

A By-law to Enact Zoning Regulations
for the City of Thunder Bay.

WHEREAS it is considered advisable and expedient to pass a new Restricted Area Zoning By-law pursuant to Section 39 of The Planning Act, R.S.O., 1980; and

WHEREAS it is considered advisable and expedient to repeal all previous By-laws passed pursuant to Section 39 of The Planning Act, R.S.O., 1980 or a predecessor thereof;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF THUNDER BAY ENACTS AS FOLLOWS:

SECTION 1 GENERAL

1.1 TITLE

This By-law shall be known as the "Zoning By-law" of The Corporation of The City of Thunder Bay.

1.2 APPLICATION

The provisions of this By-law shall apply to all lands within the boundaries of The City of Thunder Bay.

1.3 SCOPE

No lands shall be used and no buildings or structures shall be erected, altered, enlarged or used within The City of Thunder Bay except in conformity with the provisions of this By-law.

The provisions of this By-law are in addition to any other lawful requirements of the Corporation or of the Provincial or Federal Government.

1.4 EFFECTIVE DATE

This By-law shall come into force and take effect upon the approval hereto by The Ontario Municipal Board.

1.5 SPECIAL RELIEF PROVISION

The passage of By-law Number 177-1983 shall not operate to:

(a) prevent the use of any land, building, or structure, for any purpose prohibited by the by-law if such land, building, or structure was lawfully used for such purpose on the effective date of this by-law, so long as it continues to be used for that purpose;

or

Amended by
B/L 188-1986

(b) to prevent the erection or use for a purpose prohibited by the by-law of any building or structure for which a permit has been issued under Section 5 of the Building Code Act, prior to the effective date of this By-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under Section 6 of the Building Code Act.

In addition, until such time that this By-law receives the approval of the Ontario Municipal Board, the use of land, building, or structure shall continue to be governed by such By-law or By-laws as would be applicable thereto had this By-law not been passed.

- 1.6 REPEAL OF EXISTING BY-LAWS
- Amended by All By-laws in regard to zoning regulations as they apply to the City of
B/L 188-1986 Thunder Bay passed under Section 34 of the Planning Act or predecessors
 thereof prior to the date when this by-law comes into force, save and except
Amended by by-laws which amend this By-law, are repealed when this by-law comes into
B/L 20-1987 force.
- 1.7 CONFLICT
- Amended by In the event of any conflict within this By-law or any other By-law passed
B/L 281-1989 by The Corporation then the more restrictive provision shall prevail unless the
 context requires otherwise.
- 1.8 OFFICIAL PLAN CONFORMITY
- This By-law is in accordance with the Official Plan for the City of Thunder
 Bay.
- 1.9 SCHEDULE 'A' AND SCHEDULE 'B'
- Amended by B/L 2-1986
- 1.9.1 SCHEDULE 'A'
- Amended by Schedule 'A' to and forming part of this By-law shall include any addition or
B/L 2-1986 deletion of a zone or zone provision as the same relates generally to all lands
 within the City of Thunder Bay.
- 1.9.2 SCHEDULE 'B'
- Amended by Schedule 'B' to and forming part of this By-law shall include:
B/L 2-1986
- (a) any change of lands from one zone to another;
- (b) the zone regulations of this By-law as the same relates to specific
 lands described therein are varied to the extent set forth in this
 Schedule.
- 1.10 TOLERANCE PROVISION
- Added by Any provision of this By-law which is followed by the words "metres,
B/L 2-1986 square metres, or hectares" shall be deemed to have a tolerance of plus or
 minus (±) 0.02 metres in the case of linear measurement and/or plus or
 minus (±) 200 parts per million in the case of area measurement unless
 specifically stated otherwise.

SECTION 2 ADMINISTRATION

2.1 VIOLATIONS AND PENALTIES

Amended by
B/L 2-1986

- (a) Any person who contravenes any of the regulations of this By-law is guilty of an offence and on conviction is liable:
 - i) on a first conviction to a fine of not more than \$20,000.00; and
 - ii) on a subsequent conviction to a fine of not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which he was first convicted.

- (b) Any firm or corporate business who contravenes any of the regulations of this By-law is guilty of an offence and on conviction is liable;
 - i) on a first conviction to a fine of not more than \$50,000.00; and
 - ii) on a subsequent conviction a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the firm or corporation was first convicted.

- (c) Where a conviction is entered under subsection 2.1(a) of this By-law, an addition to any other remedy or any penalty provided by law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted.

2.2 LICENCES AND PERMITS

No person is entitled to a permit, certificate or licence for a proposed use of land or a proposed alteration, erection, enlargement or use of any building or structure that is in violation of any provisions of this Bylaw. The issuance of any permit, certificate or licence shall not, however, constitute an acknowledgement that the regulations of this By-law have been complied with.

2.3 CERTIFICATE OF OCCUPANCY

No change may be made in the type of use of any lot covered by this By-law, or of any building, or structure on such lot, or of any part of such lot, building or structure, until a Certificate of Occupancy has been issued by The Corporation or its appointed Official, to the effect that the proposed use complies with this By-law.

SECTION 3 ZONES AND ZONING MAPS

3.1 ESTABLISHMENT OF ZONES

Amended by
B/L 20-1987

In the event that any lands within the City of Thunder Bay have not been included within a zone either by inadvertent or willful omission from the zoning maps or the text of this By-law, such land shall be deemed to be included within the Future Development [FD] Zone.

For the purpose of this By-law, the City of Thunder Bay is divided into the following defined areas herein referred to as zones.

<u>Section Number</u>	<u>Zone Name</u>	<u>Zone Symbol</u>
6	Rural Area Zone	RU
7	Rural Commercial Zone 1	RC1
8	Rural Commercial Zone 2	RC2
9	Residential Estate Zone	RE
10	Residential Suburban Zone	RS
11	Suburban Commercial Zone	SC
12	Residential One Unit Zone	R1
12A	Residential One Unit Zone A	R1A
13	Residential One & Two Unit Zone	R2
13A	Residential One & Two Unit Zone A	R2A
14	Residential Multiple Low Density Zone	RM1
15	Residential Multiple Medium Density Zone A	RM2A
16	Residential Multiple Medium Density Zone B	RM2B
17	Residential Multiple High Density Zone	RM3
18	Residential Mobile Home Park Zone	RMH
19	Residential Future Zone 1	RF1
20	Residential Future Zone 2	RF2
21	Cottage Residential Zone	CR
22	Neighbourhood Commercial Zone 1	NC1
23	Neighbourhood Commercial Zone 2	NC2
24	General Commercial Zone 1	GC1
25	General Commercial Zone 2	GC2
26	Commercial Shopping Centre Zone	CSC
27	Highway Commercial Zone	HC
28	Central Business District Zone	CBD
29	Special Purpose Commercial Zone	SPC
30	Future Industrial Zone	FI
31	Suburban Industrial Zone	SI
32	Light Industrial Zone	LI
33	Light Industrial Park Zone	LIP
34	Heavy Industrial Zone	HI
35	Extractive Industrial Zone	EI

36	Harbour Industrial Zone	HRI
37	Neighbourhood Institutional Zone	NIN
38	Community Institutional Zone	CIN
39	Major Institutional Zone	MIN
40	Open Space Zone	OS
41	Airport Zone	AIR
42	Utilities and Services Zone	US
43	Railway Zone	RR
44	Hazard Land Zone	HL
45	Future Development Zone	FD
46	Prestige Business Park Zone	PBP

Added by
B/L 136-2000

47	General Business Park Zone	GBP
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Added by
B/L 136-2000

3.1a ZONE SYMBOLS WITH AN "F" SUFFIX

Added by
B/L 2-1986

Where any zone symbol in Section 3.1. hereof is suffixed by an (F) on the Zoning Map, the lands situate in that part of the Zone are designated as lands susceptible to flooding and the provisions of Section 5.24 hereof shall apply thereto in addition to all other provisions hereof applicable thereto.

3.2 USE OF SYMBOLS

Whenever the word 'zone' is used in this By-law preceded by any of the said symbols, such zone shall mean any area delineated on the Zoning Maps and designated thereon by the said symbol, or any area which may be otherwise described in this By-law.

3.3 INCORPORATION OF ZONING MAP

3.3.1 Boundaries of Zones

The location and boundaries of the zones established by this By-law are shown on the Zoning Maps forming part of this By-law.

3.3.2 Repealed by By-law 188-1986.

3.3.3 Special Zoning Regulations

Indicators in the form of arrows and circled numbers have been placed upon the Zoning Maps depicting lands which are subject to special zoning regulations. These indicators are also for illustration and information purposes, and also do not form part of this By-law.

3.3.4 Updating of Information

Amended by
B/L 188-1986

The Corporation hereby declares its intention that, because of the impracticality of doing otherwise, such information relating to Special Zoning Regulations shall not be updated or made current with individual changes thereto but only at such times as this By-law is consolidated.

3.4 INTERPRETATION OF ZONING MAPS

Where uncertainty exists with respect to the boundaries of the various zones as shown on the Zoning Maps, the following regulations shall apply:

3.4.1 Street, Lane, Right-of-way, or Watercourse:

Unless otherwise shown, a street, lane, railway right-of-way, electrical transmission line right-of-way, creek, or watercourse shall be included within the zone of the adjoining property on the sides thereof and where such street, lane, right-of-way, creek, or watercourse serves as a boundary between two or more zones, the centre line of such street, lane, right-of-way, creek, or watercourse shall be deemed to be the boundary between zones.

3.4.2 Lot Lines:

Where any zone boundary is not shown to be a street, lane, right-of-way, creek, or watercourse, and where the boundary approximately follows the limit of a parcel of land held in unity of ownership, at the date of passage of the relevant Zoning Map, such limit shall be deemed to be the zone boundary.

3.4.3 Closed Street, Lane, or Right-of-way:

In the event a street, lane, or right-of-way and or any portion thereof is closed, and where such street, lane, or right-of-way was a zone boundary, the new zone boundary shall be the former centre line of the closed street, lane, or right-of-way.

3.4.4 Scale from Zoning Maps:

Amended by
B/L 2-1986

Where any zone boundary is left uncertain after application of the provisions of Sections 3.4.1, 3.4.2, and 3.4.3 of this By-law, then the boundary shall be determined by the Chief Building Official by scale and where such measurement involves a zone line, it shall be made by reference to the middle of the width of the zone line shown on the Zoning Maps.

SECTION 4 DEFINITIONS

4.1 GENERAL

- (a) for the purpose of this By-law, the definitions and interpretations given in this Section shall govern;
- (b) in this By-law, the word "shall" is mandatory and not directory;

Amended by
B/L 2-1986

- (c) reference to Provincial Legislation shall mean Ontario Legislation, R.S.O., 1980, and includes the Act both as amended and revised from time to time or any legislation enacted in substitution therefor

4.2 ABATTOIR

Means the use of land, or building, or structure or part thereof, in which animals are slaughtered.

4.2a ABUT

Added by
B/L 2-1986

Shall mean a lot line that has any point in common with another lot line that is not part of street line or lane.

4.3 ACCESSORY

Added by
B/L 57-2004

Means a use, or building, or structure subordinate that is incidental and exclusively devoted to the main use(s), building(s) or structure(s) located on the same lot.

4.3a ADULT DAY CARE FACILITY

Added by
B/L 132-2002

Means the use of land, building or structure or part thereof primarily for the purpose of providing temporary care and/or guidance for adults, for a continuous period not to exceed 24 hours.

4.4 AGRICULTURE

Means the use of land, or building, or structure for any purpose of farming including horticulture, forestry, and animal husbandry, and without limiting the generality of the foregoing, shall include the use of land or buildings or structures for aviary, apiary, and livestock training purposes and the word 'agriculture' shall have a corresponding meaning.

4.5 AIRPORT

Means the use of land, or building, or structure for facilitating the landing and handling of aircraft and their passengers and freight and without limiting the generality of the foregoing, accessory uses may include ticket offices, restaurants, taverns, confections, luggage checking facilities, and parcel shipping facilities.

4.6 ALTER

When used with reference to a building or structure, means to change any one or more of the external horizontal or vertical dimensions of such building or structure or to change the exterior walls or roof thereof.

When used in reference to a lot, 'alter' means to change the location of any boundary of such lot.

- 4.6a ANIMAL SHELTER
- Added by Means a building or part thereof wherein domestic pets are kept, treated or
By-law 33-2000 provided with medical care and which may include the boarding and/or
impounding of such animals and/or facilities for the placement and/or
adoption of such animals and which may also include a fenced compound for
outdoor runs and a pet crematorium.
- 4.7 ANIMAL UNIT
- Includes, without limiting the generality of the foregoing, one (1) cow, or
one (1) horse, or one (1) swine, or one (1) sheep, or one (1) goat, or not more
than 20 fowl.
- 4.8 ATTACHED BUILDING
- (a) when referring to an accessory building or structure, means attached
horizontally with dependence for structural support or complete
enclosure upon a division wall or walls shared in common with the
main building on the same lot;
- (b) when referring to a main building, means attached horizontally with
dependence for structural support or complete enclosure, upon a
division wall or walls shared in common with another main building
on the same lot or on an adjacent lot.
- 4.9 ATTIC
- Means that portion of a building between the roof and the ceiling of the top
storey.
- 4.10 AUTOMOTIVE GAS BAR
- Amended by Means the use of land, or building, or structure where vehicle fuel (not
B/L 2-1986 including propane), or lubricants, are offered for sale but where no provision is
made for the repair or maintenance of vehicles and shall not include any other
automotive use specifically defined in this By-law. For the purpose of this
definition, the sale of associated sundry items and the sale of prepared foods for
consumption off the premises may be allowed in conjunction therewith
provided the gross floor area devoted to the sale of such sundry items and
prepared foods does not exceed 10.0 square metres.
- 4.11 AUTOMOTIVE SALES ESTABLISHMENT
- Amended by Means the use of land, or building, or structure for the display and sale of
B/L 2-1986 new or used motor vehicles, travel trailers, trailers, boats, mobile homes, or
B/L 281-1989 recreational vehicles, and may include servicing, maintenance, and repair of
vehicles and the sale of parts, accessories and related products and the
leasing or renting of vehicles but does not include any other automotive use
specifically defined in this By-law.
- 4.12 AUTOMOTIVE SERVICE STATION
- Amended by Means the use of land, or building, or structure which includes facilities for
B/L 2-1986 the repair, maintenance, and storage of vehicles and where fuels, including
B/L 281-1989 propane not exceeding a storage capacity of 7,570 litres, lubricants, parts and
accessories may be offered for sale but does not include any other
automotive use specifically defined in this By-law. For the purpose of this
definition, the sale of associated sundry items and the sale of prepared foods
for consumption off the premises may be allowed in conjunction therewith
provided the gross floor area devoted to the sale of such sundry items and
prepared foods does not exceed 10.0 square metres.

- 4.13 AUTOMOTIVE WRECKING ESTABLISHMENT
- Means the use of land, or building, or structure for the wrecking or dismantling of motor vehicles and for the storage and sale of scrap material, salvage and parts obtained therefrom, but shall not include any other automotive use specifically defined in this By-law.
- 4.14 BAKERY
- Amended by Means a building or part thereof where baked goods are produced for
B/L 2-1986 wholesale or retail distribution and which may include an accessory retail store not exceeding ten (10) percent of the gross floor area or 185.0 square metres, whichever is the lesser.
- 4.15 BALCONY
- Amended by Means a structure without a roof attached to and extending horizontally from
B/L 244-1987 the wall or walls of a main building, and having no separate foundation on the ground to hold it erect, having direct access from the interior of the said building and no direct access to the ground, the floor of which is greater than 0.6 metres above finished grade.
- 4.16 BANK
- Includes an institution where money is deposited, kept, lent, or exchanged.
- 4.17 BASEMENT
- Amended by Means that portion of a building between two floor levels, which is partly
B/L 2-1986 underground. A basement shall be counted as a storey, if the vertical distance between the ceiling and the finished grade level of the adjoining ground is 1.83 metres or more.
- 4.17a BED AND BREAKFAST
- Added by Means a dwelling unit, situated in a single detached, semi-detached or
B/L 55-1994 duplex dwelling, in which not more than three (3) bedrooms or one (1) less than the total number of bedrooms in the dwelling unit, whichever is the lesser, are used to provide overnight accommodation, for profit or gain, with or without meals, to the travelling or vacationing public
- 4.18 BEER STORE
- Means the use of land, or building, or structure, or part thereof in which beer is offered or kept for sale at retail.
- 4.19 BODY REPAIR SHOP
- Means the use of land, or building, or structure for the body repair and painting of vehicles.
- 4.20 BODY-RUB PARLOUR
- Includes any premises or part thereof where a body-rub is performed, offered or solicited in pursuance of a trade, calling, business, or occupation, but does not include any premises or part thereof where the body-rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licenced, or registered under the laws of the Province of Ontario.

- 4.21 BUFFER STRIP
- Amended by Includes a continuous area of land planted with shrubs, bushes, trees, or
B/L 7-2005 other vegetation planted and maintained in a manner that will serve to
effectively screen, isolate, conceal, or seclude object, things, places, or
people on a year-round basis.
- 4.22 BUILDING
- Means a structure having a roof supported by columns or walls and used for
the accommodation or storage of persons, animals, goods, materials, or
equipment.
- 4.23 BUILDING SUPPLY OUTLET
- Means the use of land, or building, or structure for the storage of wood and
other building supply products for the purpose of wholesale or retail trade
and may include accessory facilities for the custom cutting of the wood
products.
- 4.24 BULK FUEL DISTRIBUTION STATION
- Means the use of land, or building, or structure for the bulk surface storage
of propane and the bulk underground storage of petroleum, petroleum
products, chemicals, gases, or similar products for the wholesale or retail
distribution thereof.
- 4.25 BULK FUEL STORAGE FACILITIES
- Means the use of land, or building, or structure for the bulk surface or
underground storage of propane, petroleum, petroleum products, chemicals,
gases or similar products, but shall not include facilities for the retail sale
thereof.
- 4.26 BUS DEPOT
- Means the use of land, or building, or structure where commercial motor
vehicles pick up and discharge fare paying passengers, and without limiting
the generality of the foregoing accessory uses may include, ticket offices,
restaurants, confections, luggage checking facilities, parcel shipping
facilities, storage facilities for the parking of the vehicles and ancillary
offices.
- 4.27 CABINS
- Means two or more buildings in which facilities with or without private
cooking facilities are provided for transient lodgers who have a principal
residence elsewhere.
- 4.28 CARPORT
- Amended by Means a covered parking area, the perimeter of which shall remain at least
B/L 204-1992 40% unenclosed, which is designed or intended to be used for the parking or
temporary storage of vehicles and/or household articles and for the purpose of
this By-law shall be deemed to be part of the main building and which shall
have minimum interior dimensions adequate to accommodate a minimum of
one (1) required parking space.
- 4.29 CAR RENTAL AGENCY
- Means the use of land, or building, or structure where motor vehicles are
kept for lease and where such vehicles may be dropped off or picked up.

- 4.30 CAR WASH
- Means the use of land, or building, or structure for the washing and cleaning of motor vehicles but shall not include any other automotive use specifically defined in this By-law.
- 4.31 Repealed by By-law 2-1986
- 4.32 CEMETERY
- Amended by Means the use of land, or building, or structure for the burial of the dead
B/L 2-1986 including columbariums, crematories, mausoleum, and mortuaries when
operated in conjunction with and within the boundary of such land.
- 4.33 CERTIFIED APPRAISER
- Means a real estate appraiser who is an Accredited Appraiser of the Canadian Institute or a similar institution recognized in Ontario.
- 4.34 COMMERCIAL PARKING LOT
- Means an open area other than a street or lane or parking structure, used for the parking of motor vehicles and available for public and/or private use whether or not for compensation. A commercial parking lot shall include three (3) or more parking spaces together with aisles and shall have principal access to a street and shall for the purpose of this By-law, constitute a main use of the lot.
- 4.35 COMMERCIAL PARKING STRUCTURE
- Includes a partially open and/or enclosed area other than a street or lane used for the parking of motor vehicles. A commercial parking structure shall include three or more parking spaces together with aisles and shall have principal access from a driveway to a street and shall for the purpose of this By-law, constitute a main use of the lot.
- 4.36 COMMERCIAL SCHOOL
- Means a school other than an educational institution where instruction is provided for gain or profit, to pupils of any age.
- 4.37 COMMERCIAL VEHICLE
- Amended by Means a vehicle, other than a private vehicle, licenced for a gross vehicle
B/L 2-1986 weight of 11,000 kilograms or greater and shall include a trailer, other than a
travel trailer, having an overall length of 5 metres or greater.
- 4.38 COMMERCIAL ZONE
- Includes any zone that has the word "Commercial" in the zone title.
- 4.39 COMMITTEE OF ADJUSTMENT
- Means the Committee of Adjustment of the City of Thunder Bay.
- 4.39a COMMUNITY BAKE SHOP
- Added by Means a retail store which sells baked good which may be made on or off the
B/L 2-1986 premises and which may be consumed on or off the premises and which does
not exceed a gross floor area of 185.0 square metres and shall not include a
Bakery.

4.40	<u>COMMUNITY CENTRE</u>	Means the use of land, or building, or structure used for community activities of a social, cultural, recreational or philanthropic nature and operated on a non-profit basis, but does not include any use specifically defined in this By-law.
4.41	<u>COMMUNITY CLINIC</u>	Means the use of land or buildings or structures for the professional practise of four or more medical doctors, dentists, and/or drugless practitioners for the purpose of consultation, diagnosis, or treatment and may include therein a pharmacy, an optical dispensary, x-ray and laboratory facilities and other similar facilities located in the same building or buildings therewith.
Amended by B/L 2-1986		
4.42	<u>CONCRETE FOUNDATION</u>	Means the base of a building, or structure which is comprised of poured concrete but shall not include sona tubes.
4.43	<u>CONSERVATORY</u>	Means the use of land, or building, or structure in which plants, trees and vegetation are viewed by the public whether or not for compensation.
4.44	<u>CORNER LOT</u>	See Lot, Corner.
4.45	<u>CORPORATION</u>	Means The Corporation of The City of Thunder Bay.
4.46	<u>COUNCIL</u>	Means the Council of The Corporation of The City of Thunder Bay.
4.46a	<u>CRAFTSPERSON</u>	Means a person who produces a finished product within a dwelling or a building or structure accessory to a dwelling and without limiting the generality of the foregoing, may include an artist, a sculptor, a potter, a weaver, a seamstress, a knitter.
Added by B/L 2-1986		
4.47	<u>CRISIS RESIDENCE</u>	Means a residence that is licensed or funded under an Act of the Parliament of Canada or Province of Ontario for the short term accommodation of over three persons of up to one month in duration and/or is funded and/or licensed under the Charitable Institutions Act or the Ministry of Correctional Services Act, with such persons living under Supervision in a single housekeeping unit and who by reason of their emotional, mental, social or physical condition, or legal status, require a group living arrangement for their well being.
Amended by B/L 2-1986		
4.48	<u>CROWN AGENCY</u>	Means a board, commission, railway, public utility, university, manufactory, company, or agency owned, controlled, or operated by Her Majesty in right of Ontario or Canada or by the Government of Ontario or under the authority of the Legislature or the Lieutenant Governor in Council, or by the Government of Canada.

- 4.49 DAY NURSERY
- Amended by Means the use of land, building or structure or part thereof that is licensed by
B/L 132-2002 the Province of Ontario primarily for the purpose of providing temporary
care and/or guidance for more than five (5) children, for a continuous period
not to exceed 24 hours.
- 4.49a DECK
- Added by Means a structure without a roof having a foundation to hold it erect, and
B/L 244-1987 attached to or abutting one or more walls of a building or constructed
separate from a building, with or without direct access to the ground, the
floor of which is greater than 0.6 metres above finished grade, and which is
designed and intended for use as a sundeck, but shall not include a landing or
a stair.
- 4.50 DETACHED
- Means a building or structure which is not dependent on any other building
or structure for structural support or enclosure.
- 4.51 DOUBLE-WIDE MOBILE HOME
- See Dwelling, Mobile Home Double Wide.
- 4.52 DRIVE-IN THEATRE
- Means an outdoor theatre where films are viewed by the public from a
vehicle and may include accessory refreshment stands.
- 4.52a DRIVEWAY
- Added by Means a vehicular access from a street or lane to a commercial or private
B/L 2-1986 parking area.
- 4.53 DRUGLESS PRACTITIONER
- Means a person who practices or advertises or holds himself out in any way
as practicing the treatment of any ailment, disease, defect, or disability of the
human body by manipulation, adjustment, manual, or electra-therapy, or by
any similar method.
- 4.54 DRUGSTORE
- Means a retail outlet which among other things sells pharmaceutical supplies
and associated sundry items.
- 4.55 DRY-CLEANING DEPOT
- Means a building or part thereof used for the purpose of receiving and
distributing articles or goods or fabrics to be drycleaned, dyed, cleaned, or
pressed off the premises.
- 4.56 DRY-CLEANING PLANT
- Means a building or part thereof used for the purpose of receiving and
distributing articles or goods or fabrics to be drycleaned, dyed, cleaned, or
pressed on the premises.

4.57

DWELLING

Means a building containing one or more dwelling units.

4.58

DWELLING UNIT

Amended by
B/L 2-1986

Means one or more rooms designed or intended for use by one or more individuals as an independent and separate housekeeping establishment in which separate cooking, sleeping, and sanitary facilities are provided for the exclusive use of such individual(s) with a private entrance from outside the building or from a common hallway or stairway inside the building but shall not include a hotel, motel, Residential Care Unit Type I, Residential Care Unit Type II, Group Residence, Crisis Residence or any other use not specifically listed and defined in Section 4.59 of this By-law.

4.59

DWELLING TYPES

(a) Apartment Dwelling:

Means a dwelling other than a townhouse dwelling, a lodging house or a converted dwelling, and containing three or more dwelling units located on a single lot, such lot being held under unity of ownership or under condominium ownership pursuant to The Condominium Act.

Added by
B/L 91-2003

(a)(i) Accessory Apartment

Means one self-contained dwelling unit located within and accessory to a single detached dwelling.

(b) Cottage Dwelling:

Means a single detached dwelling not intended for occupancy on a year round basis and where the occupant of such dwelling has a principal residence elsewhere.

(c) Converted Dwelling:

Added by
B/L 65-1989

Means a building constructed as a single detached dwelling prior to January 1, 1945 which has a minimum gross floor area of 140.0 square metres and a minimum height of one and one half (1½) storeys on April 27, 1982 and which has been altered or otherwise converted to contain therein more than one dwelling unit.

Amended by
B/L 2-1986

4.59

(c)a DOUBLE DUPLEX DWELLING

Added by
B/L 2-1986

Means a building consisting of two duplex dwellings which are attached together in whole or in part, either above and/or below grade and divided vertically from each other by a party wall in which each duplex dwelling has a private independent entrance directly from a yard.

(d) Duplex Dwelling:

Means a dwelling other than a semi-detached dwelling, a townhouse dwelling, a lodging house dwelling, or a converted dwelling, containing two dwelling units located on a lot, such lot being held under unity of ownership or under condominium ownership pursuant to The Condominium Act.

Added by
B/L 185-2002

(e) Garden Suite:
Means a one-unit detached dwelling that is ancillary to an existing single detached dwelling located on the same lot therewith and that is designed to be portable.

(f) Group Townhouse:
Means three or more dwelling units which are attached together in whole or in part above and/or below grade and divided vertically from each other by a party wall in which each unit has a private independent entrance directly from a yard, the said dwellings being located on a single lot and being held under unity of ownership or under condominium ownership pursuant to The Condominium Act.

(g) Lodging House:
Means a single detached dwelling occupied and used by the owner of such dwelling as his principal residence, together with more than three bedrooms in the dwelling providing accommodation with or without meals for gain or profit and which said bedrooms contain no cooking or sanitary facilities.

Amended by
B/L 2-1986

(h) Mobile Home, Double-Wide:
Means a factory built dwelling unit designed as one dwelling unit, transported or designed to be transported in two or more separate sections each in its own chassis and joined together to form one (1) dwelling unit and placed on a permanent foundation with or without a basement and connected or designed to be connected to public utilities but shall not include a single-wide mobile home or travel trailer.

(i) Mobile Home, Single Wide:
Means a factory built dwelling unit designed as one dwelling unit, having a floor area of not less than sixty-five (65) square metres, transported or designed to be transported on its own chassis, notwithstanding that its running gear is nor may be removed, placed, or designed to be placed on a permanent foundation, and connected or designed to be connected to public utilities, but shall not include a double-wide mobile home or a travel trailer.

(j) Repealed by By-law 2-1986

(k) Semi Detached Dwelling:
Means two dwelling units which are attached together in whole or in part, either above and/or below grade and divided vertically from each other by a party wall in which each unit has a private independent entrance directly from a yard.

(l) Senior Citizen Dwelling:
Means an apartment or townhouse dwelling providing accommodation for persons with an average age of 60 years and over in each dwelling unit and with such apartment or townhouse dwelling developed and operated by a charitable or non-profit organization recognized as such either by method of incorporation or by the Provincial or Federal Governments or a combination thereof.

(m) Single Detached Dwelling:

Means one dwelling unit which is freestanding and detached from other main buildings or structures on a lot and shall include a double-wide mobile home but shall not include a single-wide mobile home.

(n) Street Townhouse:

Means one of a group of not less than three (3) dwelling units which are attached together in whole or in part above and/or below grade and are divided vertically from each other by a party wall and in which each unit has a private independent entrance directly from a yard with each unit on a separate lot.

4.60 EDUCATIONAL INSTITUTION

Means a school under the jurisdiction of a Board as defined in The Education Act, a college of applied arts and technology, a university, and a nursery school, and shall include a private school under the jurisdiction of a private board of trustees or governors, a religious organization or a charitable institution, but shall not include a commercial school operated for gain or profit.

4.61 EFFECTIVE DATE

This By-law shall come into force and take effect upon the approval hereto by The Ontario Municipal Board.

4.62 ELECTRIC POWER DISTRIBUTION STATION

Amended by B/L 2-1986 Means the use of land, or building or structure for the purpose of reducing electric power from one distribution level to another.

4.63 ELECTRIC POWER GENERATING STATION

Means the use of land, or building, or structure or part thereof for the generation of electric power.

4.64 ELECTRIC POWER MAIN TRANSFORMER STATION

Amended by B/L 2-1986 Means the use of land, or building or structure for the purpose of reducing electric power from 115kv or greater to a distribution voltage.

4.65 EQUIPMENT RENTAL ESTABLISHMENT

Means the use of land, or building, or structure for the purpose of renting equipment and household wares and the sale of such equipment and wares when no longer used for rental purposes.

4.66 ERECT

Means build, rebuild, construct, reconstruct, alter, locate, or relocate and without limiting the generality of the foregoing, shall include any preliminary physical operations preparatory to construction or reconstruction such as excavating, grading, piling, cribbing, filling, drainage, or structurally altering any existing building or structure by an addition, deletion, enlargement, or extension or any other work which requires a building permit.

4.67 ESTABLISHED GRADE

See Finished Grade.

4.68 EXISTING OR EXISTED

Means in existence on the effective date of this By-law.

4.69	<u>EXTERIOR SIDE LOT LINE</u>	See Lot Line, Exterior Side.
4.70	<u>FAIRGROUNDS</u>	Means the use of land, or building, or structure where the temporary exhibition of music, art, goods, wares, vehicles, and the like are displayed and made available for sale and shall include a midway and a place of amusement.
4.71	<u>FINISHED GRADE</u>	Means the average of the proposed or finished ground adjoining each exterior wall of a building or structure.
Amended by B/L 2-1986		
4.72	<u>FIRST STOREY</u>	See Storey, First.
4.73	<u>FISH PROCESSING PLANT</u>	Means the use of land, or building, or structure where fish may be cleaned, preserved, frozen, or canned and made available to the public at wholesale or retail.
4.73a	<u>FLOODPROOFED</u>	Means that all openings of buildings shall be above the Regional Flood Elevation as fixed from time to time pursuant to the Conservation Authorities Act and the Regulations thereunder.
Added by B/L 2-1986		
4.73b)	<u>FLOOR SPACE INDEX</u>	Means the gross floor area, in square metres, divided by the area of the lot, in square metres.
Added by By-law 136-2000		
4.74	<u>FLYING SCHOOL</u>	Means a school other than an educational institution where aviation instruction is provided for gain or profit.
4.75	<u>FOOD STORE</u>	Means a retail business, with a minimum gross floor area of 275.0 square metres, selling food and associated small household items.
Amended by B/L 188-1986		
4.76	<u>FRATERNAL ORGANIZATION</u>	Means a non-government, non-profit, non-commercial organization which carries on social, cultural, recreational, or welfare programs.
4.77	<u>FRONT LOT LINE</u>	See Lot Line, Front.
4.78	<u>FRONT YARD</u>	See Yard, Front.
4.78a	<u>FUELING SPACE</u>	Means a portion of an automotive gas bar or automotive service station which may be used for the temporary parking of one motor vehicle while refuelling.
Added by B/L 2-1986		

- 4.79 FUNERAL HOME
- Means the business premises of an undertaker or funeral director whether or not the same includes a crematorium or a school of instruction in embalming for preparation for burial of human remains and which may include a residence for the owner or caretaker provided such residence is located in the same building therewith.
- 4.79a FURNITURE SHOWROOM
- Added by Means a retail store exceeding a gross floor area of 460.0 square metres
B/L 2-1986 where furniture is displayed, stored and offered for sale.
- 4.80 GOLF COURSE
- Means the use of land, or building, or structure for the purpose of playing golf and includes a driving range, a miniature golf course, putting greens, and accessory uses such as a pro shop, a restaurant, and a tavern.
- 4.81 GOVERNMENT BUILDING
- Means the use of a building or structure by a Crown Agency, or any Municipal Government or Local Board.
- 4.82 GREENHOUSE
- Means a building or structure or part thereof where trees, shrubs or plants are grown and/or sold.
- 4.83 GROSS FLOOR AREA
- Means the aggregate area of all storeys measured from the exterior faces of the exterior walls.
- 4.84 GROSS RETAIL FLOOR AREA
- Means the gross floor area designed for the occupancy and exclusive use of the owner and/or tenant including storage areas on the ground floor but excluding storage area in basements, mezzanines, upper floors and outdoor areas.
- 4.85 GROUND FLOOR AREA
- Means the floor area of the first storey of a building measured from the exterior faces of the exterior walls.
- 4.86 GROUP RESIDENCE
- Amended by Means a residence that is licensed or funded under an Act of the Parliament
B/L 2-1986 of Canada, or Province of Ontario, for the accommodation of over ten persons, exclusive of staff or receiving family, living under supervision in a single housekeeping unit and who by reason of their emotional, mental, social, or physical condition, or legal status, require a group living arrangement for their well-being and shall not include a crisis residence.
- 4.87 HARBOUR LINE
- Amended by Means a lot line or portion thereof which abuts Lake Superior.
B/L 2-1986

- 4.88 HEAVY INDUSTRIAL USE
- Means an industrial use which by reason of the process involved or the method of manufacture or the nature of the material or goods used, produced, or stored is likely to cause by reason of gas or fumes, dust, objectionable odour, noise or vibration, or unsightly storage of goods, wares, merchandise, salvage, junk, waste or other material, a condition which prejudices the character of the neighbourhood or interferes with or may interfere with the normal enjoyment of any land, building or structure.
- 4.89 HEIGHT
- Amended by Means the vertical distance measured from the finished grade of the lot level
B/L 2-1986 to the highest point of a building or structure.
- 4.90 HEREAFTER
- Means after the effective date of this By-law.
- 4.91 HEREIN
- Means anywhere in this By-law.
- 4.92 HEREOF AND HERETO
- Means of this By-law, and to this By-law, respectively.
- 4.93 HIGHWAY, STREET, ROAD
- See Street.
- 4.94 HISTORIC PARK
- Means all lands occupied by Old Fort William.
- 4.95 HOME OCCUPATION
- Amended by Means an occupation conducted for gain or profit as a secondary use within a
B/L 2-1986 dwelling unit or within a building or structure accessory to a dwelling unit.
- 4.96 HORIZONTALLY ATTACHED
- Means attached at right angles to a vertical plane.
- 4.97 HOSPITAL
- Means the use of land, or building, or structure for the treatment of persons affected with or suffering from sickness, disease, or injury or for the treatment of convalescent or chronically ill persons that is approved under The Public Health Act and shall include a Private Hospital and a Sanitorium. In addition accessory uses may be permitted and without limiting the generality of foregoing may include a heliport, a coffee shop, a gift shop and other related uses.
- 4.98 HOTEL
- Means a building, part of a building, or a group of buildings in which guest rooms are provided for transient lodgers, with or without private cooking facilities and which may include dining and other public rooms.

- 4.99 INDUSTRIAL CENTRE
- Amended by Means a group of two or more uses permitted in the zone which are
B/L 2-1986 conceived, designed, developed and managed as an interdependent and
 interrelated unit whether by a single owner or tenant or by a group of owners
 or tenants acting in collaboration.
- 4.100 INDUSTRIAL USE
- Means the use of land, or building, or structure for one or more of the
 following operations:
- (a) the carrying on of any process of manufacture whether or not a
 finished article results therefrom;
 - (b) the dismantling and separating into parts of any article, machinery, or
 vehicle;
 - (c) the breaking up of any articles, goods, machinery, or vehicles;
 - (d) the treatment of waste materials;
 - (e) the processing of sand, gravel, clay, turf, soil, rock, stone, or similar
 substances, but not the extraction thereof;
 - (f) the repairing and servicing of all vehicles, machinery, and buildings;
- and may include:
- i) the storage of goods in connection with or resulting from any of the
 above operations;
 - ii) the provision of amenities for persons engaged in such operations;
 - iii) the sale of goods resulting from such operations; and
 - iv) any work of administration or accounting in connection with the
 undertaking;
- but does not include a Home Occupation or any use specifically defined
 elsewhere in this By-law.
- 4.101 INDUSTRIAL ZONE
- Includes any zone that has the word "Industrial" in the zone title.
- 4.102 INTERIOR LOT
- See Lot, Interior.
- 4.103 INTERIOR SIDE LOT LINE
- See Lot Line, Interior Side.
- 4.104 INSTITUTIONS OF CULTURE
- Means the use of land, or building, or structure for the promotion or
 provision of facilities for the Arts and without limiting the generality of the
 foregoing, includes theatres with live performances, museums, art galleries,
 and concert halls and which may include facilities for the serving of meals,
 refreshments (alcoholic or nonalcoholic) and the sale of retail articles when
 associated with the main use.

- 4.105 INSTITUTIONAL ZONE
- Includes any zone that has the word "Institutional" in the zone title.
- 4.106 KENNEL
- Means the use of land, or building, or structure where dogs and/or cats and/or similar domestic pets are bred and/or raised and/or boarded or sold or kept for sale.
- 4.106a LANDING
- Added by (a) Means a platform with or without a roof having an area not exceeding B/L 244-1987 2.2 square metres and extending horizontally from the wall of a building no more than 1.25 metres, adjacent to a door and providing direct access to the ground or a stair.
- (b) Means a platform without a roof having an area not exceeding 2.2 square metres and being situated between flights of stairs.
- 4.107 LANDSCAPED OPEN SPACE
- Amended by Means an open area of land which is unoccupied by any buildings or By-law 136-2000 structures, which is situated at grade level on a lot and which is used or intended to be used for the growth and maintenance of grass, flowers, shrubs, bushes, trees, and other vegetation and shall not include surfaced walkways and patios, retaining walls or any other hard landscaped feature, or driveway or parking area regardless of composition, roof-top terrace, or space enclosed within a building.
- 4.108 LANE
- Means a public thoroughfare owned by the municipality, an emergency access route or any other passageway or right-of-way which provides vehicular access to the general public to a street.
- 4.108a LABORATORY
- Amended by Means the use of premises not providing services directly to the public for B/L 13-2005 the provision of analytical, research or testing services, including biotechnologies, and energy and environmental technologies. Biotechnologies may include life sciences, biopharmaceuticals and medical devices. Energy and environmental technologies may include batteries and fuel cells, and mining and forestry technology.
- 4.109 LAUNDROMAT
- Means a self-serve, coin operated clothes washing establishment containing one or more washers, dryers, irons, or other incidental equipment.
- 4.110 LIBRARY
- Means a library, branch library, or library distributing station that is approved under The Public Libraries Act.
- 4.111 LIGHT INDUSTRIAL USE
- Means any industrial use in which the building or the structure thereby occupied or employed, the processes carried on, the material used or stored, the machinery employed, and the transportation of materials, goods and commodities to and from the premises will not cause injury to or prejudicially affect the amenity of the locality by reason of the appearance of such building, structure, or materials, or by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste paper, waste products, grit, or oil.

- 4.112 LIQUOR STORE
- Means the use of land, or building, or structure or part thereof in which liquor and/or wine and/or beer is offered or kept for sale at retail.
- 4.113 LOADING SPACE
- Means a space or bay located on a lot which is used or intended to be used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise, or materials used in connection with the main use of the lot and which has an unobstructed principal or secondary access.
- 4.114 LOCAL BOARD
- Means any school board, public utility commission, transportation commission, public library board, board of park management, board of health, board of commissioners of police, planning board, or any other board, commission, committee, body, or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes of a municipality or of two or more municipalities or portions thereof.
- 4.114a) LONG-TERM CARE FACILITY
- Added by
B/L 239-2002
- Means a building that is licensed or funded under an Act of the Parliament of Canada, or Legislature of Ontario wherein meals, personal care, nursing services, and/or medical care and/or treatment are provided for gain or profit or as a charity or public service, but does not include a hospital, a crisis residence, a group residence, a residential care unit type I, a residential care unit type II, or a retirement residence as defined herein.
- 4.115 LOT
- Amended by
B/L 188-1986
- Means a parcel of land which is capable of being legally conveyed pursuant to Section 49 of The Planning Act.
- 4.116 LOT AREA
- Means the total horizontal area within the lot lines of a lot.
- 4.117 LOT, CORNER
- Amended by
B/L 2-1986
B/L 281-1989
- Means, in the case of a lot having three or more lot lines, a lot which is situate at the intersection of and abutting on two street allowances or on two parts of the same street allowance which contain an angle of intersection of 135 degrees or less. The angle of intersection shall be determined at the point where the lot lines or projection thereof abutting the street allowance or street allowances intersect. The corner point of a lot shall be the point of intersection or the point nearest to the point of intersection of the projection of the front lot line and the exterior side lot line.
- 4.118 LOT COVERAGE
- Means that percentage of the total lot area covered by buildings, structures, or open storage uses, including accessory buildings, or structures that are above finished grade level, but shall not include window sills, cornices, eaves and similar architectural features, fire escapes, wheel chair ramps, stairs, or landings.

- 4.119 LOT DEPTH
- Amended by Means the length of a straight line joining the middle point of the front lot
B/L 2-1986 line with either the middle point of the rear lot line, or the intersection of the
 side lot lines where the lot has only three lot lines, or the middle point of the
 other lot line where the lot has only two lot lines. Where a lot has only one
 lot line, there shall be deemed to be no lot depth, and therefore, no minimum
 lot depth shall be required.
- 4.120 LOT FRONTAGE
- Amended by Means, in the case of a lot having three or more lot lines, the horizontal
B/L 2-1986 distance between the side lot lines, measured between the points on the said
B/L 188-1986 lot lines 10 metres from their intersection with the front lot line. In the case
 of a lot having less than three lot lines, the lot frontage shall be the length of
 the front lot line.
- 4.121 LOT, INTERIOR
- Means a lot other than a corner lot or a through lot.
- 4.122 LOT LINE
- Means any boundary of a lot and/or the vertical projection thereof.
- 4.123 LOT LINE, EXTERIOR SIDE
- Amended by Means a lot line, which is not a front or rear lot line, which abuts a street
B/L 2-1986 allowance or a strip of land having a width of 0.3048 metres or less which
B/L 65-1989 abuts a street allowance.
- 4.124 LOT LINE, FRONT
- Amended by (a) Interior Lot
B/L 2-1986 Means the lot line abutting a street allowance.
- (b) Corner Lot
 Means the shorter lot line abutting a street allowance or where the lot
 lines abutting the street allowances are the same length, the lot line
 which affords the principal access.
- (c) Through Lot
 Means, in the case of a lot having only two lot lines abutting a street
 allowance, the shorter lot line abutting a street allowance or where
 both lot lines abutting the street allowances are the same length, the
 lot line which affords the principal access. In the case of a lot having
 more than two lot lines abutting a street allowance, the shortest lot
 line abutting a street allowance or where two or more of the lot lines
 abutting a street allowance are the same length, the lot line which
 affords the principal access, shall be deemed to be the front lot line.
- 4.125 LOT LINE, INTERIOR SIDE
- Means a lot line other than a front, rear, or exterior side lot line.

- 4.126 LOT LINE, REAR
- Amended by Means, in the case of a lot having four lot lines, the lot line opposite to the
B/L 188-1986 front lot line. In the case of a lot having more than four lot lines, the rear lot
line shall be the lot line furthest from and opposite to the front lot line. To
determine which lot line is furthest from the front lot line, the distance shall
be measured in a straight line from the midpoint of the front lot line to the
midpoint of the lot lines opposite thereto. Where a lot has less than four lot
lines, there shall be no rear lot line.
- 4.127 LOT OF RECORD
- Amended by Means a lot, the boundaries of which are definable by documents recorded in
B/L 2-1986 the Registry or Land Titles Office for the City of Thunder Bay, which is held
under unity of ownership from adjoining lands on January 1, 1984.
- 4.128 LOT, THROUGH
- Amended by Means a lot other than a corner lot, having two or more lot lines abutting a
B/L 2-1986 street allowance.
- 4.129 LOT WIDTH
- Amended by Means the length of a straight line joining the middle point of each of the
B/L 2-1986 side lot lines, except in the case of a lot having less than three lot lines, then
the lot width shall be the length of the front lot line.
- 4.130 MAIN USE
- Amended by Means one or more uses, buildings or structures which constitute the main
B/L 185-2002 use or uses of the lot and which use or uses are specifically listed as a
B/L 91-2003 permitted use in this By-law except for accessory uses, a garden suite, an
accessory apartment, and a home occupation which shall not constitute a
main use of the lot.
- 4.131 MARINA
- Means the use of land, or water, or building, or structure, including docking
facilities, where boats and boat accessories are berthed, stored, serviced,
repaired, or kept for sale or rent and where facilities for the sale of marine
fuels and lubricants may be provided.
- 4.132 MARINE FACILITY
- Means an accessory building or structure which is used to take a boat into or
out of a body of water, to moor, berth, or store. This definition may include
a yacht club, a boat launching ramp, boat lift dock, or boathouse, but shall
not include any building used for human habitation or any boat service,
repair, or sales facility.
- 4.133 MOBILE HOME PARK
- Means a parcel of land containing two or more mobile home spaces and
which is under unity of ownership and management.
- 4.134 MOBILE HOME SPACE
- Means an area within a mobile home park occupied by or intended for
occupancy by one mobile home.
- 4.135 MOTEL
- Means a building or part thereof, or a group of buildings in which guest
rooms are provided for transient lodgers, with or without private cooking
facilities and which may include dining and other public rooms.

- 4.136 MOTOR VEHICLE
- Includes a private vehicle and a commercial vehicle as defined in this By-law.
- 4.137 MOVIE THEATRE
- Includes a building of part thereof where films are viewed by the public and may include accessory refreshment stands.
- 4.138 MUNICIPAL PIPED WATER
- Means the provision of water by a piped water system owned and operated by the Corporation.
- 4.139 MUNICIPAL SEWAGE DISPOSAL
- Means the disposal of sewage by a piped sanitary sewer system owned and operated by the Corporation.
- 4.140 MUNICIPALITY
- Means The Corporation of the City of Thunder Bay.
- 4.140a NAVIGABLE WATER
- Added by Means waters in the Kam River, the Current River and the McKellar River.
B/L 2-1986
- 4.140b NEIGHBOURHOOD BAKE SHOP
- Added by Means a retail store which sells baked goods on the premises for
B/L 2-1986 consumption off the premises with such baked goods being made on or off
the premises, but shall not include a community bake shop or a bakery.
- 4.141 NEIGHBOURHOOD CLINIC
- Means a building or part thereof used in the professional practice of not more than three doctors, dentists or drugless practitioners for the purpose of consultation, diagnosis or treatment but shall not include a pharmacy or laboratory accessory to the clinic.
- 4.141b NEIGHBOURHOOD POLICE STATION
- Added by Means a building or part thereof operated by the City of Thunder Bay Police
B/L 252-1996 Service and is used for neighbourhood policing, but which shall not include
any holding or similar detention area.
- 4.142 NET FLOOR AREA
- In the case of a non-residential use, means the aggregate area of all storeys devoted to a particular use measured from the interior face of the interior walls excluding storage areas, mezzanine areas, mechanical rooms, common halls, stairwells, garbage and electrical rooms, common sanitary facilities, and parking structures.
- 4.143 NON-COMPLYING USE
- Amended by Means a use of land, building, or structure permitted by this by-law for the
B/L 2-1986 zone in which such use is located but which use does not comply with one or
B/L 188-1986 more of the general regulations or the regulations of this By-law for the zone
B/L 57-2004 in which such use is located, provided such use existed on the effective date
of this By-law, provided however,

(1) in the case of a dwelling, other than a cottage dwelling or a single detached dwelling, the dwelling must meet the minimum lot area, lot depth and lot frontage regulations for the zone in which such dwelling is located or the dwelling shall constitute a non-conforming use,

and

(2) in the case of a lot which has more main uses than permitted in the zone in which such lot is located then such uses shall constitute a non-conforming use.

4.144 NON-CONFORMING USE

Amended by B/L 188-1986 Means a use of land or building or structure which does not conform to one or more of the uses permitted in the zone in which such land, building or structure is located, or which is deemed to be non-conforming by Section 4.143, provided, in each case, such use legally existed on the effective date of this By-law.

4.145 NURSERY

Means the use of land, or building, or structure where trees, shrubs, and plants are grown and may include the sale thereof.

4.146 NURSING HOME

Means a building wherein meals, personal care, nursing services, and/or medical care and/or treatment are provided for gain or profit or as a charitable public service, but does not include a hospital as defined herein.

4.147 OFFICE

Means a building or part thereof designed, intended, or used for the practice of a professional, the carrying on of a business, the conducting of public administration, or where not conducted on the site thereof the administration of or the accounting in connection with an industry but shall not include a veterinary establishment, a clinic, a retail store, a bank, an industrial use, a warehouse, a place of amusement, or a body-rub parlour.

4.148 OFFICIAL PLAN

Means the Official Plan for the City of Thunder Bay.

4.149 ONE-HALF STOREY

See Storey, One-Half.

4.150 OPEN STORAGE

Means the use of land for the outside storage of equipment, vehicles (excluding a private vehicle), goods, or materials. This definition does not include a storage use located in a building or a salvage yard as defined herein.

4.150a PAINT, GLASS AND WALLPAPER STORE

Added by B/L 281-1989 Means the use of land, or building, or structure or part thereof where paint and/or glass and/or wallpaper are offered or kept for sale at retail.

4.150aa OUTDOOR FURNACE:

Added by B/L 60-2002 Means an appliance situated outside of any building or structure which it is intended to heat, using solid fuel for combustion.

4.151	<u>PARCEL OF LAND</u>
Amended by B/L 2-1986	Means an area of land held in unity of ownership.
4.152	<u>PARK</u>
	Means an area of land which may include landscaped open space, including but not limited to the generality of the foregoing, a recreational playground, a play area, a bowling green, a skating rink, a tennis or badminton court, a sports field and a conservation area with or without accessory recreational buildings or structures thereon.
4.153	<u>PARKING AISLE</u>
	Means a portion of a private parking area, or a commercial parking lot, or a private or a commercial parking structure which abuts a parking space on one or more sides and which provides access from the parking space to a street or lane, and which is not used for vehicular parking.
4.154	<u>PARKING SPACE</u>
	Means a portion of a private parking area or a commercial parking lot exclusive of parking aisles which may be used for the temporary parking, of one motor vehicle, trailer, boat, recreational vehicle, or similar transportation device.
4.155	<u>PARTY WALL</u>
Amended by B/L 2-1986	Means a wall jointly owned and/or jointly used by two or more parties or an extension of such a wall which is erected on a line separating two parcels of land each of which is or is capable of being held in unity of ownership.
4.156	<u>PATIO</u>
Amended by B/L 244-1987	Means a platform without a roof, and with or without a foundation to hold it erect and attached to or abutting one or more walls of a building or constructed separate from a building, with or without direct access to the ground, the floor of which is not more than 0.6 metres above finished grade, which is designed and intended for use as a sundeck but shall not include a landing or stair.
4.157	<u>PERMITTED USE</u>
	Means a use which is listed under the heading "Permitted Uses" in the zone where such use is located.
4.158	<u>PERSONAL FARMING</u>
Amended by B/L 244-1987	Means the use of land, or building, or structure accessory to a dwelling unit, where animal husbandry may be permitted provided that:
	(a) the yield is for personal use of the inhabitants of the lot; and
	(b) there is no sale of the yield; and
Amended by B/L 274-2002	(c) not more than a total of five (5) animal units shall be permitted on the lot, provided however, in no case shall there be more than one animal unit of fowl.

- 4.159 PERSONAL SERVICE SHOP
- Amended by Means a building or part thereof wherein a personal service is conducted, B/L 2-1986 such as a barber shop, beauty salon, shoe repair shop, jewellery repair shop, tailor or dressmaker, photographic studio but shall not include an office as defined in this By-law.
- 4.160 PHARMACY
- Means a retail outlet which dispenses drugs by prescription.
- 4.161 PIT
- Means a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral, or other material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside pit.
- 4.162 PLACE OF AMUSEMENT
- Means a movie theatre, covered arena, auditorium, public dance hall, public hall, music hall, video arcade, or penny arcade, billiard or poolroom, bowling alley, miniature golf course, driving range, ice or roller skating or curling rink, or a similar use but shall not include a vehicle race track.
- 4.163 PRINCIPAL ACCESS
- Means a direct vehicular and pedestrian entrance and exit to and from a street.
- 4.164 PRINCIPAL RESIDENCE
- Means a dwelling which is occupied or capable of being occupied by the owner or tenant on a year round basis but shall not include a cottage dwelling.
- 4.165 PRIVACY FENCE
- Means a fence that will visually isolate, conceal, or seclude objects, things, places, or people.
- 4.166 PRIVATE CLUB
- Means an athletic, recreational, or social club which is operated for gain or profit.
- 4.167 PRIVATE GARAGE
- Amended by Means an accessory building or structure other than a carport, either attached B/L 2-1986 to or detached from the main building in which no business, occupation, B/L 204-1992 except for a home occupation, or service is conducted for profit, or conducted for the benefit of any individuals who do not reside on the lot and which shall have minimum interior dimensions adequate to accommodate one (1) required parking space.
- 4.167a PRIVATE HOME DAY CARE
- Added by Means the temporary care of five (5) or fewer individuals for gain or profit By-law 132-2002 as a secondary use within a dwelling unit other than the dwelling unit of a parent or caregiver.
- 4.168 PRIVATE HOSPITAL
- Means a house in which four or more patients are or may be admitted for treatment, other than:

- (a) a hospital or other establishment or institution supported in whole or in part by provincial aid;
- (b) an institution in respect of which a licence under the Private Sanitaria Act is in force;
- (c) an institution for the reclamation and cure of habitual drunkards established under the Municipal Act;
- (d) a house registered under The Maternity Boarding Houses Act; and
- (e) a lodging house licenced under a municipal law.

4.169 PRIVATE INDUSTRIAL WASTE DISPOSAL SITE

Means the use of land, or building, or structure approved by the Ministry of the Environment or its designated agent, where industrial waste is treated but shall not include a public sanitary sewage treatment facility.

4.170 PRIVATE PARKING AREA

Amended by
than B/L 2-1986

Means an open or partially open or enclosed area, other a street allowance or lane used for the parking of motor vehicles including a private garage. A parking area shall be accessory to and used in conjunction with the main use of a lot as permitted in the By-law and shall be available for public and/or private use whether free, or whether charged for compensation, to accommodate clients, customers, visitors, or residents. A parking area shall include one or more parking spaces together with parking aisles (when required) and shall have access to a street or lane and may include a private parking structure, or an underground parking area.

4.171 PRIVATE PARKING STRUCTURE

Amended by
B/L 2-1986

Includes a partially open and/or enclosed area other than a street allowance or lane used for the parking of motor vehicles. A private parking structure shall be accessory to and used in conjunction with the main use of a lot as permitted on the By-law and shall be available for public and/or private use whether free, or whether charged for compensation, to accommodate clients, customers, visitors, or residents. A private parking structure shall include more than three parking spaces together with aisles and shall have principal access from a driveway to a street.

4.172 PRIVATE STREET

Means a private thoroughfare or any other passageway or right-of-way which provides vehicular access to a lot but shall not include a street as defined in this By-law.

4.173 PRIVATE VEHICLE

Means an automobile, motorcycle, boat, truck, farm implement, recreational and any other vehicle propelled or driven by any kind of power other than muscular power, which is used for personal use and shall include any apparatus which is capable of being attached thereto but shall not include a commercial vehicle.

- 4.174 PUBLIC RECREATION
- Means the use of land, or building, or structure for any purpose relating to recreational activity which is owned and/or operated by the Corporation, local board or the Provincial or Federal Government or by any crown agency on a non-profit and basis and which may include accessory uses such as a restaurant, a tavern, a pro shop and the like but shall not include a golf course or any other recreational use specifically defined elsewhere in this By-law.
- 4.175 PUBLIC SANITARY LANDFILL SITE
- Means the use of land for disposing of domestic waste and where such landfill site is owned and operated by the Corporation, by another municipality or by the Province of Ontario.
- 4.176 PUBLIC SANITARY SEWAGE TREATMENT FACILITY
- Means the use of land, or building, or structure approved by the Ministry of the Environment or its designated agent, where domestic or industrial waste is treated and includes a sewage pumping station where such facility is operated by the Corporation, by another municipality or by the Province of Ontario.
- 4.177 PUBLIC SAUNA
- Means the use of land, or building, or structure or part thereof where saunas or public baths are made available for public use for a fee and without limiting the generality of the foregoing, may include other associated facilities such as whirlpools, swimming pools, and coffee shops, but shall not include a body-rub parlour.
- 4.177a PUBLIC SIDEWALK
- Added by Means a public walkway owned by the Municipality which provides for
B/L 2-1986 pedestrian traffic.
- 4.178 PUBLIC UTILITY
- Amended by Means any agency, corporation, board, or commission providing electricity,
B/L 2-1986 gas, steam, water, radio or television service, telegraph or telephone
 including a communications tower, transportation (excluding a taxi service),
 drainage or sewage or waste collection and disposal services to the public or
 a use pertaining to any such agency, corporation, board or commission.
- 4.179 PUBLIC WATER TREATMENT FACILITY
- Means the use of land, or building, or structure approved by the Ministry of the Environment or its designated agent where water is treated for human consumption including pumping and purification appurtenances which is owned and operated by the Corporation or by another municipality or by the Province of Ontario.
- 4.180 QUARRY
- Means a place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial, or manufacturing purposes, but does not include a wayside quarry or open pit metal mine.
- 4.181 RADIO OR TELEVISION ANTENNA
- Amended by Means an antenna other than a "television earth station" which is capable of
B/L 2-1986 sending and/or receiving radio or other electromagnetic waves.

- 4.182 RADIO OR TELEVISION STATION STUDIO
- Amended by Means the use of a building or structure for a commercial purpose wherein
B/L 2-1986 television and/or radio programs are received and/or originate and/or are
 produced and are subsequently provided for public broadcast to a "radio or
 television transmitting station".
- 4.183 RADIO OR TELEVISION TRANSMITTING STATION
- Amended by Means the use of land or building or structure operated by a public utility for
B/L 2-1986 a commercial broadcasting purpose where television and/or radio
 programming is received from a radio or television station studio and is
 transmitted and/or re-transmitted by a cable system and/or a radio or
 television antenna and may include a building housing electronic apparatus
 that transmits and/or re-transmits broadcasting and includes a radio or
 television antenna existing separately or in conjunction with such building
 housing electronic apparatus.
- 4.184 RAIL CORRIDOR
- Means the railway right-of-way of any railway company within the
 boundaries of the Municipality.
- 4.185 RAIL YARD
- Means the use of land, or building, or structure or part thereof for activities
 directly associated with the operation of a railway. Without limiting the
 generality of the foregoing such activities may include loading and off-
 loading freight, and maintenance and repair of railway cars.
- 4.186 REAR ACCESS
- Means a lane which is open for vehicular traffic and maintained on a year-
 round basis either by the Corporation or privately.
- 4.187 REAR LOT LINE
- See Lot Line, Rear.
- 4.188 REAR YARD
- See Yard, Rear.
- 4.189 RELIGIOUS INSTITUTION
- Means a building commonly used by any religious organization for public
 worship and may include a rectory or manse, a church hall, day nursery, or
 religious school associated with or accessory thereto.
- 4.189a RESIDENTIAL CARE UNIT TYPE I
- Added by Means a residence that is licensed or funded under an Act of the Parliament
B/L 2-1986 of Canada, or Province of Ontario, for the accommodation of over three
 persons, up to six persons exclusive of staff or receiving family, living under
 supervision in a single housekeeping unit and who by reason of their
 emotional, mental, social, or physical condition, or legal status, require a
 group living arrangement for their well-being and shall not include a crisis
 residence.

- 4.189b RESIDENTIAL CARE UNIT TYPE II
- Added by Means a residence that is licensed or funded under an Act of the Parliament
B/L 2-1986 of Canada, or Province of Ontario, for the accommodation of seven to ten
persons exclusive of staff or receiving family, living under supervision in a
single housekeeping unit and who by reason of their emotional, mental,
social, or physical condition, or legal status, require a group living
arrangement for their well-being and shall not include a crisis residence.
- 4.190 RESIDENTIAL ZONE
- Includes any zone that has the word "Residential" in the zone title.
- 4.191 RESTAURANT
- Means a building or part thereof, other than a tavern, where food is prepared
and offered or kept for retail sale to the public for immediate consumption
either on or off the premises and where alcoholic beverages may be served
with the meals.
- 4.190a RESEARCH AND DEVELOPMENT CENTRE
- Added by Means the use of land, building or structure or part thereof for the purpose of
B/L 13-2005 conducting pure and applied research and experimentation in any field of
science, medicine or technology and includes facilities such as lecture
rooms, accessory administrative offices, laboratories, display rooms, and
service and machine shops to serve the research centre operation, but does
not include an industrial use nor manufacturing operations other than those
required in the conduct of permitted research.
- 4.192 RETAIL STORE
- Means the use of land, or building, or structure or part thereof in which
goods, wares, merchandise, substances, or articles are offered or kept for sale
at retail.
- 4.193 RETAIL WAREHOUSE
- Means a building or part thereof which is used primarily for the housing,
storage, adapting for sale, packaging or wholesale distribution of goods,
wares, merchandise, food stuff, substances, articles, and the like but does not
include fuel storage tanks but which may include an accessory retail store
not exceeding 10 percent of the gross floor area or 185.0 square metres
whichever is the lesser.
- 4.193a) RETIREMENT RESIDENCE
- Added by Means a residence that provides accommodation primarily for retired
B/L 239-2002 persons or couples where each private bedroom or living unit has a separate
entrance from a common hall and may have a separate private bathroom, but
where common dining areas, lounges and recreation rooms are provided, and
where personal care, nursing services and/or medical care may be provided
or made available, but does not include a hospital, a rooming house, a crisis
residence, a group residence, a residential care unit type I, a residential care
unit type II, or a long-term care facility as defined herein.
- 4.194 ROAD
- See Street.

4.194a	<u>ROOMING HOUSE</u>
Added by B/L 2-1986	Means a building other than a hotel, motel, or lodging house where rooms which contain no cooking or sanitary facilities are provided for gain or profit for the sleeping accommodation of individuals and where communal cooking and sanitary facilities may be provided in the building.
4.195	<u>SALVAGE YARD</u>
	Means the use of land, or building, or structure for the wrecking, dismantling, storing, or selling of used goods, wares, or materials including but not limited to the generality of the foregoing, rags, bones, bottles, metals, clothing, furniture, paper, machinery, building materials, ships, vehicles, and parts thereof, but shall not include a second hand shop.
4.196	<u>SANITORIUM</u>
	Means the use of land, or building, or structure licenced under the Private Sanitaria Act, for the care and treatment of mental and nervous illness.
4.197	<u>SECONDARY ACCESS</u>
	Means a direct vehicular and pedestrian entrance and exit to and from a lane.
4.198	<u>SEAPLANE BASE</u>
	Means the use of land, or water, or building, or structure or part thereof, including take-off, landing and docking facilities, where sea planes are stored, serviced, repaired or kept for sale or rent and where facilities for the sale of fuels and lubricants may be provided.
4.199	<u>SECONDHAND SHOP</u>
	Means the use of land, or building, or structure or part thereof where used goods, wares, merchandise, substances, or articles are offered or kept for sale but shall not include the wrecking or dismantling of such.
4.200	<u>SEPARATION DISTANCE</u>
Amended by B/L 2-1986	Means the minimum perpendicular horizontal distance between the foundation of any building or structure or the nearest part of any storage use and the foundation of any other building or structure or the nearest part of any open storage use located on the same lot therewith.
4.201	<u>SERVICE SHOP</u>
	Means a light industrial use in a building or part thereof operated for the sole purpose of repairing or servicing articles, goods, or merchandise, not being vehicles, and limited to a floor area not exceeding 300 square metres.
4.202	<u>SETBACK</u>
	Means the minimum perpendicular horizontal distance between a lot line and the nearest part of any building, or structure exclusive of permitted projections or open storage use on the lot.
4.203	<u>SHOPPING CENTRE</u>
Amended by B/L 2-1986	Means a group of two or more commercial establishments permitted in the zone, conceived, designed, developed, and managed as an interdependent and interrelated unit whether by a single owner or tenant or by a group of owners or tenants acting in collaboration, but shall not include "strip" commercial establishments with direct access from the building to a public sidewalk, or street.

- 4.204 SIDE YARD
See Yard, Side.
- 4.205 Repealed by By-law 2-1986.
- 4.206 SIGN
Includes any visual medium, including its structure and other component parts, which is used or capable of being used to attract attention to a specific subject matter other than itself, for identification, information, or other advertising purposes, and includes an advertising device or notice, and is visible from outside of a building.
- 4.207 SINGLE WIDE MOBILE HOME
See Dwelling, Single Wide Mobile Home.
- 4.207a SKI RESORT
Added by B/L 2-1986 Means the use of land, building or structure for the purpose of providing facilities for the sport of skiing and which may include accessory facilities such as locker rooms, restaurants, taverns, and pro shops, but shall not include any facilities for sleeping accommodations.
- 4.208 STACKING LANES
Means a portion of a parking area or a parking lot, other than a parking aisle or a parking space which provides standing room for vehicles in a queue and without limiting the generality of the foregoing this may include a queue for a drive through restaurant, a drive-through bank or a drive-through carwash.
- 4.208a STAIR
Amended by B/L 244-1987 Means one or more steps providing access to a building, landing, deck or patio.
- 4.209 STOREY
Means that portion of a building or structure which is situated between the top of any floor and the top of the floor next above it, and if there is not floor above it, that portion between the top of such floor and the ceiling above it.
- 4.210 STOREY, FIRST
Amended by B/L 2-1986 Means a storey having its floor level closest to finished grade and its ceiling more than 2.0 metres above finished grade.
- 4.211 STOREY, ONE HALF
Means that portion of a building or structure situated wholly or partly within the roof and in which there is a vertical distance of less than 1.83 metres measured from finished floor to finished ceiling and which has a floor area equal to at least 50% of the floor area of the storey directly below.
- 4.212 STREET
Amended by B/L 2-1986 Means a public highway or public road under the jurisdiction of either the Corporation or the Province of Ontario, and which is presently open and maintained by the Corporation or Province on a year-round basis, or a street as shown on a plan of Subdivision registered after the effective date of this By-law.

4.212a	<u>STREET ALLOWANCE</u>
Added by B/L 2-1986	Means a public highway or public road which is owned by either the Corporation or the Province of Ontario, and which may or may not be opened and maintained by the Corporation or the Province on a year round basis.
4.212b	<u>STREET FRONTAGE</u>
Added by B/L 2-1986 B/L 188-1986	Means that portion of a lot line which abuts a street.
4.213	<u>STREET LINE</u>
Amended by B/L 2-1986	Means a lot line dividing a lot from a street allowance.
4.214	<u>STRUCTURE</u>
Amended by B/L 2-1986 B/L 65-1989	Means anything other than a building that is erected, built or constructed or requiring a foundation to hold it erect, including but not limited to a television earth station and an above ground fuel storage tank associated with a non-residential use, but shall not include vegetation, fences, driveways, patios, sidewalks, unenclosed swimming pools or retaining walls.
4.215	<u>TAVERN</u>
	Means a "Tavern" as defined by the Liquor Licence Act.
4.216	<u>TAXI STAND</u>
	Means the use of land, or building, or structure for dispatching or hiring taxi cabs where taxi-cabs for fare paying passengers.
4.217	<u>TELEVISION EARTH STATION</u>
Amended by B/L 2-1986	Means an antenna capable of receiving but not transmitting television broadcasting directly from an earth satellite located completely beyond, or beyond the major portion of, the earth's atmosphere, and for the purpose of this by-law will be considered to be a "structure" even if it is mounted upon a trailer or other moveable platform.
4.218	<u>THIS BY-LAW</u>
	Means this By-law and any amendments hereto.
4.219	<u>THROUGH LOT</u>
	See Lot, Through.
4.220	<u>TRAIN STATION</u>
	Means the use of land, or building, or structure for loading and unloading freight and passengers on and off trains including ticket offices, restaurant, luggage checking facilities and similar uses.
4.221	<u>TRANSIT DEPOT</u>
	See Bus Depot.

- 4.222 TRAVEL TRAILER
- Amended by Means a structure or vehicle designed, intended, and used exclusively for
B/L 185-2002 travel, recreation, and vacation and which is capable of being drawn by a
passenger vehicle or is self-propelled, and shall include tent trailers, vans,
motor homes and similar transportable accommodation but shall not include
a garden suite, a single wide or double wide mobile home.
- 4.223 TRUCK DEPOT
- Amended by Means the use of land, or building or structure where more than three
B/L 2-1986 vehicles other than private vehicles, each licenced for a gross vehicle weight
of 11,000 kilograms or greater are stored and which may allow for the repair
and servicing of such vehicles but does not include the use for the display or
sale of such vehicles.
- 4.224 UNDERGROUND PARKING AREA
- Amended by Means a parking area which is situated below finished grade which is used
B/L 2-1986 for the parking of motor vehicles. An underground parking area shall be
accessory to and used in conjunction with main use of a lot as permitted in
the By-law and shall be available for public and/or private use whether free,
or whether charged for compensation, to accommodate clients, customers,
visitors, or residents. An underground parking area shall include more than
three parking spaces together with aisles and shall have principal access from
a driveway to a street.
- 4.225 UNITY OF OWNERSHIP
- Amended by Means a parcel of land registered in the Registry Office or the Land Titles
B/L 2-1986 Office for Thunder Bay in a name and interest which is distinct and separate
from the ownership of any other parcel of land with a common boundary or
point therewith.
- 4.226 USE
- Added by Means the purpose for which a lot(s), or building(s), or structure(s), or any
B/L 57-2004 one or more of them, is (are) designed, arranged, intended, occupied or
maintained. 'Used' and 'Uses' have corresponding meanings.
- 4.227 VARIETY STORE
- Amended by Means a retail business with a maximum gross floor area of 275.0 square
B/L 188-1986 metres selling food and associated small household items and which may
include the sale of prepared foods for consumption off the premises,
provided the gross floor area devoted to such prepared foods does not exceed
10.0 square metres.
- 4.228 VETERINARY CLINIC
- Includes a building or structure or part thereof wherein animals of any kind
are treated by a registered veterinarian and may be kept for the duration of
the treatment and may include the boarding thereof.
- 4.229 VIDEO ARCADE
- Means the use of land, or building, or structure where three or more video,
electronic or pinball arcade machines are available for public use whether or
not for compensation and which may include a refreshment stand or coffee
shop provided that it is accessory to the video arcade use.

- 4.229a VIDEO RENTAL SHOP
- Added by Shall mean the use of land, building or structure for the purpose of renting
B/L 2-1986 video cassette recorders and/or video disc players and/or the rental of video
tapes and/or discs.
- 4.230 WAREHOUSE
- Means a building or part thereof, which is used primarily for the housing,
storage, adapting for sale, packaging or wholesale distribution of goods,
wares, merchandise, food stuff substances, articles, and the like but does not
include a fuel storage tank.
- 4.231 WAYSIDE PIT OR WAYSIDE QUARRY
- Means a temporary pit or quarry opened and used by a public road authority
for the sole purpose of a particular project or contract of road construction
and not located on the road right-of-way.
- 4.232 WELDING SHOP
- Means the use of land, or building, or structure where pieces of metals are
welded.
- 4.233 WHOLESALE STORE
- Means the use of land, or building, or structure, or part thereof in which
goods, wares, merchandise, substances, or articles are offered or kept for sale
at wholesale and may include an accessory retail store.
- 4.234 YARD
- Means an unoccupied space open from the ground to the sky on the same lot
as a building, structure, or use.
- 4.235 YARD, FRONT
- Means a yard extending across the full width of the lot between the front lot
line and the nearest part of any building or structure or open storage use on
the lot.
- 4.236 YARD, REQUIRED FRONT
- Amended by Means the minimum front yard required by this By-law for a main building
B/L 2-1986 or structure or open storage use on a lot.
- 4.237 YARD, REAR
- Amended by Means, in the case of a lot having no exterior side yard or yards, a yard
B/L 2-1986 extending across the full width of the lot between the rear lot line and the
nearest part of any building or structure or open storage use on the lot and in
the case of a lot having an exterior side yard or yards, a yard extending from
the required exterior side yard to the opposite required exterior side yard, if
there is one, or to the opposite interior side lot line between the rear lot line
and the nearest part of any building or structure or open storage use on the
lot. If there is no rear lot line, there shall be deemed to be no rear yard, and
therefore, no minimum rear yard shall be required.
- 4.238 YARD, REQUIRED REAR
- Amended by Means the minimum rear yard required by this By-law for a main building or
B/L 2-1986 structure or open storage use on a lot.

- 4.239 YARD, EXTERIOR SIDE
- Amended by Means a yard extending from the required front yard to the rear lot line and
B/L 2-1986 from the exterior side lot line to the nearest part of any building or structure
or open storage use on the lot. In the case of a lot that has no rear lot line,
the exterior side yard shall extend from the required front yard to the
opposite interior or exterior side lot line.
- 4.239a YARD, REQUIRED EXTERIOR SIDE
- Added by Means the minimum exterior side yard required by this By-law for a main
B/L 2-1986 building or structure or open storage use on a lot.
- 4.240 YARD, INTERIOR SIDE
- Amended by Means a yard extending from the required front yard to the required rear yard
B/L 2-1986 and from the interior side lot line to the nearest part of any building or
structure or open storage use on the lot. In the case of a lot that has no rear
lot line, the interior side yard shall extend from the required front yard to the
opposite required interior or exterior side yard.
- 4.240a YARD, REQUIRED INTERIOR SIDE
- Added by Means the minimum interior side yard required by this By-law for a main
B/L 2-1986 building or structure or open storage use on a lot.
- 4.241 ZONE REGULATION
- Means any provision of this By-law which is listed under the heading
"Regulation" and includes the General Regulations of Section 5 of this
By-law.
- 4.242 ZOO
- Means the use of land or building, or structure for keeping live animals for
public exhibition.