

TOWN OF CLARENVILLE
DEVELOPMENT REGULATIONS 2010-2020

SCHEDULE A
DEFINITIONS

SCHEDULE A – DEFINITIONS

GENERAL NOTE:

A definition marked with an asterisk is also included in the Ministerial Development Regulations. Where there is a conflict, the Ministerial Development Regulations prevail.

***ACCESS** means a way used or intended to be used by vehicles, pedestrians or animals in order to go from a street to adjacent or nearby land or to go from that land to the street.

***ACCESSORY BUILDING** includes:

- (i) A detached subordinate building not used as a dwelling, located on the same lot as the main building to which it is an accessory which has a use that is customarily incidental or complementary to the main use of the building or land,
- (ii) In the case of a residential use, a domestic garage, carport, ramp, shed, swimming pool, greenhouse, cold frame, fuel shed, vegetable storage cellar, shelter for domestic pets, or radio or television antennae,
- (iii) In the case of a commercial use, an office, workshop, storage building, or garage, and
- (iv) In the case of an industrial use, a garage, office, workshop, storage building, raised ramp, or dock.

***ACCESSORY USE** means the use that is subsidiary to a permitted or discretionary use and that is customarily expected to occur with the permitted or discretionary use.

***ACT** means, unless the context indicates otherwise, the *Urban and Rural Planning Act 2000*.

ADVERTISEMENT means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of and employed wholly or in part for the purposes of advertisement, announcement or direction; excluding such things employed wholly as a memorial, or functional advertisement of Councils, or other local authorities, public utilities and public transport undertakers, and including any boarding or similar structure used or adapted for use for the display of advertisements.

AGRICULTURE means an agricultural operation that is carried on personal use, or for commercial gain or reward or in the hope or expectation of gain or reward, and includes:

- (a) the clearing, draining, irrigating or cultivation of land,
- (b) the raising of livestock, including poultry,
- (c) the raising of fur-bearing animals,
- (d) the raising of bees,
- (e) the production of agricultural field crops,
- (f) the production of fruit and vegetables and other specialty horticultural crops,

- (g) the production of eggs and milk,
- (h) the operation of agricultural machinery and equipment, including irrigation pumps,
- (i) storage, use or disposal of organic wastes for farm purposes,
- (j) the preparation of a farm product for distribution from the farm gate, including cleaning, grading and packaging,
- (k) the on-farm processing of farm products for the purpose of preparing farm products for wholesale or retail consumption,
- (l) the operation of pick-your-own farms, roadside stands, farm produce stands, and tourist operations as part of a farm operation, or
- (m) any other agricultural activity or process prescribed by Provincial regulation that is carried on for gain or reward or in the hope or expectation of gain or reward;

AMUSEMENT USE means the use of land or buildings equipped for the playing of electronic, mechanical, or other games and amusements including electronic games, pinball games and slot machine arcades and billiard and pool halls.

ANIMAL UNIT means any one of the following animals or groups of animals:

- (a) 1 horse, cow, steer, bull, mule, donkey, bison, buffalo, pig, fox, or mink including offspring until weaning
- (b) 3 llama or alpaca including offspring until weaning
- (c) 6 sheep or goats including offspring until weaning
- (d) 10 ostriches, emus or fur bearing animals, excluding fox or mink, including offspring until weaning
- (e) 20 hens, chickens, turkeys, ducks or geese, or
- (f) 100 chicks.

ANTENNA means a television, radio, or communications transmitting or receiving mast.

APARTMENT BUILDING means a building containing three or more dwelling units, but does not include a row dwelling or townhouse.

APPEAL BOARD means the appropriate Appeal Board established under the Act.

APPLICANT means a person who has applied to Council for an approval or permit to carry out a development.

AQUACULTURE USE means any land used for the hatching, raising, and breeding of fish or other aquatic plants or animals for sale or personal use, but does not include the cultivation of aquatic plants and animals in a laboratory for experimental purposes or in an aquarium.

ARTERIAL STREET means a street in the Planning Area constituting a main traffic artery in the town and identified as arterial street or highway in the Municipal Plan or on the Zoning Map.

AUTO BODY SHOP means a building or premises used for the commercial repair of damage to the chassis of an automobile, including major and minor collision damage, frame and panel straightening, repainting and refinishing, and similar activity.

BACK LOT means a residential building lot that is separated from the street by one or more existing residential lots and is accessible by a narrow strip of land leading from the street.

BED AND BREAKFAST means an owner-occupied or owner-managed establishment for paid temporary accommodation for up to six (6) guest rooms of paid temporary accommodation for tourists and other travellers. The establishment may include a self-serving dining area for the use by overnight guests. Catered dining may be considered on a limited-use basis. Other uses that may be considered under this definition include hospitality home, cottage and inn. The establishment must be registered with and receive a rating from Canada Select and also must be approved by the Provincial Department of Tourism, Culture and Recreation as a Bed and Breakfast operation.

BOARDING HOUSE means a dwelling in which at least two (2) rooms are regularly rented to persons other than the immediate family of the owner or tenant.

BOARDING AND RIDING STABLE means a building, structure, or premises used for the housing, feeding, exercising, and riding of horses for personal use or financial gain.

BUILDING means a structure, erection, excavation, alteration or improvement whatsoever placed on, over or under land, or attached, anchored or moored to land, and includes mobile structures, vehicles and marine vessels adapted or constructed for residential, commercial, industrial and other like uses, and any part of a building as so defined and any fixtures that form part of a building.

***BUILDING HEIGHT** means the vertical distance, measured in metres, from the established grade to:

- (i) the highest point of the roof surface of a flat roof,
- (ii) the deck line of a mansard roof, and
- (iii) the mean height level between eave and ridge of a gable, hip or gambrel roof, and in any case, a building height shall not include mechanical structure, smokestacks, steeples and purely ornamental structures above a roof.

***BUILDING LINE** means a line established by Council that runs parallel to a street line and is set at the closest point to a street that building may be placed.

CAMPGROUND means an area of land, managed as a unit, for the accommodation of any combination of three (3) or more tents, recreational vehicles, or travel trailers used on a short term or seasonal basis, and where the accessory uses could include an administrative office, clubhouse, snack bar, laundry, convenience store, swimming pool, washroom, and recreational facility.

CHILD CARE means a building or part of a building in which services and activities are regularly provided to children of pre-school age during the full daytime period as defined under the Day Nurseries Act, but does not include a school as defined by the Schools Act.

COASTAL FEATURE means land adjoining or near the ocean that forms part of the coastal environment, including an inter-tidal area, beach, beach bank, dune, coastal marsh, ocean or coastal cliff, rock platform, and rock crevice.

COLLECTOR STREET means a street that links local streets with arterial streets or other collector streets, and which is designated as a collector street in the Municipal Plan or on the Zoning Map.

COMPREHENSIVE DEVELOPMENT means an integrated development on a suitable, large site that responds to a unique market opportunity and involves special development standards not otherwise permitted in the zone. A comprehensive development may allow for a mix of different housing types and densities, and innovations such as cluster layouts and zero lot line housing, and privately owned and maintained streets and infrastructure.

CONSERVATION means a use of land that serves to protect, maintain, or improve an environmental resource or feature.

CONSTRUCTION YARD means an area used for the storage of construction materials, supplies, equipment, tools, stockpiles of construction materials, and other items including temporary storage containers, construction trailers, and temporary office trailers;

CONTINUOUS WATERCOURSE means a stream, river, lake, or estuary, which flows for all of the year.

CONVENIENCE STORE means a retail commercial establishment supplying groceries, sundries and other daily household necessities to the immediate surrounding area.

COUNCIL means the Council of the Town of Clarendville having jurisdiction of the Clarendville Municipal Plan and Development Regulations.

DECK means a raised structure that has a walking surface within one storey of the established grade at the ground level of that face of the building, which may or may not be attached to a main building, which does not have a permanent roof.

DEVELOPMENT means the carrying out of any building, engineering, mining or other operations in, on, over, or under land, or the making of any material change in the use, or the intensity of use of any land, buildings, or premise and without limiting the generality of the foregoing, includes:

- (i) the making of an access onto a highway, road or way,
- (ii) the construction of a building,
- (iii) the erection of an advertisement or sign, and
- (iv) the parking of a trailer, or vehicle of any description used for the sale of refreshments or merchandise, or as an office, or for living accommodation, for any period of time.

and excludes:

- (i) the carrying out of works for the maintenance, improvement or other alteration or any building, being works which affect only the interior of the building or which do not materially affect the external appearance or use of the building,
- (ii) the carrying out by a highway authority of any works required for the maintenance or improvement of a road, being works carried out on land within the boundaries of the road reservation,
- (iii) the carrying out by any local authority or statutory undertakers of any works for the purpose of inspecting, repairing or renewing any sewers, mains, pipes, cables or other apparatus, including the breaking open of any street or other land for that purpose, and
- (iv) the use of any building or land within the courtyard of a dwelling house for any purpose incidental to the enjoyment of the dwelling house as such.

***DEVELOPMENT REGULATIONS** means these regulations and regulations and by-laws respecting development that have been enacted by Council.

***DISCRETIONARY USE** means a use that is listed within the discretionary use classes established in the use zone tables of Council's development regulations.

DISTANCE means the shortest separation, measured on a horizontal plane, between a lot line, street line, top of a the bank of a watercourse, coastal feature, or other point specified in these Regulations and the nearest part of a building, structure, excavation, or other use of land.

DOMESTIC ANIMAL means a dog, cat, bird, hamster, gerbil, guinea pig, fish, rabbit, or other similar small animal kept solely for the personal enjoyment and/or companionship of the resident of a property.

DOUBLE DWELLING means a building containing two dwelling units, placed one above the other, or side by side, but does not include a self-contained dwelling containing a subsidiary apartment.

DRAINAGE means the removal of surface or subsurface water by a channel, open ditch, grassed waterway, or conservation structure.

DRIVEWAY means a vehicular passageway having at least one end thereof connected to a public street and providing ingress to and/or egress from a lot;

DRINKING ESTABLISHMENT means a commercial operation, assembly hall, club, or lounge in which the sale and consumption of liquor is licensed under the *Liquor Control Act*, and in which meals and food may be served for consumption on the premise and entertainment may be provided.

DWELLING means a main building or portion thereof, which contains one or more dwelling units.

DWELLING UNIT means a self-contained unit consisting of one or more habitable rooms used or designed as the living quarters for one household.

ENGINEER means a professionally certified engineer who is employed or retained by Council or is employed or retained by a developer in relation to a development that requires Council approval.

ENVIRONMENTALLY SENSITIVE AREA means an area that is easily disrupted by human activity, and may include steep slopes, cliffs, watercourses, wetlands, riparian areas, springs, coastal features, wet and unstable soils, unstable geology, and vulnerable or threatened flora or fauna.

***ESTABLISHED GRADE** means:

- (i) where used in reference to a building, the average elevation of the finished surface of the ground where it meets the exterior or the front of that building exclusive of any artificial embankment or entrenchment, or
- (ii) where used in reference to a structure that is not a building, the average elevation of the finished grade of the ground immediately surrounding the structure exclusive of any artificial embankment or entrenchment.

EXCAVATION OF LAND means the extraction or mining of soil, gravel, or bedrock material to prepare a site for development or to sell for off-site use.

FAMILY AND GROUP CARE CENTRE means a dwelling accommodating up to but no more than six (6) persons exclusive of staff in a home-like setting. Subject to the size limitation, this definition includes, but is not limited to, facilities referred to as "group homes", "halfway houses", and "foster homes".

FILLING-IN OF LAND means the depositing of soil, gravel, or bedrock material to prepare a site for development.

FISHERIES FACILITY means an onshore facility located next to or in the vicinity of coastal waters for a purpose related to commercial fishing or fish processing.

FLOOD RISK AREA means an area usually consisting of lowlands, adjoining the channel of a watercourse or estuary, which may be covered by floodwater during a 1:20 or a 1:100 year flood.

***FLOOR AREA** means the total area of all floors in a building measured to the outside face of exterior walls.

FORESTRY means the general growing and harvesting of trees and, without limiting the generality of the foregoing, shall include the cutting of fuelwood, pulpwood, sawlogs, Christmas trees, and other products.

***FRONTAGE** means the horizontal distance between side lot lines measured at the building line, or in the case of a lot on the turning circle of a cul de sac, the horizontal distance measured at the building line.

FRONTYARD means the distance between the “building line” as defined in these regulations and the front street line of a lot.

FUTURE STREET means a portion of land delineated on a development plan as a “Future Street”, which is to be used as a street at some date in the future and which the title of the land will be vested with Council upon the completion of the development.

GARAGE means a building erected for the storage of motor vehicles as an ancillary use to a main building on the lot.

GARDEN CENTRE means the use of land, buildings, or structures or part thereof for the purpose of buying or selling plants and garden equipment, furnishings, and supplies.

GENERAL GARAGE means land or buildings used exclusively for repair, maintenance and storage of motor vehicles and may include the sale of gasoline or diesel oil.

GENERAL INDUSTRY means the use of land or buildings to store, assemble, alter, repair, manufacture, fabricate, pack, can, prepare, break up, demolish, or treat any article, commodity or substance. "Industry" shall be construed accordingly.

GENERAL SERVICE means an outlet for servicing, repairing, installing, or renting things and equipment, without limiting the generality of the foregoing, includes the following examples:

- (a) radio, television, and computer service and repair shops
- (b) locksmith shops
- (c) small appliance service or repair shops
- (d) household and carpenter tool service or repair shops
- (e) tools and equipment rental shops;

GRADE – See “ESTABLISHED GRADE”.

GREENHOUSE means a building whose roof and sides are made largely of glass or other transparent or translucent material for the cultivation of plants for subsequent sale, transplanting, or personal use.

GROUNDWATER means any flowing or standing water below the surface of the earth;

GROUP HOME – See “FAMILY AND GROUP CARE CENTRE”.

HABITAT means an area where plants, animals, and other organisms live, and find adequate amounts of food, water, shelter, and space needed to sustain their populations. Specific habitats of concern may include areas where species (i.e. geese, ducks, salmon) concentrate at a vulnerable point in their life cycle or annual migration.

HAZARD LAND means land that poses a hazard or constraint to development such as wetlands, organic soils, steep slopes, flood plains, contaminated soils, and exposed bedrock.

HAZARDOUS INDUSTRY means the use of land or buildings for industrial purposes involving the use of materials or processes that because of their inherent characteristics constitute a special hazard by reason of fire, explosion, radiation, pollution, noxiousness, risk to human health, or other hazard.

HAZARDOUS USE means the use of land or buildings for any purpose that constitutes a special hazard by reason of fire, explosion, radiation, pollution, noxiousness, risk to human health, or other hazard.

HEIGHT – See “BUILDING HEIGHT”.

HOME OCCUPATION means a secondary use of a dwelling by at least one of the residents of the dwelling to conduct a gainful occupation or business activity.

HOTEL means a commercial establishment that consists of a building with three or more attached sleeping units grouped under one roof designed to accommodate the traveling public, which may or may not have restaurant, retail, and personal services.

INFILL DEVELOPMENT means development or redevelopment occurring on an infill lot.

INFILL LOT means a vacant lot that remains, or is subdivided from another lot, following completion of the initial development of an area.

INSPECTOR means any person appointed and engaged as an Inspector by Council or by any federal or provincial authority or the agent thereof.

INSTITUTION means a building or part thereof occupied or used by persons who:

- (a) are involuntarily detained, or detained for penal or correctional purposes, or whose liberty is restricted, or;
- (b) require special care or treatment because of age, mental or physical limitations or medical conditions.

INTERMITTENT WATERCOURSE means a watercourse that flows for only a part of the year, such as during snowmelt, spring runoff, rainstorms, and wet periods.

KEEPING OF LIVESTOCK means the raising, feeding, care and use of livestock.

KENNEL means land and buildings where five (5) or more dogs over the age of six months are boarded, bred, trained, or cared for, and does not include a veterinary clinic.

LAND includes land covered by water, and buildings and structures on, over, or under the soil and fixtures that form part of these buildings and structures.

LAND EXTENSIVE RECREATIONAL USE means a recreational facility that requires a large land base to operate, and without limiting then generality of the foregoing, may include a golf course, a ski operation, a rifle range, a moto-cross track, an automotive racetrack, go-cart track, or similar facility;

LIGHT INDUSTRY means the use of any land or buildings for any general industrial use that can be carried out without hazard or intrusion and without detriment to the amenity of the surrounding area by reason of noise, vibration, smell, fumes, smoke, grit, soot, ash, dust, glare or appearance.

LIVESTOCK means any species of poultry, cattle, sheep, swine, goats, llamas, horses, or other animals that are normally kept and raised on farms and used or intended for use as food or food related purposes, for riding (e.g. horses), or for improving animal nutrition, breeding or management for profit, personal use, or otherwise, and does not include a domestic animal as defined in these regulations.

LIVESTOCK FACILITY means a building or confined area used or intended to be used to house or confine livestock, and includes a structure or area used or intended to be used to store manure.

LOCAL STREET means a street designed primarily to provide access to adjoining land and which is not designated as a collector street or arterial street in the Municipal Plan or on the Zoning Map.

***LOT** means a plot, tract or parcel of land which can be considered as a unit of land for a particular use or building.

***LOT AREA** means the total horizontal area within the lines of the lot.

LOT, CORNER means a lot having two or more sides fronting onto two or more adjacent streets.

***LOT COVERAGE** means the combined area of all buildings on the lot measured at the level of the lowest floor above the established grade and expressed as a percentage of the total area of the lot.

LOT LINE means a common boundary between a lot and an abutting lot or street.

MAIN BUILDING means the building or buildings in which the primary use(s) of a lot on which the building is located is conducted.

MAIN USE(S) means the primary purpose(s) for which a building, other structure or lot is designed, arranged, or intended, or for which a lot may be used under this regulation.

MANUFACTURING means the use of land, building, or structures for the purpose of manufacturing, assembly, making, preparing, processing, finishing, treating, altering, repairing, warehousing, storing or adapting for sale of any good, substance, article, or thing.

MARINA means a dock or basin together with associated facilities where slips, moorings, supplies, repairs, storage, sales, rentals, refuelling, and other services that are typically available for boats and other watercraft, and may include a club house and catering facilities. It can also include an associated boat-house or shed.

MARINE FACILITY means a wharf or onshore facility located in the vicinity of coastal waters for a purpose related to marine transportation, ship repair, refuelling, and other marine services.

MEDICAL CLINIC means a building or part thereof, used exclusively by physicians, dentists or other health professionals, their staff, and patients for consultation, diagnosis, and office treatment of humans. Without limiting the generality of the foregoing, a medical clinic may include administrative offices, waiting rooms, examination rooms, treatment rooms, laboratories, pharmacies, and dispensaries directly associated with the clinic, but shall not include accommodation for in-patient care or operating rooms.

MINI STORAGE ESTABLISHMENT means one or more buildings containing separate spaces that are offered by lease or rent for the storage of goods.

MINERAL EXPLORATION means the activity of searching for minerals or mineral occurrences, including oil exploration, wherein, for the purposes of these Regulations it takes the form of a development that is visible and involves appreciable disturbance to soil.

MINERAL WORKING means the use of land for the surface extraction, processing, crushing, and stockpiling of sand, gravel, clay, shale, bedrock, or other aggregates, and may include washing and blasting where permitted under Provincial regulation, along with associated buildings and machinery.

MINI-HOME means a prefabricated single dwelling unit that complies with the National Building Code, is designed to be used with or without a permanent foundation, has a width of less than six (6) metres throughout its entire length exclusive of steps or porches, is not fitted with facilities for towing or to which towing apparatus can be attached, and is capable of being transported by means of a single trailer from the site of its construction without significant alteration.

MINING means the use of land or buildings for the extraction and processing of ores, salts, and/or petroleum that has been approved in accordance with applicable legislation, and includes stockpiles of ore, production facilities, buildings, and any other use incidental or accessory to ore extraction and processing activities.

MINISTER means the Minister of Municipal Affairs responsible for the *Urban and Rural Planning Act*.

MOBILE HOME means a dwelling unit that is constructed so as to be suitable for being attached to and drawn by a motor vehicle on its own wheels, notwithstanding that it may be jacked up or its running equipment may be removed.

MOTEL means an establishment that serves the travelling public, which consists of one or more buildings containing four or more attached accommodation units, which may or may not have restaurant, retail, and personal services.

MULTIPLE DWELLING means a dwelling containing more than two dwelling units, such units being constructed with common walls on the same level with individual entrances directly from the outside.

NIGHTCLUB – See “DRINKING ESTABLISHMENT”.

***NON-CONFORMING USE** means a legally existing use that is not listed as a permitted or discretionary use for the use zone in which it is located or which does not meet the development standards for that use zone.

NOXIOUS USE means a use of land or a building which, from its nature or operation, creates a nuisance, or is liable to become a nuisance that is offensive or dangerous by reason of noise, vibration, or emission of gas, fumes, dust, or objectionable odour.

NURSING HOME means a residence licensed under Provincial legislation, in which the proprietor supplies lodging and meals and, if required, nursing, medical, or similar care and treatment, and without limiting the generality of the foregoing, may include a rest home, personal care home, or any similar provincially licensed establishment.

OPEN SPACE means land set aside to preserve natural areas or to develop passive recreational uses. Open space may include woodlands, fields, walking trails, and passive recreational uses, but shall not include structures such as buildings, tennis courts, parking lots, or other impervious land uses.

OUTDOOR AMUSEMENT USE means a confined outdoor recreational use, and, without limiting the generality of the foregoing, may include a drive-in theatre, driving range, mini-golf facility, or similar use.

OUTFITTER OPERATION means the use of land to provide guiding services for hunting, fishing, and other outdoor recreational activities, and may include associated accommodations and food services.

***OWNER** means a person or an organization of persons owning or having the legal right to use the land under consideration.

PASSIVE RECREATIONAL USE means a recreation activity that generally does not require a developed site, and includes such uses as walking, bicycling, and skiing trails, but does not include sports fields, structures, or facilities to accommodate any type of motorized vehicle.

PERMANENT STRUCTURE means a building or part thereof or any built structure which includes a foundation or permanent base of earth, rock, concrete or other materials.

***PERMITTED USE** means a use that is listed within the permitted use classes set out in the use zone tables of Council's development regulations.

PERSONAL CARE FACILITY – See "NURSING HOME".

PERSONAL SERVICE means a service oriented to the personal needs of persons, and without limiting the generality of the foregoing, includes hairdressing shops, beauty salons, gyms, computer service shops, hobby shops, and photo studios.

PIT AND QUARRY WORKING carries the same meaning as Mineral Working.

PLACE OF WORSHIP means a building or land commonly used for public worship by any religious organization and may include an associated or accessory rectory, manse, church hall, auditorium, or religious school.

PLANNED UNIT DEVELOPMENT (PUD) means a development that allows flexibility in the design and zoning standards of a subdivision. Approval of a PUD generally sets an overall density limit for the entire subdivision, allowing the dwelling units to be clustered to provide for common open space.

PRINCIPAL BUILDING(S) – See “MAIN BUILDING”.

***PROHIBITED USE** means a use that is not listed within the permitted use classes set out in the use zone tables of Council’s development regulations, but does not include a use that Council, in accordance with Paragraph 104, has deemed to be similar to a permitted or discretionary use.

PUBLIC BUILDING means a building that can be used for a public or non-profit purpose and without limiting the generality of the foregoing, may include such a building such as a school, place of worship, municipal recreation facility, community centre, hospital, town hall, and government office.

PUBLIC RIGHT-OF-WAY means a route across privately or publicly owned land that may be followed, but not deviated from, by members of the public. (adapted from www.chebutoc.ns.ca/Environment/FNSN/ORV_Policy.htm)

PUBLIC STREET - see “STREET”.

***REARYARD** means the distance between the rear lot line and the rear wall of the main building on the lot.

RECREATIONAL FACILITY means a building used for indoor sports activities and/or public assembly events.

RECREATIONAL OPEN SPACE means a recreational use conducted outdoors that may be designed and equipped for the conduct of sports and/or leisure activities, and may include a multi-use trail, nature interpretation centre, park, playground, outdoor skating rink, racing track, playing field, or similar use.

RECREATIONAL DWELLING means a private, non-commercial dwelling that is intended for recreational use by the owner and is not inhabited as a permanent main dwelling.

RECYCLING FACILITY means land or a building used to deposit, store, separate, clean, or redistribute discarded materials such as drink containers, paper, glass, plastic, cardboard, and household goods.

RESTAURANT means a building or part thereof, designed or intended to be used or occupied for the purpose of serving the general public with meals or refreshments for consumption on the premises.

RETAIL USE means a store or shop engaged in the sale of goods to individual customers for personal use rather than for resale, and without limiting the generality of the foregoing, may include: stores engaged in the sale of antique and second-hand articles, appliances and tools, art and crafts, books, clothing, garden supplies, recreation and sporting goods, bakeries, drug stores, convenience stores, florists, and video rental stores, but does not include any use separately listed in a zone.

ROW DWELLING means a dwelling containing three or more dwelling units at ground level in one building, each unit separated vertically from the others.

SALVAGE YARD means a building or land where scrap metal, motor vehicles, and vehicular parts are collected and are wrecked, crushed, demolished, sorted, disassembled, repaired and resold.

SENIORS HOUSING AND PERSONAL CARE FACILITY means a comprehensive development that includes detached or attached living units to accommodate seniors and disabled persons, as well as associated indoor or outdoor facilities to provide for the care, recreation, and social needs of these residents.

SERVICE STATION means any land or building used for the sale of petroleum products, automotive parts and accessories, minor repairs, washing and polishing of motor vehicles.

SERVICE STREET means a street constructed parallel to or close to another street for the purpose of limiting direct access to that street.

SHOP means a building or part thereof used for retail trade wherein the primary purpose is the selling or offering for sale of goods, wares or merchandise by retail or the selling or offering for sale of retail services but does not include an establishment wherein the primary purpose is the serving of meals or refreshments, an amusement use, a general garage, or a service station.

SHOPPING CENTRE means a group of shops and complementary uses with integrated parking and which is planned, developed and designed as a unit containing a minimum of 5 retail establishments.

SHOWROOM means a building or part of a building in which samples or patterns are displayed and in which orders may be taken for goods, wares or merchandise, including vehicles and equipment, for later delivery.

***SIDEYARD DEPTH** means the distance between the side lot line and the nearest side wall of a building on the lot.

***SIGN** means a word, letter, model, placard, board, device or representation whether illuminated or not, in the nature of or employed wholly or in part for the purpose of advertisement, announcement or direction and excludes those things employed wholly as a memorial, advertisements of local government, utilities and boarding or similar structures used for the display of advertisements.

SINGLE DWELLING means a single dwelling which is free standing, separate, and detached from other main buildings and consists of a constructed, prefabricated, or manufactured detached dwelling unit, but not including a mini-home or a mobile home.

SLOPE means the rate of vertical change of the surface of the ground expressed as a percentage figure and determined by dividing the change in vertical distance by the change in horizontal distance.

SOD FARM means the use of land for the cultivation and harvesting of lawn grass, along with the soil that supports it, for commercial sale.

***STREET** means a street, road or highway or other way designed for the passage of vehicles and pedestrians with the following characteristics:

- (i) it is designed for the passage of fire department and other emergency vehicles,
- (ii) it includes related infrastructure, for example, the roadway itself, side ditches, culverts, and bridges, and
- (iii) its maintenance is the responsibility of Council or the Provincial Department of Transportation and Works.

***STREET LINE** means the edge of a street reservation as defined by Council.

STRUCTURE means anything constructed or erected with a fixed location on or below the ground, or attached to something having a fixed location on the ground, and includes buildings, walls, fences, signs, billboards, utility poles, and similar items.

SUBDIVISION means the dividing of any land, whether in single or joint ownership, into two or more pieces for the purpose of development.

SUBSIDIARY APARTMENT means a separate dwelling unit constructed within and subsidiary to a self-contained dwelling.

SURFACE WATER means any flowing or standing water on the surface of the earth.

SUSTAINABLE DEVELOPMENT means development that meets the needs of the present without compromising the ability of future generations to meet their own needs, and applies to the environmental, economic, social, cultural, and local governance aspects of the community.

TAKE-OUT RESTAURANT means a building in which the primary purpose is the preparation and sale of meals or refreshments for consumption off the premises.

TAVERN – DRINKING ESTABLISHMENT”.

TOPSOIL REMOVAL means the use of land for the excavation and removal of topsoil from the site for commercial purposes in accordance with applicable Provincial legislation and regulations.

TOURIST COTTAGE ESTABLISHMENT means an area of land, managed as a unit, consisting of three or more self-contained accommodations units used for short-term stays, and where accessory uses could include an administrative office, clubhouse, snack bar, convenience store, swimming pool, and recreational facilities;

TOWNHOUSE – See “ROW DWELLING”.

TRAILER means any vehicle used for sleeping accommodation on a temporary basis and so constructed as to be suitable for being attached to and drawn by a motor vehicle, and not used as a full time residence.

TRUCKING/HEAVY EQUIPMENT DEPOT means a building or land used for the maintenance, servicing, storage, or repair of trucks, heavy equipment, and similar commercial vehicles, including the dispensing of fuel and petroleum products and the sale of parts and accessories.

***USE** means a building or activity situated on a lot or a development permitted on a lot.

USE ZONE or ZONE means an area of land including buildings and water designated on the Zoning Map to which the uses, standards and conditions of a particular use zone table in Schedule C of the Regulations relate.

UTILITY means a utility provided by any agency, which, provides the public with electricity, heat, steam, communications, water, sewage, garbage collection, or other similar service;

***VARIANCE** means a departure, to a maximum of 10% unless otherwise stipulated in these regulations, from the yard area, lot coverage, setback, size, height, frontage or any other numeric requirement of the applicable Use Zone Table of Council’s regulations.

VETERINARY CLINIC means an establishment used by veterinarians, or practitioners in related specialties, for practicing veterinary medicine, where animals are admitted for examination or treatment, and where limited laboratory and other diagnostic services may be offered, but excludes a kennel;

WATERCOURSE means the full width and length, including the bed, banks, side and shoreline, or any part, of a river, stream, spring, brook, lake, pond, reservoir, estuary, or other natural or artificial freshwater channel open to the atmosphere, the primary function of which is the conveyance or containment of water, whether the flow is continuous or not.

WATERCOURSE, MINOR means a drainage course that carries water only during rain events or snowmelt, an intermittent stream that does not carry significant spring runoff, and a stream that is not fish habitat.

WATERSHED means the surface area contained within a topographical divide above a specified point on a river, brook, stream, or other flowing body of water;

WATERCOURSE VEGETATION LINE means the line of naturally occurring terrestrial vegetation present along the banks of a river or stream or on the shore of a lake;

WAYSIDE PIT OR QUARRY means a temporary pit or quarry used directly by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

WETLAND means a land whose soil is saturated with moisture either permanently or seasonally. Wetlands include swamps, marshes, bogs, fens, and shallow water, among others. The water found in wetlands can be saltwater, freshwater, or brackish.

WETLAND, MINOR means a wetland of less than 5,000 square metres in area that is not associated with a watercourse and is not deemed to be an environmentally sensitive area.

WIND GENERATOR means a generator specifically designed to convert kinetic energy in wind into electrical energy, which may or may not be to an electrical utility grid.

***ZONING MAP** means the map or maps attached to and forming part of the Regulations.