the meeting of its members and the accommodation of its facilities, but shall not include an adult entertainment establishment or a body-rub parlour.

Combined Live/Work Use: a dwelling unit where the commercial and residential components are accessed by entirely separate entrances.

Commercial Recreation Use: premises where provision is made for the entertainment of the public, and where such entertainment is provided for gain. Commercial recreation may include a motion picture or live theatre, an arena, a concert hall and other similar uses, but shall not include a place of amusement, an adult entertainment establishment, or any use entailing the outdoor operation or racing of animals or motorized vehicles, a casino or other establishment accommodating or providing gambling or gaming activities, wagering or betting, video lottery or gaming machines, or any other similar type of gambling.

Commercial School: Premises used as a school conducted for gain including academics, arts, crafts, motor vehicle driving, language, modelling, hairdressing, gymnastics, beauty, culture, dance, music, golf, yoga, martial arts, photography, business or trade, engineering, computer technology and any other such specialized school conducted for gain. **(2011-118-ZO) (2020-060-ZO)**

Conference, Convention or Banquet Facility: premises or parts thereof in which facilities are provided for such purposes as meetings for groups of civic, education, political, religious and social purposes.

Connected Live/Work Use: a dwelling unit where the ground floor is used exclusively for commercial purposes and where the commercial and residential components are accessed by a common internal staircase or corridor.

Contractor's Yard: premises of any general contractor, builder, or landscaping contractor, where equipment and materials are stored or where a contractor performs shop or assembly work.

Convenience Store: a small scale retail store supplying groceries and other daily necessities to the surrounding area. **(2016-145-ZO)**

Converted Dwelling: a dwelling unit which has been altered or converted to provide at least two but not more than four dwelling units, none of which shall be located in the basement of the dwelling.

Corner Lot: a lot at the intersection of two public streets, which intersection contains an angle of not more than 135° between the sides of the lot abutting the intersecting streets; or a lot abutting one or more parts of the same street with a curve therein, which curve, if projected on the direction of the main courses of the lot lines adjacent to the curve, contains an angle of 135° or less.

Craft Brewery or Craft Cidery: premises used for the production of beer and/or cider and features the following **(2020-060-ZO)**

- a) The facility produces up to 8,000 hectoliters annually for sale at retail outlets such as the LCBO or Beer Store and off-premises locations such as pubs and restaurants;
- b) The facility is a tourism destination including accessory uses such as tours, a tasting/events room, secondary food preparation and on-site retail space;
- c) The facility utilizes a system to reduce odour emissions; and
- d) Accessory uses are permitted and may include, but are not necessarily limited to, storage and distribution of beer and/or cider produced on site.

Crematorium: a building that is fitted with appliances for the purpose of cremating. **(2016-145-ZO)**

Day Care Centre: premises providing daily care for children or adults, and licensed by the appropriate government body.

Deck: an uncovered, raised platform that adjoins a dwelling unit or accessory building and that is more than 0.6 m above the lowest ground surface along the perimeter of the platform and is located in a rear yard or side yard.

Drive-Thru Facility: a building, structure or part thereof where goods, food or services are offered to the public within a stationary vehicle by way of a service window or kiosk, where goods, money or materials are exchanged. **(2011-152-ZO)**

Driveway: a defined area providing access for motor vehicles from a street or lane to a parking space, parking lot, parking pad, loading space or private garage, related to a single building. **(2011-118-ZO)**

Driving Range: premises operated for golf practice including a range facility, practice facility, or golf school and may include an ancillary restaurant or retail store. **(2011-118-ZO)**

Dry Cleaning Establishment: a building in which clothing and other articles are received, processed, cleaned, pressed, and/or dyed. Only non-flammable solvents may be used in the process, and no fumes or odours shall be released into the atmosphere during the process.

Duplex Dwelling: a building divided horizontally into two separate dwelling units, each of which has an independent entrance directly to the outside or through a common vestibule.

Dwelling: a residential building.

Dwelling Unit: one or more habitable rooms, occupied or capable of being occupied as an independent and separate housekeeping establishment, in which separate kitchen and sanitary facilities are provided for the exclusive use of the occupants.

Equipment Sales and Rental: premises in which machinery and equipment are offered or kept for sale, rent, lease or hire under agreement for compensation.

Exterior Side Lot Line: a lot line other than a front or rear lot line, which abuts a street or a 0.3 m reserve. **(2011-152-ZO)**

Exterior Side Yard: the side yard of a corner lot which abuts a street or a 0.3 m reserve, extending from the front yard to the rear yard between the street line and the nearest wall of any building or structure. The required exterior side yard means the minimum depth of an exterior side yard on a lot between the exterior side lot line and the nearest wall of any building or structure on the lot. **(2011-152-ZO) (2020-060-ZO)**

Farm Implement Sales and Service: the use of land, buildings or structures for the commercial sale, storage, or servicing of equipment and machinery directly associated with farming operations and activities.

Farm Produce Sales Outlet: a building or structures and lands accessory to an agricultural use on the same lot, where agricultural goods, produce and products are made available for sale to the public.

Farm Vacation Home: an establishment that provides sleeping accommodation (including meals, services, facilities and amenities for the exclusive use of guests) for the traveling or vacationing public in up to three guest rooms within a single detached dwelling that is located on a farm, and is the principal residence of the proprietor of the establishment.

Feed Mill: a facility for the processing, manufacture and/or storage of feed for livestock. **(2011-118-ZO)**

Financial Institution: premises in which financial services are offered to the public, including a bank, credit union, trust company, savings office or other retail banking operation. Automated teller machines are permitted.

Fire Route: an access route that meets the requirements of “access routes” so designed in accordance with the *Ontario Building Code*.

Fitness and Recreation Facilities: a building in which facilities are provided for physical exercise designed to enhance physical fitness, and may include associated facilities such as lounges, offices, restaurants and accessory retail stores.

Flat: a dwelling unit with the following characteristics:

- i) It is located within a building not exceeding four storeys in height, which building contains commercial uses on the first floor
- ii) It is not located on the first floor
- iii) Is completely separated from Commercial Uses
- iv) It has an independent entrance either directly from the outside or through a common vestibule or hallway

For the purposes of this definition, "storey" refers to storeys other than basements and the "first floor" is the floor, other than a basement, closest to the ground level.

(2011-118-ZO)

Floor Space Index: the ratio between the total of all of the floor areas in the building(s) on a lot, measured from the exterior faces of the exterior walls, but excluding the area of all cellars, basements and garages, and the lot area of that lot.

Foundry: a factory that produces metal castings. **(2011-118-ZO)**

Front Lot Line: the lot line that divides a lot from a street, and for greater certainty:

- i) in the case of a corner lot, the shorter street line shall be deemed to be the front lot line and the longer street line shall be deemed to be the exterior side lot line
- ii) in the case of a through lot abutting a street, the lot line abutting the street which provides the principal means of access
- iii) in the case of a corner lot with two street lines of equal length, the lot line that abuts the wider street shall be deemed to be the front lot line; in the case of both streets being the same width, the Town will designate either street-line as the front lot line

Front Yard: a yard extending across the full width of a lot between the front lot line and the nearest wall of any building or structure on the lot. The required front yard means the minimum horizontal depth of a front yard on a lot between the front lot line and the nearest wall of any building or structure on the lot. **(2020-060-ZO)**

Funeral Home: premises used for furnishing funeral supplies and services to the public, including facilities intended for the preparation of the human body for interment.

Garage, Attached: a garage or carport for private motor vehicles on the same lot attached to a dwelling by a common wall, a common roof structure or both. To determine setback or side yard, an attached garage is part of the main building. A wall or roof between a house and an attached garage shall be considered common if more than 25% of the length of the garage wall or roof is common with the dwelling wall or roof. **(2013-115-ZO)**

Garage, Detached: an accessory building which is designed and used for the sheltering of private motor vehicles and/or storage of household equipment accessory to the residential dwelling. A wall or roof between a house and a garage shall not be considered

common if less than 25% of the length of the garage wall or roof is common with the dwelling wall or roof. **(2013-115-ZO)**

Garage Door Width: the width of a private garage door opening which is used for vehicular access.

Garden Suite: a detached self-contained dwelling that is comprised of a kitchen, bathroom and living area. This dwelling unit shall be ancillary to an existing principal dwelling unit that is located on the same lot, and it represents a form of accommodation appropriate for a senior family member who is capable of a degree of independent living, but who may require support from the occupants of the principal dwelling. The Garden Suite shall be permitted as a temporary use on the residential lot and shall be sited in accordance with the zone provisions established for the lands. **(2013-176-ZO)**

Garden Supply Establishment: an establishment primarily for the retail sale of gardening and plant supplies, and may include the accessory growing and cultivating of plants.

Gas Bar: premises used for the dispensing of motor vehicle fuels and accessories, including a convenience store.

Golf Course: premises operated for the purposes of playing golf, and may include a club house, banquet facilities, and ancillary restaurant and retail store, driving range or practice facility as an accessory use. **(2011-118-ZO)**

Goods of a Sexual Nature: any instruments, devices or material which replicate the penis, the testes, the vagina or the breasts of any person; books, magazines, pictures, slides, film, compact disks, video tapes, pre-recorded magnetic tape, novelty items, including marital aids, and any other reading, viewing or listening matters which show or display specified sexual activity.

Grade: the elevation of the finished ground at the wall of a building exclusive of any artificial embankment.

Gross Floor Area:

- i) when used in reference to an entire building, the total horizontal area of all of the storeys of the building, measured from the exterior faces of the exterior walls. Within a building, the following are exempt from the calculation of GFA:
- parking spaces
 - mechanical rooms
 - refuse storage rooms
 - stairwells
 - elevator shafts

- ii) when used in reference to a dwelling unit, the total horizontal area of all of the storeys of the dwelling unit, measured from the exterior faces of the exterior walls and the centre line of party walls. Areas of porches, open verandas, attics, garages and basements shall be excluded. **(2011-118-ZO)**

Group Home: a dwelling unit, licensed by the appropriate government agency, in which 3 to 10 unrelated persons, excluding staff or receiving family who provide support or supervision, live together.

Heavy Equipment Sales and Service: the direct distribution of motorized construction equipment (e.g. bulldozers, loaders, backhoes, forklifts, etc.) or the contracting out of transports, including the outside storage of this equipment.

Height: the greatest vertical distance between the average grade level and:

- i) in the case of a flat roof, the highest point of the building;
- ii) in the case of a pitched roof, including a mansard roof, a point located one half of the vertical distance between the eaves and the ridge of the roof;
- iii) in the case of a roof having any eave less than 2 m grade, a point three quarters of the vertical distance between the eave and the ridge of the roof, measured from the eave;
- iv) in the case of a roof having a dome, a point located one half of the vertical distance between the eaves and the ridge of the roof; or
- v) in the case of a “Quonset” building or an air supported structure, the highest point of the building.

(2020-060-ZO)

Home Improvement Store: a retail store in which goods or materials required for the construction or alteration of buildings are offered for sale, including such merchandise as wall paneling, wood products, sheet glass products, windows, mirrors, flooring, wall and ceiling tiles, paint, wallpaper, bathroom and kitchen cabinets, fixtures, landscaping materials and similar goods.

Home Industry Use: a small-scale light industrial use, such as a carpentry shop, metal working shop, welding shop, electrical shop, small equipment repair shop, gardening establishment or blacksmithing establishment, primarily for the farming community, that:

- i) is carried on as a small-scale use that is accessory to a use in a single detached dwelling
- ii) may be carried on in whole or in part in the dwelling or an accessory building
- iii) has no external signage

Home industry uses do not include uses such as an automotive sales and service uses or motor vehicle body repair shops or furniture stripping.

Home Occupation: an occupation or business carried out by an occupant within a single detached dwelling unit as an accessory use, relating to the provision of personal services or professional services, or the production of custom or artisanal products. Home occupations do not include kennels, animal services, automotive sales and service uses, motor vehicle body repair shops, paint shops, medical offices, restaurants, food preparation services, taxi services, bed and breakfast establishments or distribution centres.

Hospital: a private hospital as defined by the *Private Hospitals Act*, as amended, or a hospital as defined by the *Public Hospitals Act*, as amended.

Hotel: means a building, or part of a building or group of buildings mainly used for the purpose of catering to the needs of the travelling public by furnishing sleeping accommodation, and includes a motel or motor hotel but does not include a bed and breakfast establishment, a lodging house nor an apartment-hotel. **(2011-118-ZO)**

Household Sale: the sale of household goods belonging to the occupant of a dwelling, which were not acquired for resale.

Hydrologically Sensitive Features: are permanent and intermittent streams, wetlands, kettle lakes, seepage and springs, all as further defined by the Oak Ridges Moraine Conservation Plan.

Indoor Amenity Area: indoor common areas for the residents of the building, such as indoor pools, activity rooms, fitness facility, lounge and similar uses.

Industrial Mall: a building or group of buildings held in single ownership or in common ownership or by participants in a condominium corporation or cooperative, which is divided into units for separate occupancy by different industrial and commercial uses permitted in an Employment Zone.

Interior Side Lot Line: a lot line, other than a front or rear lot line, which does not abut a street.

Interior Side Yard: a side yard which is not an exterior side yard. The required interior side yard means the minimum depth of an interior side yard on a lot between the interior side lot line and the nearest wall of any building or structure on the lot. **(2020-060-ZO)**

Kennel: an establishment, operating under the authority of a valid kennel license, for the non-medical care and grooming, keeping, breeding and raising of domestic animals kept as pets, and may include the operation of an animal daycare centre if operated from the same premises and location as the kennel, but shall not include a veterinary clinic.

Key Natural Heritage Feature: wetlands significant portions of the habitat of endangered and threatened species, fish habitat, areas of natural and scientific interest (life science), significant valley points, significant woodlands, significant wildlife habitat,

sand barrens, savannahs and tall grass prairies, as further defined by the Oak Ridges Moraine Conservation Plan.

Landscaped Area: that portion of a lot comprising any combination of flowers, grass, shrubs, sod, trees and other horticultural elements or landscape surface treatments or walkways. Landscaped area does not include any surface used to park or store vehicles. **(2013-115-ZO)**

Laneway: a private driveway used to access property. **(2013-115-ZO)**

Library: means a building containing printed, electronic and pictorial material for public use for purposes of study, reference and recreation. **(2011-118-ZO)**

Loading Space: space logically and conveniently located for bulk pickup and deliveries, scaled to suit expected delivery vehicles, and accessible to such vehicles at all times.

Long Term Care Facility: a facility providing residential care for persons who qualify under a government assistance program. The facility includes a common kitchen and dining room, or more than one common kitchen and dining room, plus bedrooms, which may include bathrooms and kitchens.

Lot: means a parcel of land which is legally capable of being conveyed independently of any abutting land, and which is:

- i) shown as a lot or block on a registered plan of subdivision; or
- ii) described in a Transfer/Deed of Land of legal effect registered in the Land Registry Office for the Land Titles Division or the Registry Division of York Region.

Lot Area: the area within the lot lines of a lot measured on a horizontal plane.

Lot Coverage: the percentage of the lot area covered by all buildings above ground level.

Lot Frontage: the horizontal distance between the side lot lines, measured along the front lot line. Where the front lot line is not a straight line, or where the side lot lines are not parallel, lot frontage is to be measured by a line 7.5 m back from and parallel to the chord of the frontage. For the purposes of this paragraph, the chord of the frontage is a straight line joining the two points where the side lot lines intersect the front lot line.

Lot Line: a boundary of a lot.

Low Intensity Recreational Uses: recreational uses which have minimal impact on the natural environment and require little terrain or vegetation modification and few buildings or structures, including, but not limited to non-motorized trail uses, natural heritage appreciation, unserviced camping on public and institutional land, and uses accessory to these.

Main Building: a building, which is the principal or main building on a lot.

Main Dwelling Unit: a dwelling unit, which is the principal or main use on a lot.

Main Wall: the exterior front, side and/or rear wall of a building, and all structural components essential to the support of a fully enclosed space.

Manufacturing or Assembling or Processing: the use of land, buildings and/or structures for the manufacturing, assembly, processing, making, preparing, inspecting, finishing, treating, altering, repairing, or adapting for sale of any goods, substances, articles or things.

Mechanical Systems: any systems required to heat, cool, power, or provide communications to a building or its accessory uses, such as solar collectors, antennae, heat exchangers, and pool pumps and heaters. Wind driven power generation shall be deemed not to be a mechanical system.

Medical Office: a premise, office or part of an office designed, intended, or used for the practice of medicine by a medical practitioner and/or drugless practitioner, and may include medical laboratories and ancillary pharmacies and shall not include unrelated retail sales. **(2020-060-ZO)**

Mineral Aggregate: gravel, sand, clay, shale, stone, limestone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act*, but does not include metallic ores, asbestos, graphite, Hyanite, urica, nepheline syenile, talc, wollastonite or other material prescribed under the Act.

Mineral Aggregate Operation: an operation, other than a wayside pit, conducted under a license or permit under the *Aggregate Resources Act* or any legislation passed in substitution therefor, including associated facilities used in the extraction, transportation, processing or recycling of mineral aggregates, or the production of related byproducts.

Minimum Distance Separation: the formulae established by the Ontario Ministry of Agriculture and Food in conjunction with the Ministry of the Environment as amended from time to time used for the purpose of determining, in the instances of:

- i) M.D.S. I, the minimum distance to be maintained between new development and existing livestock facilities
- ii) M.D.S. II, the minimum distance to be maintained between new or expanding livestock facilities and existing approved development located on a separate lot.
(2013-115-ZO)

Motor Vehicle: an automobile, motorcycle, motor assisted bicycle, truck or tractor and any other vehicle propelled or driven other than by muscular power, unless otherwise indicated under the *Highway Traffic Act*, as amended.

Motor Vehicle Body Repair Shop: premises for the repair of damage to motor vehicles, including the reconstruction and restoration of motor vehicles, and the rebuilding or conversion of automotive engines and may include an accessory vehicle towing service but does not include an automobile service station. **(2011-152-ZO)**

Net Developable Area: the area of a lot or site, less any area that is within a Key Natural Heritage Feature or Hydrologically Sensitive Feature. **(2013-115-ZO)**

Oak Ridges Moraine Conservation Plan: Ontario Regulation 140/02, made under the *Oak Ridges Moraine Conservation Act, 2001*, filed April 22, 2002, and signed by the Minister of Municipal Affairs and Housing; and Oak Ridges Moraine Conservation Plan Area means the area within the Town that is subject to that Regulation.

Office: a building or part of a building designed, intended or used for the practice of a profession, the carrying on of a business, the conduct of public administration, or, where not conducted on the same site, the administration of an industry. Offices shall not include retail sales, industrial uses, financial institutions, places of amusement or places of assembly.

Organic Composting Facility: a recycling operation where unprocessed organic materials, including leaf and garden waste and waste organic materials, are converted into soil.

Outdoor Storage: that portion of a lot used in conjunction with a business located on the same lot, for the storage of goods and materials, not enclosed by a building or structure.

Park: an area consisting largely of open space, which may include service buildings or structures, recreational areas, playgrounds, playfields or similar uses, but shall not include a mobile home park, a campground or trailer park.

Parking Pad: an open area of land, which may include a driveway, that is paved or treated with a stable surface and which is used for the parking of motor vehicles.

Parking Space: a space upon which one vehicle may be parked.

Pergola: an outdoor structure, with open sides and open roof, placed in the ground or on/over a deck. **(2020-060-ZO)**

Personal Service Establishment: premises in which services involving the care of persons and their apparel are offered, such as barber shops, hairdressers, registered massage therapists, beauticians, shoe repair shops and similar establishments.

Pit or Quarry: any lands where rock, gravel, sand, stone, earth, clay, fill, peat or other earthen material is being or has been removed by means of an excavation to supply materials for construction, industrial or mining purposes.

Place of Amusement: a building that contains amusement devices and facilities that offer games of skill and competition for the amusement of the public, such as motion simulation rides, virtual reality games, video games, computer games, laser games, pinball games and pool tables, but does not include casinos or any other establishment accommodating gambling or gaming activities, wagering or betting, video lottery and gaming machines, or any other similar type of gambling use.

Place of Worship: a building, structure, or part thereof, which is primarily used for the practice of religion and faith-based spiritual purposes wherein people assemble for religious worship, faith-based teaching, fellowship and community social outreach. **(2013-115-ZO)**

Plant Nursery: premises used for the growing of flowers, fruits, vegetables, plants, shrubs, trees and similar vegetation for sale and transplanting in another location, including the retail sale of limited amounts of plant material produced on site.

Porch: a roofed, open gallery, verandah or portico attached to the exterior of a building.

Portable Asphalt Plant: is a temporary and portable manufacturing facility intended to provide for on-site manufacture of asphalt macadam and other forms of coated road stone on an aggregate extraction site. **(2011-118-ZO)**

Practitioner, Drugless: a drugless practitioner within the meaning of the *Drugless Practitioners Act*, as amended. See also the definition for *Medical Practitioner*. **(2020-060-ZO)**

Practitioner, Medical: a medical practitioner within the meaning of the *Canada Health Act*, as amended. See also the definition for *Drugless Practitioner*. **(2020-060-ZO)**

Premises: the whole or part of lands, buildings or structures, or a combination thereof. **(2020-060-ZO)**

Printing Plant: means a building or part of a building used for the primary purpose of printing, lithographing or publishing. **(2011-118-ZO)**

Private Camp: means a place where groups may be provided short-term accommodation in conjunction with sport, recreation, educational or religious facilities for recreational, educational or religious purposes. **(2011-118-ZO)**

Private Club: a non-profit, non-commercial organization which carries on cultural, social, or recreational activities and includes the premises of a fraternal or charitable organization. **(2011-151-ZO)**

Private Home Day Care: the use of a dwelling unit for the temporary care and/or guidance of up to five children for a continuous period not exceeding 24 hours.

Private Park: a park for public or private use that is not owned by a public authority. **(2013-115-ZO)**

Public Garage: a building where vehicles are repaired mechanically, and may contain an accessory vehicle towing service but does not include an automotive body shop or a gas bar. **(2011-152-ZO)**

Public Service Facilities: Lands, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance recreation, police and fire protection, health and educational programs, and cultural services. Public Service Facilities do not include infrastructure. **(2017-102-ZO)**

Public Storage Facility: premises consisting of individual self-contained units, or spaces in a yard, used for short-term storage of business or household goods.

Rear Lot Line: the lot line furthest from and opposite to the front lot line, or, in the case of a triangular lot, that point formed by the intersection of the side lot lines.

Rear Yard: a yard extending across the full width of a lot between the rear lot line and the nearest wall of any building or structure on the lot. The required rear yard means the minimum horizontal depth of a rear yard on a lot between the rear lot line and the nearest wall of any building or structure on the lot. **(2020-060-ZO)**

Recording Studio: premises for the recording and production of audio or video recordings.

Recreational Vehicle Sales and Service: the use of land, buildings and/or structures for the commercial sale, storage, or servicing of recreational vehicles, including boats, snowmobiles, all-terrain vehicles and motor homes and trailers.

Region: The Regional Municipality of York. Regional shall have a corresponding meaning. **(2020-060-ZO)**

Research and Development Establishment: means a building or part of a building containing facilities for scientific research, investigations, product testing and development. **(2011-152-ZO)**

Restaurant: premises in which the principal business is the preparation and serving of food and refreshments to the public for consumption within or outside the building, and which may include the preparation of food in a ready to consume state for consumption off the premise.

Retail Store: a building or part of a building where goods, wares, merchandise, food or farm produce and other substances, articles and things are displayed, stored and offered for sale or rental, which may include a catalogue store, a home improvement store,

building supply and lumber store, and retail bakery, but does not include an automobile rental establishment, an automotive sales and service use or an automotive campus.

Salvage or Wrecking Yard: a place where goods and materials are used, worn out, cast out or discarded or dismantled, destroyed or otherwise provided for the purposes of reclamation, recycling, consignment for re-manufacturing or any combination of the above purposes; a place where motor vehicles are dismantled or disassembled and the parts resold. **(2011-118-ZO)**

School: means an institution for education or instruction, which may also be used or permitted to be used for community oriented functions such as live theatre, concerts, gymnastics and similar audience related activities, normally under the jurisdiction of a School Board created by the Province of Ontario, and shall include any type of school defined in this By-law. **(2011-118-ZO)**

Second Suite: an accessory second dwelling unit in a single detached dwelling.

Semi-Detached Dwelling: a building containing two dwelling units, divided vertically by a common wall extending from the base of the foundation to the roof line. Each dwelling unit shall have a separate entrance at grade.

Senior Citizens' Home: a facility providing residential care for elderly persons. The facility may include a common kitchen and dining room, or more than one common kitchen and dining room, plus bedrooms, which may include bathrooms and kitchens.

Service Establishment: a building or part of a building where articles, goods or materials are repaired or serviced, which may include accessory retail sales of related items.

Services of a Sexual Nature: activities, facilities, massages, performances, showings, viewings and/or touchings:

- i) of which a principal feature or characteristic is the nudity or partial nudity of a person; or
- ii) of which a principal feature or characteristic is a body-rub;
- iii) in respect of which the words "naked", "topless", "bottomless", "sexy" or another word or picture or symbolic representation having like meaning or implications are used to advertise; or
- iii) which provide specified sexual activities

Shopping Centre: one or more buildings containing at least four individual business establishments which are planned, developed, owned and managed as a unit, providing common on-site parking spaces, loading spaces, driveways, and other shared facilities, and which may be held in single ownership or common ownership or by participants in a condominium corporation or commercial co-operative.

Side Lot Line: a lot line other than a front or rear lot line.

Side Yard: a yard extending between the main building and a side lot line or exterior side lot line, between the front and rear yards.

Sight Triangle: the triangular area bounded by the street lines and a line joining points on the street lines a distance of 5 m from their point of intersection. **(2013-110-ZO)**

Single Detached Dwelling: a building that contains one or, subject to Section 3.28, two dwelling unit(s).

Soft Landscaped Area: the portion of a lot comprising any combination of flowers, grass, shrubs, sod, trees and other horticultural elements and does not include any hard surface treatments such as walkways, patios, interlocking pavers or driveways. **(2020-060-ZO)**

Stacked, Back to Back Townhouse Dwelling: a building containing a minimum of four dwelling units that are stacked vertically and divided by common walls, including a common rear wall. Each dwelling unit has an independent direct entrance to grade. **(2013-073-ZO) (2016-145-ZO)**

Stacked Townhouse Dwelling: two townhouse dwellings, one on top of the other.

Storey: part of a building which is not a half-storey and which is situated between any floor level and the floor, ceiling or roof next above it and shall include a basement but shall not include a cellar or attic. **(2013-115-ZO)**

Street: a street as defined in the *Highway Traffic Act*, as amended from time to time, which provides vehicular access to a lot. A private road in a registered plan of condominium is also a street for the purposes of this By-law.

Street Line: the limit of a street, which divides the street from a lot.

Street Townhouse Dwelling: a building vertically divided into three or more dwelling units by common walls extending from the base of the foundation to the roof. Each dwelling unit shall have a separate entrance directly to the outside, and shall be situated on a freehold lot.

Structure: anything man-made that is fastened to or into the earth or another structure, or rests on the earth by its own mass, and includes the several components thereof if there are more than one, but a wall or fence shall be deemed not to be a structure. **(2011-115-ZO)**

Studio: the premises of an artist or artisan, such as a photographer, painter, sculptor or musician, where the products of the artist or artisan are prepared, made, processed or assembled. The display and retail sale of products produced on the premises is permitted.

Take-out Restaurant: premises in which the principle business is the preparation and serving of food and refreshments to the public for consumption off the premises.

Through Lot: a lot bounded on opposite sides by streets.

Time of Travel: the time that is needed for groundwater to travel a specified horizontal distance in the saturate zone.

Town: The Corporation of the Town of Whitchurch-Stouffville, or the geographic area thereof, as the context may require.

Townhouse or Townhouse Dwelling: a building vertically divided into three or more dwelling units by common walls extending from the base of the foundation to the roof. Each dwelling unit shall have a separate entrance directly to the outside. Townhouse dwellings shall not occupy freehold lots.

Transportation Terminal: a premises used for the transferring of goods, the loading and unloading of freight-carrying trucks, and may include the storing, parking, servicing and dispatching of freight-carrying trucks.

Unserviced Park: a park that provides recreational opportunities and facilities, including playing fields, but without outdoor lighting, accessory commercial facilities, paved parking lots or permanent water or sewer facilities.

Use: the purpose for which a lot or building or structure or part thereof or any combination thereof, is designed, arranged, intended, occupied or maintained. **(2020-060-ZO)**

Utilities: any building, structure or work used for the supply of electricity, natural gas, steam, water, telephone, telecommunications, cable television, transportation, drainage, public works, stormwater management, water quality ponds, sewage treatment and incineration services supplied to the public or made available for use or consumption by the public. Wind driven power generation or wind turbines shall be deemed not to be a utility.

Vertical Plane: a line extending from the centre line of a street across a property at a 45% angle. **(2011-116-ZO)**

Veterinary Clinic: premises where a veterinary surgeon and other staff provide medical treatment to domestic animals, in which such animals may be boarded on a temporary basis for the purpose of observation and recovery necessary to veterinary treatment but does not include a kennel.

Warehouse: means a building or part of a building which is used primarily for the storage of goods, wares, merchandise or other materials, but does not include a public storage facility or a bulk storage tank except as an accessory use. **(2011-118-ZO)**

Waste Disposal Facility: a land fill site where garbage, refuse, domestic or industrial waste, exclusive of liquid industrial waste, is disposed of or dumped.

Waste Transfer Station: a building in which waste is received, stored, separated, sorted, processed and transferred to other vehicles for shipment to a waste disposal facility or to others who will use those materials to manufacture new products.

Watercourse: an identifiable depression in the ground in which a flow of water regularly or continuously occurs.

Wellhead Protection Area: the surface and subsurface area surrounding a water well or well field that supplies a public water system and through which contaminants are reasonably likely to move so as eventually to reach the water well or well field.

Wholesale Sales and Distribution: means a building or a part of a building where finished products are stored or kept in bulk for sale to retail establishments, but shall not include a retail store. **(2011-118-ZO) (2013-115-ZO)**

Yard: an open, uncovered space on a lot adjacent to a main building and unoccupied by buildings or structures except as specifically permitted elsewhere in this By-law. In determining yard measurements, the minimum horizontal distance from the respective lot lines shall be used. **(2020-060-ZO)**