

SECTION 2 – DEFINITIONS

Where a term appears in the text of this BY-LAW in capital letters, the term is intended to have the meaning as set out in this section. Wherever a term below appears in the text of this BY-LAW in regular font, it is intended to have the meaning ordinarily attributed to it in the English language.

Certain definitions may include permitted uses and regulations which shall be observed in addition to those contained in other sections of this BY-LAW.

A

ABUT or ABUTTING

means having a common LOT LINE with an adjacent property.

ACCESSORY

when used to describe a use, BUILDING or STRUCTURE, means a use, BUILDING or STRUCTURE incidental, subordinate and exclusively devoted to the principal use, BUILDING or STRUCTURE situated on the same LOT.

ACCESSORY APARTMENT

[see “DWELLING (ACCESSORY APARTMENT)” definition]

ADULT ENTERTAINMENT PARLOUR

means an adult entertainment establishment as described in the MUNICIPAL ACT.

ADVANCED TECH

means an establishment specializing in the research, development, and or creation of advanced technology products (software and or hardware), services, systems, processes, and or prototyping related to one or more of the following technology sectors:

- Aerospace
- Artificial Intelligence
- Biotechnology
- Computer Engineering
- Computer Science, including software
- Data Centre
- Electronic Device Technology
- Energy Technology
- Financial Technology
- Information Technology
- Medical Technology
- Nanotechnology
- Photonics
- Quantum Computing / Technology
- Robotics

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- Semiconductors
- Telecommunications

ADVANCED TECH includes software companies, open data companies, digital content companies, wireless technology companies, advanced technology hardware companies, cyber security companies, cloud computing companies, and 3D printing companies.

ALTERNATIVE EDUCATION CENTRE

means a BUILDING or part thereof used for continued education, return to school programs, career training, or similar alternative education and skills development purposes by a District School Board. Excludes PUBLIC SCHOOL and PRIVATE SCHOOL.

AMENITY AREA

means an area designed for active and or passive recreation for the exclusive use and benefit of the residents / tenants in a BUILDING, such as but not limited to:

- a.) outdoor patios
- b.) balconies
- c.) communal indoor recreational spaces (such as gyms)
- d.) communal indoor social spaces (such as entertainment rooms)
- e.) SWIMMING POOLS
- f.) outdoor rooftop amenity space (such as rooftop decks and terraces) (see section 3.A.4.4)

Excludes:

- a.) lobbies, washrooms, laundries, storage areas, and the like
- b.) circulation spaces, such as hallways, elevators, and the like
- c.) reception areas, management offices, and the like
- d.) parking areas and access driveways
- e.) LANDSCAPED OPEN SPACE, excluding outdoor patios
- f.) receiving areas, LOADING SPACES, and the like

ARCHITECTURAL ENTRANCE

means a pedestrian entrance that:

- a.) projects from the BUILDING; and,
- b.) is architecturally designed in conjunction with the entire BUILDING to visually enhance the prominence of the pedestrian entryway into the BUILDING.

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ARTIST STUDIO

ARTIST STUDIO (Class A)

means the workplace of an artist or craftsperson, and limited to:

- craft jewellery using hand tools
- creative writing
- drawing
- painting
- pottery
- mixed media art
- fine art printmaking
- fibre arts (such as tapestry art)
- picture framing
- sculpting (creation of artistic sculptures)
- still and moving photography
- video editing
- voice recording and or editing
- woodcarving using hand tools

which does not ordinarily result in emissions from the Artist Studio of noise, odours, fumes, dust, vibrations, heat, glare (lighting), electrical interference, or the like. Excludes all uses identified in Class B ARTIST STUDIO.

ARTIST STUDIO (Class B)

means the workplace of an artist or craftsperson, and limited to:

- the production of live music
- stained glass
- painting, drawing, pottery, sculpting, mixed media art, fine art printmaking, fibre art, and craft jewellery involving the use of:
 - fibreglass resins
 - epoxy resins
 - plastics (excluding assembly of plastic supplies)
 - any toxic substance as determined by Environment Canada (re: List of Toxic Substances, Canadian Environmental Protection Act)
 - any HAZARDOUS SUBSTANCE
- sculpting, mixed media art, fine art printmaking, fibre art, and craft jewellery involving one or more of the following processes:
 - welding and or soldering
 - woodworking (excluding woodcarving using hand tools)
 - fired glass and ceramics (excluding pottery)
 - metalworking and blacksmithing (excluding craft jewellery using hand tools)
- spray painting
- silk screening

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ASSISTED LIVING FACILITY

means a multi-unit residential BUILDING where:

- a.) individuals reside who require minimal to moderate assistance with daily living activities such as bathing, toileting, ambulating, and self-administration of medications; and
- b.) residents are provided meals.

Cooking facilities within the dwelling unit shall be limited to a kitchenette.

AUDITORIUM

means a BUILDING or part thereof used for civic, athletic and or commercial entertainment, and limited to:

- arena
- cinema
- theatre
- concert hall
- playhouse

Excludes uses such as BANQUET HALL, BODY-RUB PARLOUR, NIGHTCLUB, and ADULT ENTERTAINMENT PARLOUR.

AUTOMOBILE GAS STATION

means a BUILDING or station (pump island) where motor vehicle fuel is available for sale, and may include tire inflation, battery charging, and the incidental sale of motor oil, windshield cleaner, anti-freeze, transmission fluid, brake fluid, light bulbs, spark plugs, batteries, and similar motor vehicle accessories. Includes ACCESSORY VARIETY STORE. Excludes AUTOMOBILE SERVICE CENTRE and CAR WASH.

AUTOMOBILE SERVICE CENTRE

means a premises or part thereof used for the servicing, maintenance, and repair of motor vehicles. Excludes AUTOMOBILE GAS STATION and CAR WASH.

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B

BAKE SHOP

means a commercial establishment with fifteen (15) or less seats where products of a bakery are sold or offered for sale to the general public. Excludes RESTAURANT and TAKE-OUT RESTAURANT.

BANQUET HALL

means a BUILDING or part thereof used to host and cater to banquets, weddings, receptions or similar functions where food and beverages are typically prepared and served on the premises. May include catering services and live entertainment. Excludes RESTAURANT and TAKE-OUT RESTAURANT.

BASEMENT

means one (1) or more storeys of a BUILDING located below the FIRST STOREY.

BED & BREAKFAST ESTABLISHMENT

means a DWELLING UNIT where:

- a.) guest rooms are rented for the purposes of providing temporary overnight accommodation to the travelling or vacationing public; and
- b.) where one or more meals are provided to the guests of the BED & BREAKFAST ESTABLISHMENT.

Excludes HOTEL, GROUP HOME, GUEST SUITE, RESTAURANT and TAKE-OUT RESTAURANT.

BEDROOM

means a habitable room within a DWELLING UNIT that is not:

- a.) "Common Areas", meaning:
 - a living room open to all occupants of the unit
 - a dining room open to all occupants of the unit;
- b.) areas used for sanitary purposes, such as but not restricted to a washroom;
- c.) areas used for cooking purposes, such as but not restricted to a kitchen;
- d.) areas occupied by mechanical equipment, such as but not limited to furnaces, hot water heaters, and laundry equipment;
- e.) circulation spaces, such as stairways and hallways;
- f.) rooms less than six (6) square metres in area where there are built-in cabinets and or closets;
- g.) rooms less than seven (7) square metres in area where there are no built-in cabinets and or closets; and,
- h.) a room without a window or alternative source of natural light.

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BODY-RUB

means one or more of the following:

- kneading
- manipulating
- rubbing
- massaging
- touching
- stimulating

by any means, of a person's body or any part thereof. Excludes medical or therapeutic treatment given by a registered MASSAGE THERAPIST.

BODY-RUB PARLOUR

means any premises or part thereof where a BODY-RUB is performed, offered, or solicited.

BUILDING

means any structure used or intended to be used for the shelter, accommodation, or enclosure of persons, animals, or chattels. Excludes a boundary wall and fence.

APARTMENT BUILDING

means a residential BUILDING containing four (4) or more DWELLING UNITS, where each DWELLING UNIT has access to an interior common corridor system with shared exit and entrance at GRADE. Excludes MAISONETTE BUILDING and STACKED TOWNHOUSE BUILDING.

DUPLEX BUILDING

means a residential BUILDING divided into two (2) DWELLING UNITS by a horizontal continuous common wall.

FREEHOLD SEMI-DETACHED BUILDING

means a residential BUILDING divided into two (2) DWELLING UNITS by a vertical continuous common wall without opening from basement to roof, where each DWELLING UNIT is on a separate LOT. Each LOT shall ABUT a HIGHWAY.

NOTE: Subject to compliance with applicable law including this BY-LAW, a SECOND RESIDENTIAL UNIT is permitted within a DWELLING UNIT in a FREEHOLD SEMI-DETACHED BUILDING.

FREEHOLD TOWNHOUSE BUILDING

means a residential BUILDING containing three (3) to six (6) DWELLING UNITS which:

- a.) are separated vertically by a continuous common wall without opening from basement to roof;
- b.) are under a connected roof;
- c.) have a separate entrance at GRADE;
- d.) have connected exterior walls; and,
- e.) where each DWELLING UNIT is on a separate LOT.

Each LOT shall ABUT a HIGHWAY.

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NOTE: Subject to compliance with applicable law including this BY-LAW, a SECOND RESIDENTIAL UNIT is permitted within a DWELLING UNIT in a FREEHOLD TOWNHOUSE BUILDING.

MAISONETTE BUILDING means a residential BUILDING containing four (4) or more DWELLING UNITS, where each DWELLING UNIT has at least two separate means of egress. One of the means of egress shall lead to a common corridor, and the other means of egress shall lead directly outside from the DWELLING UNIT to GRADE.

MULTI-UNIT RESIDENTIAL BUILDING means a residential BUILDING containing four (4) or more DWELLING UNITS.

SEMI-DETACHED BUILDING means a residential BUILDING divided into two (2) DWELLING UNITS by a vertical continuous common wall without opening from basement to roof, where both DWELLING UNITS are on the same LOT.

SINGLE DETACHED BUILDING means a residential BUILDING used or intended to be used as one (1) DWELLING UNIT.

NOTE: Subject to compliance with applicable law including this BY-LAW, a SECOND RESIDENTIAL UNIT is permitted in a SINGLE DETACHED BUILDING.

STACKED TOWNHOUSE BUILDING means a residential BUILDING containing four (4) or more DWELLING UNITS which are horizontally and vertically separated in a split level or stacked manner, where:

- each DWELLING UNIT egresses directly outside to GRADE; and
- no egress is provided from the DWELLING UNIT to a common corridor.

TOWNHOUSE BUILDING means a residential BUILDING containing three (3) to six (6) DWELLING UNITS which:

- a.) are separated vertically by a continuous common wall without opening from basement to roof;
- b.) are under a connected roof;
- c.) have a separate entrance at GRADE;
- d.) have connected exterior walls; and,
- e.) are located on the same LOT.

TRIPLEX BUILDING means a residential BUILDING containing three (3) DWELLING UNITS with a maximum of two (2) of the three (3) DWELLING UNITS being vertically separated.

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BUILDING BY-LAW	means the Building By-law of the CITY.
BUILDING CODE	means the <i>Ontario Building Code Act, 1992</i> , S.O. 1992, c.23 and all amendments and regulations thereto.
BUILDING FACADE, FLANKAGE	means the exterior wall or face of the BUILDING abutting a FLANKAGE YARD.
BUILDING FACADE, FRONT	means the exterior wall or face of the BUILDING abutting a FRONT YARD.
BUILDING FACADE, OS1	means the exterior wall or face of the BUILDING abutting a YARD that ABUTS lands zoned Parks & Recreation (OS1).
BUILDING FACADE, STREET LINE	means: <ul style="list-style-type: none">a.) in the case of an INTERIOR LOT, the FRONT BUILDING FAÇADE;b.) in the case of a CORNER LOT, the FRONT BUILDING FACADE and the FLANKAGE BUILDING FAÇADE.
BUILDING FACADE LENGTH	
BUILDING FACADE LENGTH (FRONT YARD)	means the total length of the BUILDING, measured horizontally parallel between the two furthest points on the FRONT BUILDING FACADE.
BUILDING FACADE LENGTH (FLANKAGE YARD)	means the total length of the BUILDING, measured horizontally parallel between the two furthest points on the FLANKAGE BUILDING FACADE.
BUILDING FLOOR AREA	means the gross floor area of a BUILDING measured between the outside of all exterior walls. Includes an attic with a clear ceiling height of two-point-one-five metres (2.15m) for at least fifty percent (50%) of the attic floor area. Excludes STRUCTURED PARKING.
BUILDING HEIGHT	For a SINGLE DETACHED BUILDING, SEMI-DETACHED BUILDING, FREEHOLD SEMI-DETACHED BUILDING, DUPLEX BUILDING, TRIPLEX BUILDING, TOWNHOUSE BUILDING, FREEHOLD TOWNHOUSE BUILDING, STACKED TOWNHOUSE BUILDING, MAISONETTE BUILDING, and ACCESSORY BUILDING / STRUCTURE, means the vertical distance measured from the finished average ground level abutting the FRONT BUILDING FAÇADE to:

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- a.) for a flat roof, the highest point of:
 - the roof's surface; or
 - the parapet, where the parapet exceeds 1.2 metres in height,
whichever is higher;
- b.) for a mansard roof, the roof deck line;
- c.) for a gable, hipped, cottage, gambrel, or peaked roof, the mid-point measured between the eaves and the ridges.

For all other BUILDINGS and STRUCTURES, means the vertical distance from the finished ground level abutting the FRONT BUILDING FAÇADE, measured as the average of five (5) points equally spaced apart adjacent to the entire FRONT BUILDING FAÇADE to:

- a.) for a flat roof, the highest point of:
 - the roof's surface; or
 - the parapet, where the parapet exceeds 1.2 metres in height,
whichever is higher;
- b.) for a mansard roof, the roof deck line;
- c.) for a gable, hipped, cottage, gambrel, or peaked roof, the mid-point measured between the eaves and the ridges.

The following shall be disregarded when calculating BUILDING HEIGHT:

- chimney
- church spire, church steeple, church belfry, and the like
- mechanical and service equipment penthouse
- rooftop architectural feature (see section 3.A.5)
- mechanical and service equipment noise barriers
- elevator penthouse
- stairway structure
- non-habitable and unenclosed rooftop amenity structures
- safety guards
- ornamental domes, skylights, and cupolas
- telecommunication equipment

BUILDING INSPECTOR

means a building inspector of the CITY.

BUILDING LINE

means the line regulating the distance of a BUILDING or STRUCTURE on a LOT from:

- a.) the STREET LINE; or,
- b.) the line established by Schedule 'B' of this BY-LAW.

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BUSINESS INCUBATOR

means an establishment that is dedicated to nurturing the development and commercialization of startups, early-stage companies, and established companies (enterprises) by providing incubator services such as management training, networking facilities, programming, mentorship programs, business assistance services, and office space.

BY-LAW

means this by-law, all schedules attached hereto, and every amendment which amends, modifies or supplements this by-law.

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C

CAFE

means a commercial establishment with fifteen (15) or less seats that primarily serves beverages that are non-alcoholic to the general public, and may include ancillary retailing of prepared light snack foods such as pastries, muffins, desserts, fruit, yogurt, confectionery items, and baked goods. Excludes RESTAURANT.

CANNABIS DISPENSARIES

means a BUILDING or part thereof in which cannabis is offered and kept for sale to the end consumer. "Cannabis" means:

- any part of a cannabis plant;
- any substance or mixture of substances that contains or has on it any part of a cannabis plant,

except:

- the stalk of a cannabis plant without any leaf, flower, seed or branch
- fibre derived from the stalk of a cannabis plant
- the root of a cannabis plant.

CAR WASH

means a commercial establishment the primary function of which is to wash, clean and or wax motor vehicles.

CHANGE OF USE PERMIT

means a change of use permit pursuant to the BUILDING CODE.

CHILD CARE

CHILD CARE CENTRE

means a premises operated by a person licensed under the *Child Care & Early Years Act* to operate a child care centre for the purpose of providing temporary care to children for a continuous period not to exceed twenty-four (24) hours.

HOME CHILD CARE

means the temporary care of five or less children, unless otherwise permitted under the *Child Care & Early Years Act*, where such care is provided within a private DWELLING UNIT for a continuous period not exceeding twenty-four (24) hours.

CITY

means The Corporation of the City of Waterloo and where the context so implies includes its council, employees, solicitors, officers and agents.

CLUSTER DEVELOPMENT

means a development design technique that locates multiple SINGLE DETACHED BUILDINGS, SEMI-DETACHED BUILDINGS, TOWNHOUSE BUILDINGS, and or STACKED TOWNHOUSE BUILDINGS on a LOT to allow the remaining land to be used for a variety of open space and common element purposes.

COMMERCIAL RECREATION

means a commercial establishment specializing in recreational activities such as martial arts, racquet sports, bowling, ping-pong,

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billiards, mini golf, dance studios, indoor sport simulators, board games, ELECTRONIC GAMING CENTRES, and any other similar recreational or sporting activity. Excludes Dance Halls, Bingo Halls, AUDITORIUM, BANQUET HALL, Casino, ADULT ENTERTAINMENT PARLOURS.

COMMERCIAL SERVICE

means a commercial establishment that primarily serves businesses by providing services that support the operations of businesses, such as:

- delivery service
- copy centre
- printing facility
- data centre
- call centre
- document shredding
- post office

Excludes RETAIL STORE and PERSONAL SERVICE SHOP.

COMMERCIAL VEHICLE

means a motor vehicle used primarily for commercial purposes with or without an attached delivery body, and includes vehicles such as food trucks, catering or canteen trucks, buses, box / cube vans, tow trucks, tilt and load vehicles, dump trucks, tractor trailers, semi-trailers, and any vehicle which has an exterior fixture or fixtures for the purposes of carrying equipment, materials, or supplies for commercial purposes.

COMMERCIAL VEHICLE (LIGHT)

means a motor vehicle used primarily for commercial purposes by the owner or occupant of the premises, and is restricted to cars, minivans, contractor vans, and light duty trucks (often referred to as pickup trucks) with a maximum carrying capacity of one (1) ton. Excludes COMMERCIAL VEHICLES other than contractor vans.

COMMERCIAL WELLNESS

means a commercial establishment whose purpose is to refresh the mind and body through relaxation and or fitness activities such as a health spa, fitness centre, MASSAGE ESTABLISHMENT, and any other similar physical health and or wellness activity.

Excludes:

- COMMERCIAL RECREATION
- HEALTH PRACTITIONER other than a MASSAGE THERAPIST

COMMISSIONER

means the Commissioner of Integrated Planning & Public Works of the CITY and any successor position thereto.

COMMON ELEMENT

means a parcel of land forming part of the common elements of a Condominium Plan pursuant to the CONDOMINIUM ACT.

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Includes private roads, common walkways, common sidewalks, and common amenity areas within a plan of condominium.

COMMON ELEMENT ROAD

means a private road forming part of the COMMON ELEMENTS of a Condominium Plan pursuant to the CONDOMINIUM ACT with a direct connection to a municipal STREET.

COMMON OUTDOOR AREA

means a contiguous outdoor area on a LOT that is designed, built and maintained as a common public gathering space(s) for employees, occupants and visitors of the associated BUILDING, comprised of high quality landscaped and or hardscaped elements. Excludes commercial areas such as OUTDOOR PATIOS, BICYCLE PARKING spaces, rooftop terraces and the like, utilities, hazard lands, and retaining walls. "Hazard lands" include REGULATED AREAS, wetlands, watercourses, floodplains, steep slopes exceeding five percent (5%), and lands / allowances abutting such features. COMMON OUTDOOR AREA shall not be used to satisfy requirements for AMENITY AREA.

COMMUNICATION PRODUCTION

means a BUILDING or part thereof used as a studio for the production of multi-media including radio, music, television, motion pictures, and video streaming.

COMMUNITY GARDEN

means a parcel of land cultivated (tilled) and gardened by members of the community for non-commercial purposes. For the purposes of this definition, "gardened" means to grow and care for plants and crops. May include ACCESSORY BUILDINGS such as a tool shed, and non-commercial activities related to the community garden such as teaching. Excludes a greenhouse.

COMMUNITY HOUSING

means residential housing, owned by an organization and operated without profit or gain, with funding from government, that offers AFFORDABLE DWELLING UNITS and or subsidized (rent-geared-to-income) DWELLING UNITS in the entirety of the residential building.

CONDOMINIUM ACT

means the *Condominium Act, 1998*, S.O. 1998, c.19 as amended.

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CONTAMINANT

means:

- a.) any substance that is likely to cause material harm or degradation to a BUILDING or any part thereof, to cause harm to the natural environment, or to cause risk to human health, at any time, when;
 - i. it exists in a BUILDING or part thereof;
 - ii. it exists in the water supplied to or within a BUILDING;
 - iii. it is released into the BUILDING or part thereof;
 - iv. it is released into the water supplied to or within a BUILDING; or
 - v. it is released into the natural environment,

and includes without limitation:

- radioactive materials
- asbestos
- lead paint
- PCBs
- fungal contaminants (including stachybotrys chartarum and other moulds)
- mercury and its compounds
- dioxans and furans
- chlordane (DDT)
- polychlorinated biphenyls
- chlorofluorocarbons (CFCs)
- hydro chlorofluorocarbons (HCFCs)
- volatile organic compounds (VOCs)
- urea formaldehyde foam insulation
- radon gas
- chemicals known to cause cancer or reproductive toxicity
- petroleum and its derivatives, by-products or other hydrocarbons
- any substance declared to be hazardous, toxic, or noxious under any Environmental Law now or hereafter enacted or promulgated by an authority of competent jurisdiction.

COUNCIL

means the municipal council of the CITY.

COVERAGE

means the percentage of the LOT AREA covered by all BUILDINGS and STRUCTURES situated thereon. Excludes an unroofed DECK and an unroofed PORCH.

CULTURAL FACILITIES

means any premises or part thereof used for one or more of the following purposes:

- Art Gallery
- ARTIST STUDIO (CLASS A)
- Museum
- Library
- Performing Arts Theatre
- Concert Hall

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CUSTOM SERVICE SHOP

means any premises or part thereof used by:

- a building (construction) or building-related contractor business
- a business specializing in building (construction)
- a business specializing in building-related construction products, appliances, and mechanical equipment
- an ornamental metal craftsman

that stores, produces, assembles, and or services (repairs) goods to consumer specifications. CUSTOM SERVICE SHOPS shall be restricted to the following:

- Aluminum Siding Sales and Service
- Building/Construction Contractor specializing in residential and or non-residential construction, and may include the manufacturing and assembly of pre-fabricated building components
- Carpet Cleaning Service
- Custom Picture Framing
- Custom Woodworking
- Domestic Appliances Sales and Service
- Electrical, Plumbing and Heating Contractors
- Flooring and Tile Contractors
- Furniture Upholstering and Covering Services
- General Contractor Office
- Lighting Contractor Sales and Service
- Home Electronics Sales and Service
- Ornamental Metal Works
- Paint and Wallpaper Contractors
- SWIMMING POOL, Hot Tub, Steam Bath, and Sauna Sales and Service
- Windows, Doors and Glass Sales and Service

D

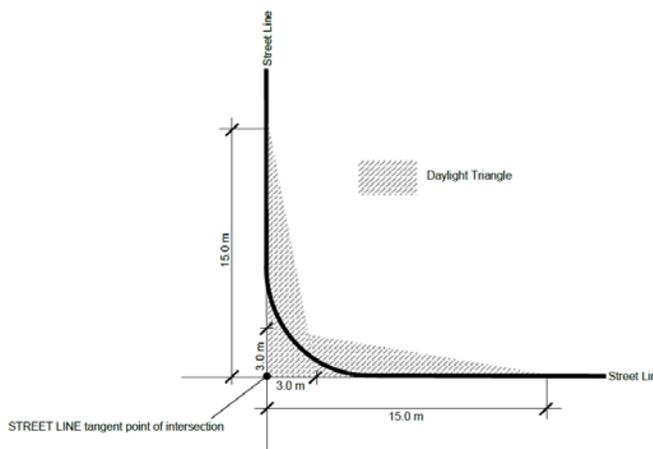
DATA CENTRE

means a networked computer server facility primarily used for the remote storage, processing, and distribution of data.

DAYLIGHT TRIANGLE

means the area formed by two triangles, where:

- a.) the STREET LINES form the legs of the triangle;
- b.) one leg of the triangle measures three metres (3m);
- c.) the other leg of the triangle measures fifteen metres (15m); and,
- d.) the triangles extend from the STREET LINE tangent point of intersection.



DECK

means a raised platform that:

- a.) is independent of the ground supported by a joist and beam system;
- b.) is zero-point-six metres (0.6m) or more above GRADE, measured from the ground level to the top of the raised platform's walking surface;
- c.) is unenclosed and open to the air above the walking surface (excluding a railing); and,
- d.) is not roofed but may contain a trellis.

DEPARTMENT STORE

means an establishment engaged in retailing a wide range of new durable goods, with no one merchandise line predominating, and may include: apparel, furniture, appliances and home furnishings, jewellery, toys, and additional product lines such as cosmetics, hardware, paint, toiletries, sporting goods, or photographic equipment.

DIRECTOR

means the Director of Planning of the CITY and any successor position thereto.

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DOMESTIC APPLIANCE STORE

means a retail store specializing in home electronics and appliances normally used within a DWELLING and without limiting the generality of the foregoing may include refrigerators, freezers, stoves, microwave ovens, washers, dryers, humidifiers, de-humidifiers, televisions, DVD and Blu-ray players, video recorders, video games and systems, home computers and tablets, radios, music players, sewing machines, vacuum cleaners, components thereto, accessories thereto, and may include the servicing and repair of such appliances and home electronics.

DONATION BOX

means any receptacle used for the purpose of collecting donated goods and items (such as apparel) from the public.

DRIVE-THROUGH

means a facility that enables customers to order and obtain goods or money while remaining in their motor vehicle. Excludes CAR WASH.

DRIVEWAY

means that portion of a LOT used for the passage of motor vehicles from a STREET, LANE or COMMON ELEMENT ROAD to a PARKING SPACE, loading area, the internal drive aisle of a parking lot, or the internal drive aisle of STRUCTURED PARKING.

DRUG STORE

means a commercial establishment where the primary business is the filling of medical prescriptions and the sale of drugs, medical devices and supplies, non-prescription medicines, and or nutritional supplements. Includes the ancillary retailing of non-medical convenience commercial goods.

DRY CLEANING AND LAUNDRY DEPOT

means a service commercial establishment where articles of clothing are received for:

- a.) cleaning elsewhere; or,
- b.) cleaning on the premises if the cleaning process is restricted to closed unvented dry cleaning equipment.

DWELLING

means a BUILDING or part thereof designed exclusively for residential occupancy. Excludes HOTEL.

**ACCESSORY APARTMENT
DWELLING**

means a separate self-contained DWELLING UNIT which lawfully and actually existed on November 16, 1995 within a residential BUILDING that was originally designed as either:

- a.) a SINGLE DETACHED BUILDING,
- b.) a SEMI-DETACHED BUILDING,
- c.) a FREEHOLD SEMI-DETACHED BUILDING,
- d.) a TOWNHOUSE BUILDING,
- e.) a FREEHOLD TOWNHOUSE BUILDING

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AFFORDABLE DWELLING UNIT means a DWELLING UNIT that:

- (a) In the case of an ownership DWELLING UNIT, the least expensive of: (i) housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households in the regional market area; or (ii) housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area.
- (b) In the case of a rental DWELLING UNIT, the least expensive of: (i) a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households in the regional market area; or (ii) a unit for which rent is at or below the average market rent of a unit in the regional market area.

For the purposes of this definition, low and moderate income means: (i) in the case of ownership housing, households with incomes in the lowest 60% of the income distribution for the regional market area; (ii) in the case of rental housing, households with incomes in the lowest 60% of the income distribution for renter households for the regional market area.

BACHELOR UNIT

means a DWELLING UNIT where the area intended for sleeping, living, and cooking are combined into a single room. For the purposes of this BY-LAW, a BACHELOR UNIT shall be considered a one (1) BEDROOM unit.

COACH HOUSE

means an accessory self-contained DWELLING UNIT that is detached from the principal BUILDING and located on the same LOT as the principal BUILDING.

CONVERTED DWELLING HOUSE

means a residential BUILDING converted to a maximum three (3) DWELLING UNITS within said BUILDING as it existed on January 1, 1993.

DWELLING UNIT

means two (2) or more rooms designed or intended to be occupied by and for the use of an individual or HOUSEHOLD as a residence with separate kitchen and sanitary (bathroom) facilities that are intended for the use of the dwelling unit only.

GARDEN SUITE

means a detached self-contained DWELLING UNIT that is designed to be or is capable of being portable. Includes, but is not restricted to, mobile homes.

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SECOND RESIDENTIAL UNIT means a separate self-contained DWELLING UNIT that is subordinate to and located within the same BUILDING as the principal DWELLING UNIT. Excludes ACCESSORY APARTMENT DWELLING.

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E

EDUCATIONAL INSTITUTION

means a not-for-profit organization, foundation or think tank devoted to education and or educational research, analysis and training.

ELECTRONIC GAMING CENTRE

means a commercial establishment which contains three (3) or more video and or pinball game machines for commercial entertainment purposes.

ENFORCEMENT OFFICER

means an officer assigned to the enforcement of this BY-LAW, specifically:

- a.) any Municipal Law Enforcement Officer of the CITY;
- b.) any Police Officer having jurisdiction;
- c.) any BUILDING INSPECTOR;
- d.) the COMMISSIONER;
- e.) the DIRECTOR;
- f.) any other person authorized by by-law of the CITY to enforce this BY-LAW.

ERECT

means to build, construct, reconstruct, and relocate. Includes:

- a.) any preliminary operation such as excavating, filling, or drainage;
- b.) altering any existing BUILDING or STRUCTURE by an addition, enlargement, extension, or other structural change; and or,
- c.) any work necessitating a building permit as required by the BUILDING BY-LAW of the CITY.

EXISTING

means lawfully and actually existing on the date of the final passing of this BY-LAW.

CITY OF WATERLOO

F

FAÇADE PROJECTION	means an architectural feature projecting from the exterior of a BUILDING façade which creates visual interest and articulation of the facade, such as a bay window.
FINANCIAL SERVICE	means a bank, financial trust company, and credit union. Excludes a PAYDAY LOAN STORE.
FIRST STOREY	means the STOREY that has its floor closest to GRADE and its ceiling more than one-point-eight (1.8) metres above GRADE.
FLOOD FRINGE	means, for watercourses and small inland lake systems, the outer portion of the floodplain between the floodway and the limit of the flooding hazard.
FLOODPROOFED	means structural changes and or measures incorporated into the design and or construction of a BUILDING, STRUCTURE, or property to protect it from flood damage.
FLOOR AREA RATIO	means the BUILDING FLOOR AREA of all BUILDINGS on a LOT divided by the LOT AREA.
FOOD AND BEVERAGE MANUFACTURING INDUSTRY	means a BUILDING or part thereof used for the processing of food and beverage products for human consumption. For the purposes of clarity, food and beverage products shall be limited to: <ul style="list-style-type: none">• meat and poultry products• bakery products including dehydrated fruit and vegetables• dairy products• vegetable products• cereal and other grain products• dry pasta products• sugar and confectionary products• beverages
FOOD STORE	means a retail store specializing in food products, including without limitation a grocery store, supermarket, organic food store, HEALTH FOOD STORE, nutritional supplement store, SPECIALTY FOOD STORE, and pet food store. Excludes a butcher shop where animals are slaughtered, or any class of RESTAURANT as defined in this BY-LAW.

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FOOD STORE, SPECIALTY

means a retail store specializing in one type of food product. Includes a BAKE SHOP, butcher (excluding where animals are slaughtered), delicatessen, meat market, fish market, fruit store, candy and confectionery stores, and nut shop.

FORMER BY-LAWS

means the following by-laws of the CITY:

- By-law No. 1108
- By-law No. 1418
- By-law No. 878A

CITY OF WATERLOO

G

GARAGE, PRIVATE

means:

- a.) an ACCESSORY BUILDING designed for the shelter of motor vehicles by the residents of the principal BUILDING; or,
- b.) a portion of a residential BUILDING designed for the shelter of motor vehicles by the residents of the BUILDING.

GAZEBO

means a freestanding, uninhabited, and roofed ACCESSORY STRUCTURE which is unenclosed (except for screening) and open to the air, and which is used for the purposes of relaxation in conjunction with a residential BUILDING. For the purposes of this BY-LAW, a GAZEBO shall not be deemed a DECK or PATIO.

GEOHERMAL WELL

means a vertical well, borehole or pipe installation used for geothermal systems, ground-source heat pump systems, geo-exchange systems or earth energy systems for heating or cooling, including open-loop and closed-loop vertical borehole systems. Excludes horizontal geothermal systems where construction or excavation occurs to depths less than five meters and the protective geologic layers overlaying a vulnerable aquifer remain intact.

GOVERNMENT USE

means a Municipal, Regional, Provincial, or Federal government use and or BUILDING. Includes a community centre, fire station, police station, ambulance station, government office, and library.

GRADE

means the finished ground level of the land, and when used in reference to a BUILDING or STRUCTURE shall mean the finished ground level of the land adjacent to the exterior walls of the BUILDING or STRUCTURE.

GREEN ROOF

means the roof of a BUILDING or STRUCTURE, or part thereof, that is designed and constructed to allow vegetation to grow in a growing medium.

GROSS LEASABLE AREA

means the floor area designed for tenant occupancy and exclusive use, measured from the outside of exterior wall faces and from the center line of joint partition walls. Includes basements, upper floors and mezzanines. Excludes:

- a.) boiler rooms, maintenance rooms, mechanical and electrical rooms
- b.) common hallways, stairwells, elevators, escalators
- c.) common gathering spaces
- d.) common loading and unloading areas
- e.) parking areas
- f.) common washroom facilities

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GROUND FLOOR AREA

means the floor area of the FIRST STOREY of a BUILDING measured to the outside of all exterior walls. In the case of a DWELLING, excludes:

- PRIVATE GARAGE
- porch and veranda
- sunroom, unless the sunroom is constructed to be habitable during all seasons of the year.

GROUP HOME

means a DWELLING where a HOUSEHOLD ranging from three (3) to eight (8) residents (excluding staff and the receiving family) live under supervision, and who by reason of their emotional, mental, social, physical condition, or legal status require a group living arrangement for their well-being. GROUP HOMES shall be licensed or approved for funding under an Act of the Parliament of Canada or the Province of Ontario.

GROUP HOME, CLASS A

means a GROUP HOME having three (3) to six (6) residents (excluding staff and the receiving family), and limited to residential facilities provided for by the following legislation and or regulations thereunder:

- a.) accommodation for the developmentally challenged approved under the authority of the *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008*;
- b.) a children's home approved under the authority of the *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008*;
- c.) a satellite home approved under the authority of the *Long Term Care Homes Act, 2007*;
- d.) a children's residence licensed under the authority of the *Child and Family Services Act, RSO 1990*;
- e.) a home for special care licensed under the authority of the *Homes for Special Care Act, RSO 1990*;
- f.) a group home funded by the Local Health Integration Network through the *Community Mental Health Services Supportive Housing Program* under the authority of the Ministry of Health & Long Term Care.

GROUP HOME, CLASS B

means a GROUP HOME having three (3) to eight (8) residents (excluding staff and the receiving family), and limited to residential facilities provided for by the following legislation and or regulations thereunder:

- a.) accommodation for the developmentally challenged approved under the authority of the *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008*;

CITY OF WATERLOO

- b.) a children's home approved under the authority of the *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008*;
- c.) a satellite home approved under the authority of the *Long Term Care Homes Act, 2007*;
- d.) a children's residence licensed under the authority of the *Child and Family Services Act, RSO 1990*;
- e.) a home for special care licensed under the authority of the *Homes for Special Care Act, RSO 1990*;
- f.) an approved home licensed under the authority of the *Homes for Special Care Act, RSO 1990*;
- g.) a community resource centre approved under the authority of the *Ministry of Correctional Services Act, RSO 1990*;
- h.) a half-way house approved under the authority of the *Long Term Care Homes Act, 2007*;
- i.) a group home funded by the Local Health Integration Network through the Community Mental Health Services Supportive Housing Program under the authority of the Ministry of Health & Long Term Care.

GUEST SUITE

means a unit within a principal BUILDING which:

- a.) contains no facilities for cooking; and
- b.) is used for the purpose of providing temporary accommodation to guests of the residents / tenants of the BUILDING.

Excludes BED & BREAKFAST ESTABLISHMENT, HOTEL, and GROUP HOME.

CITY OF WATERLOO

H

HABITABLE FLOOR SPACE	means the floor area of a BUILDING or part thereof suitable for habitation. Includes a BEDROOM, living room, dining room, family room, finished recreation room, study, den, hallway, stairway, and any room integral for habitation such as a kitchen and bathroom. Excludes areas used for the parking of motor vehicles.
HAZARDOUS SUBSTANCE	means any explosive, flammable, hazardous or toxic chemical, waste, by-product, pollutant, CONTAMINANT, compound, product or substance, including without limitation any liquid, solid or gaseous material for which the manufacturing, possession, presence, use, generation, storage, transportation, treatment, release, disposal, abatement, clean-up, removal, remediation or handling is prohibited, controlled or regulated under Environmental Law now or hereafter enacted or promulgated by an authority of competent jurisdiction.
HEALTH PRACTITIONER	means a professional who is licensed or registered to provide health care related services to individuals under the laws of the Province of Ontario, including Schedule 1 of the <i>Regulated Health Professions Act, 1991</i> , S.O. 1991, c.18. Includes a physician, dentist, chiropractor, psychologist, and a registered MASSAGE THERAPIST. Excludes BODY-RUB PARLOUR and an ADULT ENTERTAINMENT PARLOUR.
HERITAGE CONSERVATION DISTRICT	means a defined area designated under Part V of the Ontario Heritage Act.
HERITAGE DESIGNATION DATE	means: <ol style="list-style-type: none">the date of a property's designation under Part IV or section 34.5 of the Ontario Heritage Act; orthe effective date of the by-law establishing a HERITAGE CONSERVATION DISTRICT under Part V of the Ontario Heritage Act.
PROTECTED HERITAGE PROPERTY	means: <ol style="list-style-type: none">real property designated under Parts IV, V or VI of the Ontario Heritage Act;heritage conservation easement property designated under Parts II or IV of the Ontario Heritage Act;property that is subject to a covenant or agreement between the owner of the property and a conservation body or level of government, registered on title and executed with the primary purpose of preserving, conserving and

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maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss.

HIGHWAY

means a municipal or provincial public highway, street, road, avenue, parkway, bridge, or viaduct which is primarily intended for the passage of motor vehicles, and includes the area between the lateral STREET LINES thereof.

HISTORIC CENTRE LINE

means the centre line of the original HIGHWAY or LANE allowance.

HOME COMMERCIAL WELLNESS

means a COMMERCIAL WELLNESS business located within a DWELLING UNIT as a HOME OCCUPATION.

HOME HEALTH PRACTITIONER

means a HEALTH PRACTITIONER office located within a DWELLING UNIT as a HOME OCCUPATION.

HOME OCCUPATION

means a business conducted within a DWELLING UNIT by a permanent resident of the DWELLING UNIT. HOME OCCUPATIONS shall be ACCESSORY to the principal residential use.

HOME OFFICE

means an OFFICE located within a DWELLING UNIT as a HOME OCCUPATION, excluding a HOME HEALTH PRACTITIONER.

HOME PERSONAL SERVICE

means a commercial service provided within a DWELLING UNIT as a HOME OCCUPATION involving:

- personal grooming of individuals, such as a beauty salon or barber shop
- care of apparel
- dressmaker and or suit maker
- photography

Includes a manicurist, tailor, and a photographic studio.

HOTEL

means a BUILDING or part thereof with no less than six (6) rooms used or designed to be used for temporary overnight accommodation of the travelling or vacationing public, and may include an ancillary RESTAURANT and conference facilities. Excludes BED & BREAKFAST ESTABLISHMENT, GROUP HOME, and LODGING HOUSE.

HOUSEHOLD

means one (1) or more persons living together as a single non-profit, independent housekeeping unit, sharing all areas of the DWELLING UNIT.

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I

IMPERVIOUS AREA

means the area of a LOT which is covered by an impervious or impermeable material. Impervious areas include, but shall not be limited to the following materials:

- a.) asphalt
- b.) wood
- c.) concrete
- d.) clay
- e.) metal
- f.) stone, excluding small decorative landscaping aggregate consisting of stones zero-point-three to zero-point-six centimetres (0.3cm to 0.6cm) in diameter in locations other than a driveway or walkway
- g.) engineered pavers, including permeable pavers

INDIRECT SALES

means the sale of goods via mail order, telephone, fax, internet digital platform or website, but shall not include direct sales or the storage of inventory on the premises.

INDUSTRIAL ASSEMBLY

means an industrial production operation that requires specialized machinery, equipment and or expertise to substantially put together (build) a finished good from individual components or parts, primarily on a large scale by hand or machinery. The majority of the finished goods are distributed off-site to persons or parties other than the end consumer. The assembly or installation of minor components, small parts, or accessories that require minimal expertise or equipment or which are incidental to a finished good that is to be sold on-site shall not be considered an INDUSTRIAL ASSEMBLY operation. May include an ancillary office to administer the INDUSTRIAL ASSEMBLY use.

INDUSTRIAL MALL

means a BUILDING that contains two (2) or more separated spaces for lease or occupancy.

INDUSTRIAL MANUFACTURING

means an industrial production operation in which raw materials are transformed or fabricated into finished goods, components, or parts on a large scale by hand or machinery. The majority of the finished goods are distributed off-site to persons or parties other than the end consumer. Includes an ancillary office to administer the INDUSTRIAL MANUFACTURING use. Excludes PHARMACEUTICAL INDUSTRIES and FOOD AND BEVERAGE MANUFACTURING INDUSTRIES.

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INDUSTRIAL PROCESSING

means an industrial process, in which a systematic series of mechanical or chemical operations result in the production of a finished good, primarily in bulk quantities. May include an ancillary office to administer the INDUSTRIAL PROCESSING use. Excludes PHARMACEUTICAL INDUSTRIES and FOOD AND BEVERAGE MANUFACTURING INDUSTRIES.

INSTITUTION

means a not-for-profit organization or foundation devoted to a public, educational, health, social welfare, or charitable cause or program. Includes a public hospital, library, community centre, and GOVERNMENT USE. Excludes a residence, DWELLING UNITS, SPIRITUAL USE, MEDICAL CLINIC, PUBLIC SCHOOL, PRIVATE SCHOOL, EDUCATIONAL INSTITUTION, UNIVERSITY, and COLLEGE.

CITY OF WATERLOO

L

LABORATORY

means a BUILDING or part thereof used for scientific research, testing, and experimentation. A LABORATORY excludes:

- a) manufacturing, processing, and or refining of chemicals
- b) rendering plants
- c) PHARMACEUTICAL INDUSTRY

LANDSCAPED BUFFER

means a landscaped area that is predominantly vegetated by trees, shrubs and grasses. Excludes BUILDINGS, STRUCTURES, enclosures, parking areas, DRIVEWAYS, LOADING SPACES, covered or enclosed BICYCLE PARKING, curbs, retaining walls, garbage enclosures, ramps, stairs, utilities, and IMPERVIOUS AREAS.

LANDSCAPED OPEN SPACE

means a portion of a LOT predominantly used for the growth of trees, shrubs, grasses, and or other vegetation. Includes COMMON OUTDOOR AREA and ACCESSORY outdoor hardscapes such as a surface walkway, patio, or DECK. Excludes:

- a.) BUILDINGS and STRUCTURES (except for a DECK)
- b.) parking areas, including parking decks
- c.) DRIVEWAYS
- d.) LOADING SPACES
- e.) covered or enclosed BICYCLE PARKING
- f.) curbs and retaining walls
- g.) garbage enclosures
- h.) rooftop AMENITY AREAS, rooftop decks, rooftop terraces constructed after the effective date of this BY-LAW
- i.) stairs and ramps
- j.) utilities

LANE

means a public HIGHWAY or public right-of-way which affords a secondary means of access to LOTS abutting thereon. For the purposes of establishing setbacks within this BY-LAW, a LANE shall not be defined as a STREET. For the purposes of determining a LOT THROUGH, a LANE shall not be defined as a STREET.

LARGE MERCHANDISE STORE

means a BUILDING or part thereof in which predominantly large goods are offered, displayed and kept for sale or rent to the end consumer. Includes, but is not limited to:

- a furniture and home furnishing store (including home décor store)
- DOMESTIC APPLIANCE STORE
- home entertainment store
- home improvement store (with or without ancillary garden supplies)
- hardware store (with or without ancillary garden supplies)
- heating and plumbing equipment sales and service

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- office equipment store
- electronics store
- sporting goods store
- fitness equipment store
- swimming pool, steam baths and saunas sales and service
- automotive parts and accessories store (including tires)

Excludes MOTOR VEHICLE RETAILER.

LIGHT

in reference to:

- INDUSTRIAL MANUFACTURING
- INDUSTRIAL ASSEMBLY
- INDUSTRIAL PROCESSING

means an industrial use which:

- a.) is wholly enclosed within a BUILDING, except for PARKING SPACES and LOADING SPACES; and
- b.) in its operation does not ordinarily result in emissions from the BUILDING of odours, fumes, noise, cinder (including smoke, soot, ash), dust, vibrations, heat, glare (lighting), or electrical interference,

where the finished goods are typically designed for the end consumer rather than other industries, such as consumer electronics and clothing manufacturing.

LOADING SPACE

means an off-street area solely devoted to the temporary parking of a motor vehicle or trailer used for loading or unloading of merchandise, materials, or personal belongings.

LODGING HOUSE

means a BUILDING or part thereof used for residential occupancy where a proprietor offers LODGING ROOMS to five (5) or more persons, with or without meals, in return for remuneration or the provision of a service, or for both. Excludes HOTEL, BED & BREAKFAST ESTABLISHMENT, LONG TERM CARE FACILITY, ASSISTED LIVING FACILITY, and GROUP HOME.

LODGING ROOM

means a BEDROOM within a LODGING UNIT which is exclusively used by the resident or residents of the BEDROOM, and is not normally accessible to persons other than the resident or residents of the BEDROOM.

LODGING UNIT

means a living accommodation which does not include the exclusive use of a kitchen or a bathroom.

LONG TERM CARE FACILITY

means a BUILDING or part thereof:

- a.) that is regulated by the Ontario Ministry of Health & Long-Term Care;
- b.) that is the residence of a PERSON;
- c.) where residents are provided with twenty four (24) hour nursing care and supervision; and
- d.) where residents are furnished with meals.

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LOT

means:

- a.) A single parcel or contiguous parcels of land held under one ownership that may be conveyed in compliance with the provisions of the Planning Act.
- b.) Any condominium unit not located entirely within and comprising part of a building, excluding parking condominium units and units for incidental structures including, but not limited to, signage and entrance features.

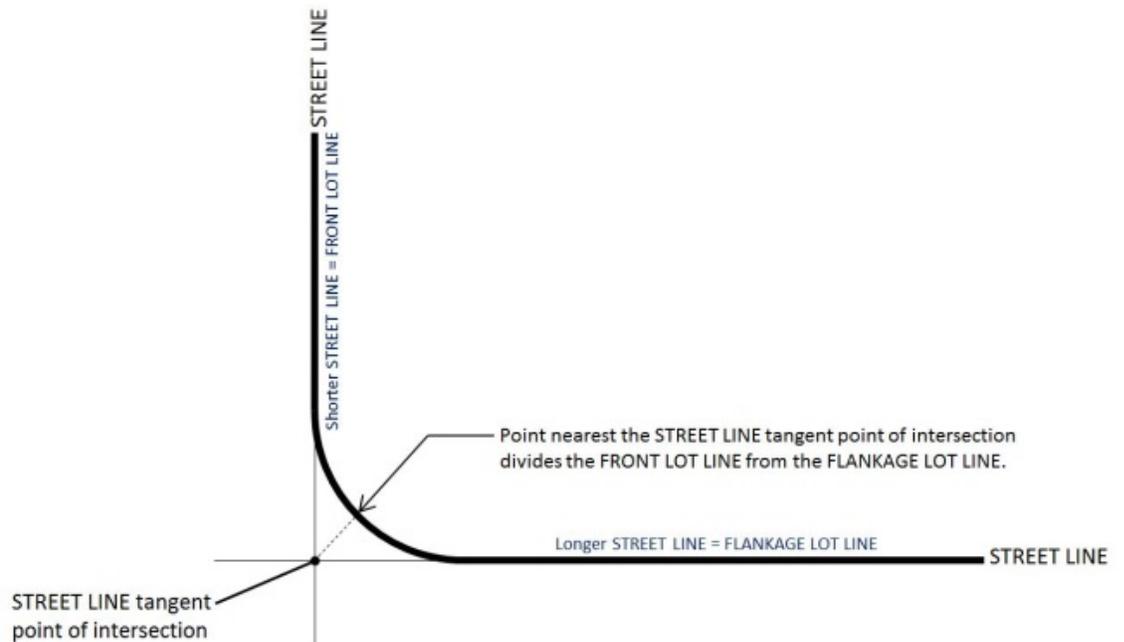
A LOT may or may not be the land shown as a lot on a registered plan of subdivision.

CORNER LOT

means a LOT:

- a.) abutting the intersection of two (2) STREETS, in one or more instances; or,
- b.) abutting one (1) curved STREET where the angle measured by the STREET LINES is less than one hundred and thirty-five (135) degrees.

Where a CORNER LOT has a curve, the FRONT LOT LINE will be distinguished from the FLANKAGE LOT LINE at that point on the STREET LINE nearest to the STREET LINE tangent point of intersection.



INTERIOR LOT

means a LOT other than a CORNER LOT.

THROUGH LOT

means an INTERIOR LOT bounded on two (2) opposite sides by STREETS, but not a CORNER LOT.

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LOT AREA	means the total horizontal area within the LOT LINES of a LOT.
LOT DEPTH	means the horizontal distance between the FRONT LOT LINE and REAR LOT LINE, or in the case of a triangular LOT between the FRONT LOT LINE and the apex of the triangle formed by the intersection of the SIDE LOT LINES.
LOT FRONTAGE	means the width of the LOT measured at the FRONT LOT LINE, except: <ul style="list-style-type: none">a.) in the case of a CORNER LOT where the FLANKAGE LOT LINE and SIDE LOT LINE are not parallel; and,b.) in the case of an INTERIOR LOT where the SIDE LOT LINES are not parallel, LOT FRONTAGE shall mean the width of the LOT measures at the FRONT YARD BUILDING LINE.
LOT LINE	means the boundary line of a LOT, commonly referred to as the property line.
FLANKAGE LOT LINE	in the case of a CORNER LOT, means the longer LOT LINE that abuts the STREET.
FRONT LOT LINE	means the LOT LINE that divides a LOT from the STREET. In the case of a CORNER LOT, the shorter STREET LINE shall be deemed to be the FRONT LOT LINE, and the longer STREET LINE shall be deemed the FLANKAGE LOT LINE. In the case of a THROUGH LOT, both of the LOT LINES abutting a STREET shall be deemed FRONT LOT LINES, except pursuant to Section 3.R.5 ("RESERVEs").
INTERIOR LOT LINE	means any LOT LINE not abutting a STREET.
LOW RISE RESIDENTIAL LOT LINE	means a LOT LINE abutting a LOW RISE RESIDENTIAL AREA.
REAR LOT LINE	means, in the case of: <ul style="list-style-type: none">a.) a square or rectangular LOT, the LOT LINE opposite the FRONT LOT LINE;b.) a triangular LOT, the point of the apex of the triangle furthest from the FRONT LOT LINE;c.) an irregular shaped LOT, the LOT LINE or LOT LINES furthest from and opposite to the FRONT LOT LINE including any angled contiguous LOT LINE adjoining it.
RESERVE LOT LINE	means a LOT LINE abutting a RESERVE.
SIDE LOT LINE	means a LOT LINE that connects the FRONT LOT LINE to the REAR LOT LINE.

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LOT WIDTH

means:

- a.) for an INTERIOR LOT, the distance measured between the SIDE LOT LINES at right angles, except in the case where the SIDE LOT LINES are not parallel LOT WIDTH means the distance measured between the SIDE LOT LINES at the FRONT YARD BUILDING LINE;
- b.) for a CORNER LOT, the distance measured between the SIDE LOT LINE and the FLANKAGE LOT LINE at right angles, except in the case where the SIDE LOT LINE and the FLANKAGE LOT LINE are not parallel LOT WIDTH means the distance measured between the SIDE LOT LINE and the FLANKAGE LOT LINE at the FRONT YARD BUILDING LINE

LOW RISE RESIDENTIAL AREA

means lands which are zoned:

- EI
- FD
- I
- R1
- R2
- R3
- R4
- R5
- R6
- R7
- R8
- R9
- RC1
- S

M

MAKERSPACE

means a community workshop or community studio that is dedicated to nurturing creativity, collaboration and hands-on learning through the provision of shared do-it-yourself space where like-minded individuals can gather and interact to:

- create (make, build), invent, tinker, explore, learn; and,
- share ideas, resources (tools, materials), knowledge, and skillsets.

MAKERSPACE, CLASS A

means MAKERSPACE where patrons:

a.) have access to low-impact tools and technology such as:

- 3D printers
- arts and crafts equipment (such as easels, sewing machines)
- computers
- electronics, such as audio and visual devices
- hand tools
- microcontrollers for prototyping, digital devices, and interactive objects
- mixed media
- robotics
- software
- vinyl cutting equipment

- and or -

b.) can learn and develop low-impact skills such as:

- coding
- cooking
- gaming
- painting
- sculpting and woodcarving using hand tools
- sewing and knitting

MAKERSPACE, CLASS B

means MAKERSPACE where patrons:

a.) have access to tools and technology with the potential for high-impact, such as:

- laser and plasma cutters
- milling machines
- computer numerical control equipment (such as CNC routers)
- welding and soldering equipment
- lathes
- forges and blacksmithing equipment
- bio-laboratories

- and or -

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- b.) involving one or more of the following processes:
 - metalworking (excluding craft jewellery)
 - woodworking (excluding woodcarving using hand tools)
 - manufacturing
 - INDUSTRIAL ASSEMBLY (excluding prototype assembly)

MAJOR OFFICE

means a BUILDING or part thereof containing 4,000 square metres or more of BUILDING FLOOR AREA used for one or more of the following purposes:

- a.) professional consulting practice
- b.) professional advisory services
- c.) the administrative functions of a business or industry
- d.) the carrying on of a business, the main product of which is the creation, processing and or storage of information rather than the production, retailing, and or distribution of goods
- e.) government administration

Excludes RETAIL STORE, FINANCIAL SERVICE, PAYDAY LOAN STORE, PERSONAL SERVICE SHOP, VETERINARIAN CLINIC, ANIMAL HOSPITAL, BODY-RUB PARLOR, and ADULT ENTERTAINMENT PARLOUR.

MESSAGE ESTABLISHMENT

means a BUILDING or part thereof where massages are provided by a registered MESSAGE THERAPIST. Excludes BODY-RUB PARLOUR and ADULT ENTERTAINMENT PARLOUR.

MESSAGE THERAPIST

means a Massage Therapist who is registered with the College of Massage Therapists of Ontario in accordance with the laws of the Province of Ontario.

MAXIMUM DESIGNED CAPACITY

means the maximum number of PERSONS for which the BUILDING and or STRUCTURE or part thereof was designed, as determined by the BUILDING CODE.

MEDICAL CLINIC

means one or more of the following:

- a.) the OFFICE of one or more HEALTH PRACTITIONERS that is primarily devoted to the care of outpatients, including urgent care medical clinics
- b.) outpatient medical services for health-care related testing, screening, imaging, therapy, and or surgery

MEDICAL CLINIC may include an ancillary PHARMACEUTICAL DISPENSARY.

METAL CONTAINER

means a metal vessel commonly or initially designed for the transportation of freight goods or commodities and shall include but not be limited to a shipping container, cargo container, and truck trailer. Excludes refuse bins, motor vehicles, and QUONSET HUT.

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MICROBREWERY

means a BUILDING or part thereof used for the small-scale production of beverages including beer, wine, cider, and spirits.

MIXED USE BUILDING

means a BUILDING containing one or more DWELLING UNITS and one or more non-residential uses other than:

- a.) HOME OCCUPATIONS
- b.) PARKING SPACES

MODEL HOME

means a new finished but uninhabited DWELLING UNIT within a:

- SINGLE DETACHED BUILDING
- DUPLEX BUILDING
- FREEHOLD TOWNHOUSE BUILDING
- SEMI-DETACHED BUILDING
- TOWNHOUSE BUILDING
- TRIPLEX BUILDING

that is constructed to the provisions of the zoning category in which the MODEL HOME is located, and used as an example of the new DWELLING UNITS offered for sale or rent to the general public within the related subdivision or condominium. May include an OFFICE to conduct the affairs of the related developer and or builder.

MODEL SUITE

means a new finished but uninhabited DWELLING UNIT within a:

- APARTMENT BUILDING
- MAISONETTE BUILDING
- MIXED USE BUILDING
- MULTI-UNIT RESIDENTIAL BUILDING
- STACKED TOWNHOUSE BUILDING

that is constructed to the provisions of the zoning category in which the MODEL SUITE is located, and used as an example of the DWELLING UNITS offered for sale or rent to the general public within the BUILDING. May include an OFFICE to conduct the affairs of the related developer and or builder.

MOTOR VEHICLE RETAILER

means a LOT or portion thereof, and any BUILDING thereon, used to display, sell, rent, or lease motor vehicles including cars, trucks, marine and all-terrain vehicles. Includes servicing and repair services that are ACCESSORY to the principal Motor Vehicle Retail Use.

MOTOR VEHICLE RETAIL STORE

means a BUILDING or part thereof, not exceeding 930 square metres of BUILDING FLOOR AREA, in which new motor vehicles are offered and displayed for sale or rent to the end consumer. Excludes outdoor display and or storage of motor vehicles, with the exception of a maximum six (6) demonstration vehicles for consumers to test drive. Excludes servicing, repair and detailing of motor vehicles.

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MUNICIPAL ACT

means the *Municipal Act, 2001, S.O. 2001* and all amendments and regulations thereto.

MUNICIPAL RECREATION FACILITY

means lands owned and operated by the CITY for public recreation purposes, and shall include but not be limited to parks, playgrounds, community centers, tennis courts, bowling greens, SWIMMING POOLS, and golf courses.

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N

NANOBREWERY

means a BUILDING or part thereof used for the small-scale production of beer, wine, cider, and or spirits in conjunction with and ancillary to a RESTAURANT.

NIGHTCLUB

means a BUILDING or part thereof primarily used for commercial entertainment with an open floor area and where seating is not provided for the majority of the patrons; the principal function of which is dancing and or listening to pre-recorded or amplified music, viewing live musical performances, and or viewing other forms of live entertainment. Food and beverages may be offered for sale as an ancillary use. Excludes RESTAURANT, TAKE-OUT RESTAURANT, BANQUET HALL, AUDITORIUM, and ADULT ENTERTAINMENT PARLOUR.

CITY OF WATERLOO

O

OCCASIONAL USE

means an event within a City-owned facility or on City-owned land which is temporary in duration. Includes:

- specialty sales and services
- concerts
- festivals
- trade shows
- fairs
- auctions
- recreational competitions

For the purposes of this definition, "temporary" shall mean established for an identified short period of time with the intent to discontinue upon the expiration of the time period.

OFFICE

means a BUILDING or part thereof containing less than 4,000 square metres of BUILDING FLOOR AREA used for one or more of the following purposes:

- a.) professional consulting practice
- b.) professional advisory services
- c.) the administrative functions of a business or industry
- d.) the carrying on of a business, the main product of which is the creation, processing and or storage of information rather than the production, retailing, and or distribution of goods
- e.) government administration

Excludes RETAIL STORE, FINANCIAL SERVICE, PAYDAY LOAN STORE, PERSONAL SERVICE SHOP, VETERINARIAN CLINIC, ANIMAL HOSPITAL, BODY-RUB PARLOR, and ADULT ENTERTAINMENT PARLOUR.

OFFICIAL PLAN

means the Official Plan of the CITY, as amended.

OLD GOLD SHOP

means a commercial establishment where items containing gold, silver, precious metals and or gems are purchased by the commercial establishment in exchange for a monetary return to the consumer. Excludes RETAIL STORE.

OUTDOOR DISPLAY AREA

means an unenclosed outdoor display area ACCESSORY to a commercial retail use, used for the display of merchandise associated with the commercial retail use. Excludes MOTOR VEHICLE RETAILER.

OUTDOOR PATIO

means an unenclosed outdoor seating area ACCESSORY to a RESTAURANT, CAFÉ, or BAKE SHOP where food and beverages are served to the public for consumption on the patio.

CITY OF WATERLOO

OUTDOOR BAKE SHOP PATIO

means an unenclosed outdoor seating area ACCESSORY to a BAKE SHOP where food and beverages from the BAKE SHOP are served to the public for consumption on the patio.

OUTDOOR CAFE PATIO

means an unenclosed outdoor seating area ACCESSORY to a CAFÉ where food and beverages from the CAFE are served to the public for consumption on the patio.

OUTDOOR RESTAURANT PATIO

means an unenclosed outdoor seating area ACCESSORY to a RESTAURANT where food and beverages from the RESTAURANT are served to the public for consumption on the patio.

OUTDOOR ROOFTOP PATIO

means an unenclosed outdoor seating area ACCESSORY to a RESTAURANT, CAFÉ, or BAKE SHOP, where food and beverages are served to the public for consumption on the rooftop patio. Excludes NIGHTCLUB and any component thereof.

OUTDOOR STORAGE

means the storage of equipment, goods and or materials outside of any BUILDING or STRUCTURE, including storage in unenclosed portions of any BUILDING or STRUCTURE which are open to the air on the sides. Excludes a Seasonal Garden Centre, OUTDOOR DISPLAY AREA, and MOTOR VEHICLE RETAILER.

CITY OF WATERLOO

P

PARKING

BICYCLE PARKING	means an area used exclusively for the parking of bicycles.
BICYCLE PARKING (TYPE A)	means secure BICYCLE PARKING located indoors or within a bike locker.
BICYCLE PARKING (TYPE B)	means BICYCLE PARKING other than TYPE A BICYCLE PARKING.
PARKING FACILITY	means a LOT, BUILDING, STRUCTURE, or part thereof, used for the temporary parking of motor vehicles for a period not to exceed twenty four (24) successive hours. Includes STRUCTURED PARKING and SURFACE PARKING.
PARKING SPACE	means an area used exclusively for the parking of motor vehicles.
PARALLEL PARKING	means one (1) or more PARKING SPACES which are parallel to and abutting a drive aisle, STREET, or LANE.
PUBLIC PARKING AREA	means STRUCTURED PARKING and or SURFACE PARKING available for public use.
STRUCTURED PARKING	means a BUILDING, STRUCTURE, or part thereof, used primarily for the parking of motor vehicles. Includes UNDERGROUND PARKING. Includes PARKING SPACES entirely or partially beneath a BUILDING, excluding cantilevered shade or solar STRUCTURES.
SURFACE PARKING	means the portion of a LOT at GRADE and open to the air that is used for the parking of motor vehicles.
TANDEM PARKING	means two (2) or more PARKING SPACES which are located one behind the other, where only one (1) PARKING SPACE has direct access to a drive aisle, STREET, or LANE.
UNDERGROUND PARKING	means STRUCTURED PARKING fully enclosed below GRADE.
VISITOR PARKING	means PARKING SPACES for the exclusive use of visitors to the LOT and or BUILDING.

CITY OF WATERLOO

PATIO

means:

- a.) a constructed hard surfaced outdoor passive recreation area at GRADE and ACCESSORY to a BUILDING; or,
- b.) a raised platform that:
 - i. is independent of the ground;
 - ii. is less than zero-point-six metres (0.6 m) above GRADE measured to the top of the raised platform's walking surface;
 - iii. is unenclosed and open to the air above the walking surface, excluding a railing;
 - iv. is not roofed, but may contain a trellis; and,
 - v. is ACCESSORY to a BUILDING.

PAYDAY LOAN STORE

means an establishment licensed under the *Payday Loans Act, S.O. 2008, c.9* as amended, to provide personal loans to consumers.

PERMIT

means a formal grant of permission, including a permit, license, or certificate that is issued by a PUBLIC AUTHORITY.

PERSON

means and includes any individual, association, partnership, incorporated company, corporation, municipal corporation, agent, or trustee and their heirs, executors and assigns, or other legal representatives or a person to whom the context can apply according to law.

PERSONAL BREWING ESTABLISHMENT means a commercial establishment where the consumer makes beer and or wine for personal consumption off the premises, described by the Alcohol & Gaming Commission of Ontario as "Ferment on Premise Facility".

PERSONAL SERVICE SHOP

means a BUILDING or part thereof used in the provision of services involving:

- a.) personal grooming of individuals, such as a beauty salon or barber shop
- b.) CLASS A PET SERVICES
- c.) care of apparel
- d.) dressmaker and or suit maker
- e.) ACCESSORY retailing of products or services related to a.) to d.) above.

Includes a hair salon, barber shop, tailor, DRY CLEANING AND LAUNDRY DEPOT, and Photography Studio. Excludes MEDICAL CLINIC, private hospital within the meaning of the *Private Hospitals Act*, VETERINARY CLINIC, VETERINARY HOSPITAL, BODY-RUB PARLOUR, and ADULT ENTERTAINMENT PARLOUR.

CITY OF WATERLOO

PET SERVICES, CLASS A

means a BUILDING or part thereof used for the non-veterinarian caring, grooming, and or training of animals including domestic dogs, cats, rabbits, and birds. Excludes overnight boarding, outdoor animal enclosures, kennel, pound, Humane Society, VETERINARY CLINIC and VETERINARY HOSPITAL.

PET SERVICES, CLASS B

means a BUILDING or part thereof used for the non-veterinarian caring, grooming, training, and or overnight boarding of domestic animals including domestic dogs, cats, rabbits, and birds. May include an outdoor animal enclosure, provided that animals are not kept outdoors during evening and night hours (7:00pm to 7:00am). Excludes VETERINARY CLINIC and VETERINARY HOSPITAL.

PHARMACEUTICAL DISPENSARY

means a small retail outlet, to a maximum 465 square metres, where the primary business is the dispensing of drugs prescribed by a HEALTH PRACTITIONER. Dispensing shall only be undertaken by a pharmacist registered with the Ontario College of Pharmacists. Includes ancillary retailing of medical devices, medical supplies, non-prescription drugs, and non-prescription medicines. Excludes a DRUG STORE.

PHARMACEUTICAL INDUSTRY

means a BUILDING or part thereof used for the manufacturing and or fabrication of:

- a.) pharmaceutical and or medical products for human or veterinary use;
- b.) orthopedic, prosthetic, and surgical appliances and supplies.

For clarity, chemical manufacturing, processing and refining is expressly prohibited with the exception of same specifically related to pharmaceuticals.

PLANNING ACT

means the *Ontario Planning Act, R.S.O. 1990, c.P.13* as amended.

PODIUM

means the base of a BUILDING above GRADE, up to six storeys in height, extending outwards from the TOWER towards the STREET as an identifiable projecting element to articulate the BUILDING.

POOL ENCLOSURE

means a fence, wall, or other structure, or combination thereof, including any door or gate, surrounding a SWIMMING POOL to restrict access thereto.

PORCH

means a roofed structure projecting from the exterior wall of a DWELLING and having at least fifty percent (50%) of the total area of the vertical planes forming its perimeter unobstructed in any manner between floor and ceiling except by insect-screening.

CITY OF WATERLOO

PRINTING ESTABLISHMENT

means a BUILDING or part thereof used primarily for printing, copying, lithographing, and or the publishing of printed materials.

PRIVATE CLUB

means a BUILDING or part thereof exclusively used by the members of a club (association) and their guests for social or recreational purposes, or for the promotion of a common objective or pursuit. Excludes SPIRITUAL USE.

PUBLIC AUTHORITY

means any federal, provincial, or municipal government, including their crown agencies and local boards.

PUBLIC MARKET

means a LOT or portion thereof, and any BUILDING thereon, with temporary vending areas used to display and sell one or more of the following items to the general public:

- antiques
- artisans goods
- confectionery and baked goods
- canned or preserved products
- eggs and dairy products
- fresh fruits, vegetables, and produce
- food products requiring minimal processing such as maple syrup
- games
- homemade and handcrafted goods
- meat, poultry and fish
- second hand goods
- toys
- trees, shrubs, plants, flowers and gardening accessories

CITY OF WATERLOO

Q

QUONSET HUT

means a prefabricated shelter made of corrugated steel, plastic, wood or other material, fabricated to form a self-supporting structure often used for storage or weather protection of vehicles or other materials. The structure may or may not be anchored by a foundation system.

CITY OF WATERLOO

R

REGION	means the Regional Municipality of Waterloo and "Regional" shall have a corresponding meaning and where the context so implies includes its council, employees, solicitors, officers and agents.
REGULATED AREA	means lands regulated by the Grand River Conservation Authority pursuant to Ontario Regulation 150/06 and any successor regulation thereof, and includes all regulated hazard lands, wetlands, watercourses, floodplains, steep slopes, and lands adjacent to such features (allowance).
REGULATORY FLOOD	means the inundation under a flood resulting from the rainfall experienced during the Hurricane Hazel storm (1954) or the 100-year flood, wherever it is greater, the limits of which define the riverine flooding hazard, as determined by the Grand River Conservation Authority.
RESERVE	means a municipally-owned narrow parcel of land that separates a LOT from a STREET, LANE or COMMON ELEMENT ROAD.
RESTAURANT	means a commercial establishment within an enclosed BUILDING in which food and beverages are prepared and served for immediate consumption primarily on the premises by customers seated at tables and or counters. Excludes NIGHTCLUB.
RESTAURANT, TAKE-OUT	means a commercial establishment within an enclosed BUILDING, with fifteen (15) or less seats, in which adequate facilities are provided for the preparation, serving, and sale of food and beverages which are not normally consumed on the premises.
RETAIL STORE	means a BUILDING or part thereof in which goods are offered, displayed, and kept for sale or rent to the end consumer. Excludes: <ul style="list-style-type: none">• MOTOR VEHICLE RETAILER with the exception of a MOTOR VEHICLE RETAIL STORE• Lumber Yard

CITY OF WATERLOO

S

SAFE ACCESS

means locations where during the REGULATORY FLOOD, the flow velocity does not exceed 1.7 metres per second, the product of depth and velocity does not exceed 0.4 square metres per second, the depth of flooding along access routes to residential units does not exceed 0.8 metres or 1.2 metres along access routes to commercial or industrial buildings or structures, and the depth of flooding adjacent to residential units does not exceed 1.2 metres or 2.0 metre adjacent to commercial or industrial buildings or structures.

SCHOOL

means an educational establishment.

COMMERCIAL SCHOOL

means a service commercial establishment which provides instruction to one or more PERSONS for gain or profit. COMMERCIAL SCHOOLS do not operate in accordance with the requirements of the *Education Act, R.S.O. 1990, c.E.2* as amended. Includes a driving school, art school, drama school, dancing school, music school, modeling school, golf school, and business school. Excludes PUBLIC SCHOOL and PRIVATE SCHOOL.

PRIVATE SCHOOL

means a private elementary school and or private secondary school that is primarily funded by private organizations and private individuals, but operates in accordance with the requirements under the *Education Act, R.S.O. 1990, c.E.2* as amended. Excludes COMMERCIAL SCHOOL.

PUBLIC SCHOOL

means a public elementary school and or public secondary school that is primarily funded by the Province of Ontario and operates under the jurisdiction of a District School Board pursuant to the *Education Act, R.S.O. 1990, c.E.2* as amended. May include adult education and skills development by the District School Board. District School Board includes the Waterloo Region District School Board and the Waterloo Catholic District School Board.

CITY OF WATERLOO

SENSITIVE USE

means a BUILDING containing one or more of the following uses:

- ALTERNATIVE EDUCATION CENTRE
- AMENITY AREA (indoor)
- ASSISTED LIVING FACILITY
- CHILD CARE CENTRE
- DWELLING UNIT
- GROUP HOME
- Hospital
- HOTEL
- INSTITUTION where a person sleeps or is present on a full-time basis
- LONG TERM CARE FACILITY
- MEDICAL CLINIC where a person sleeps or is present on a full-time basis
- PRIVATE SCHOOL
- PUBLIC SCHOOL
- SPIRITUAL USE
- UNIVERSITY / COLLEGE residence or residential use

SHORT-TERM RENTAL HOUSING

means a DWELLING rented to the travelling or vacationing public, whether rented regularly, seasonally or occasionally.

SPIRITUAL USE

means a BUILDING or part thereof used by a religious organization as a place of worship and for religious services, ceremonies, and rites. Includes subordinate and incidental accessory uses related to the spiritual use, such as:

- a spiritual leader's residence
- assembly areas for meditation, reflection, social gathering, and the like
- faith-based instruction and teaching
- offices for the administration of the religious organization
- library for the religious organization
- gymnasium.

A religious organization means a corporation or an association that is charitable according to the laws of the Province of Ontario, and organized for the advancement of a religion.

STEPBACK

means the horizontal recessing of the BUILDING facade above a specified STOREY.

STOREY

means that portion of a BUILDING between any floor and the roof or ceiling next above such floor, provided that any portion of a BUILDING partly below GRADE shall be deemed a STOREY if its ceiling height is one-point-eight metres (1.8 m) above the average adjacent GRADE.

CITY OF WATERLOO

STREET

means:

- a.) a public HIGHWAY having a minimum width of twelve metres (12m) which affords a principal means of access to abutting LOTS;
- b.) a COMMON ELEMENT ROAD contained within a plan of condominium.

STREET LINE

means the LOT LINE separating the LOT from the STREET.

STREET LINE ELEVATION

means the elevation of the finished ground level at the STREET LINE.

STRUCTURE

means any erection, permanent or temporary, fixed to or supported by the soil. Excludes signs, flag poles, fences, retaining walls, electrical authority hydro transformers, telecommunication utility pedestals, municipal hydrants, gasoline pump islands, and light standards.

SWIMMING POOL

means a structure that is filled with water and used for swimming or leisure activities. Includes hot tubs.

UNENCLOSED SWIMMING POOL

means either:

- an unenclosed below-ground SWIMMING POOL
- an unenclosed above-ground SWIMMING POOL

CITY OF WATERLOO

T

TEACHER

means a HOME OCCUPATION where the permanent resident of the DWELLING UNIT instructs another person on a specific topic such as but not limited to music, math, or language.

TEACHING AREA

means any area which is designed and used for teaching a group of individuals, either on a full time or part time basis.

TECH OFFICE

means an OFFICE specializing in:

- augmented reality
- cloud computing
- coding
- computer engineering
- computer science
- cyber security
- data centres
- development and application of software
- digital and content media
- digital health and biometrics
- digital imaging
- e-commerce
- encryption
- information technologies, including analytics
- nanotechnology
- open data
- operating systems
- quantum computing and science
- virtual reality

Includes incidental prototyping and assembly of related advanced technology hardware and products, to a maximum twenty-five percent (25%) of the BUILDING FLOOR AREA.

TEMPORARY CONTRACTOR OFFICE

means a temporary BUILDING or trailer used by a contractor engaged in the construction, maintenance, and or demolition of a BUILDING or STRUCTURE.

TEMPORARY FARMERS MARKET

means a LOT or portion thereof, and any BUILDING thereon, with temporary vending areas used to display and sell one or more of the following items to the general public:

- baked goods
- canned or preserved products
- dairy products
- food products requiring minimal processing such as maple syrup
- fresh fruits and vegetables
- meat, poultry and fish
- trees, shrubs, plants and flowers

CITY OF WATERLOO

TEMPORARY SALES CENTRE

means a temporary stand-alone uninhabited BUILDING used:

- a.) to market the related development to the general public; and or,
- b.) to sell or lease new DWELLING UNITS or non-residential units within the related development to the general public.

May include an OFFICE to conduct the affairs of the builder of the DWELLING UNITS or non-residential units. May include an OFFICE to conduct the affairs of the developer of the related development.

TOWER

means the portion of the BUILDING above the PODIUM.

TRAINING FACILITY

means a commercial service establishment where instruction is provided for employment-related skills required to:

- a.) fulfill the training requirements of a profession;
- b.) improve job performance; and or
- c.) enhance career development.

TRAINING FACILITIES do not operate in accordance with the requirements of the *Education Act, R.S.O. 1990, c.E.2* as amended.

TRANSPORTATION SERVICE

means a commercial establishment which provides transportation services for goods and or passengers using vehicles with a maximum capacity of one (1) tonne or smaller.

TRUCK DEPOT

means a commercial establishment which provides transportation services for goods and or passengers using vehicles with a maximum capacity greater than one (1) tonne.

CITY OF WATERLOO

U

UNIVERSITY / COLLEGE

means a post-secondary educational institution comprised of one or more of the following:

- university or college academic uses, BUILDINGS, STRUCTURES
- university or college administrative uses, BUILDINGS, STRUCTURES
- university or college research uses, BUILDINGS, STRUCTURES
- university or college residential uses, BUILDINGS, STRUCTURES
- university or college recreational uses, BUILDINGS, STRUCTURES

USE

means the purpose for which a LOT, BUILDING, STRUCTURE, or any combination thereof, is designed, arranged, intended, occupied, utilized, or maintained, and "used" shall have a corresponding meaning.

CITY OF WATERLOO

V

VARIETY STORE

means a retail commercial establishment in which a wide variety of day-to-day convenience goods are sold, primarily convenience grocery and dairy products, but may include tobacco products, confectionery, soft drinks, ice, reading materials, souvenirs, lottery tickets, greeting cards, stationery, and the like. Includes ACCESSORY services such as postal services and automated banking.

VETERINARY CLINIC

means a veterinary facility predominantly for outpatient medical services for animals (consultation, diagnosis, examination and treatment of animals), which does not contain outdoor runs or outdoor boarding.

VETERINARY HOSPITAL

means a veterinary facility with both outpatient and inpatient medical services are provided to sick, ailing, infirm or injured animals. VETERINARY HOSPITALS may contain outdoor runs, but shall not contain outdoor boarding. Inpatient services include short-term and long-term accommodations for recovery and treatment services.

CITY OF WATERLOO

W

WAREHOUSE

means a BUILDING or part thereof used:

- a.) for the storage of goods for compensation; or,
- b.) for the storage of goods which will be sold elsewhere or transported to another location for sale or consumption.

A WAREHOUSE includes self-storage establishments.

WAREHOUSE MEMBERSHIP CLUB

means a general merchandise retailer, with a minimum BUILDING FLOOR AREA of 5,000 square metres and a maximum BUILDING FLOOR AREA of 14,500 square metres, in which sales and storage are integrated in a no-frills, self-service warehouse format. A limited range of goods, wares, and products in a wide range of merchandise categories is offered to members (consumers and businesses) at low prices for buying in bulk, including but not limited to: food, clothing, furniture, appliances, books and electronics. ACCESSORY sales and services related to automotive products (including tire sales and installation), gasoline, propane dispensing, seasonal garden centre, pharmacy, optical centre, photo print centre, hearing aid centre, and eat-in/take-out food services is permitted.

WATERLOO

means all lands within the geographic boundaries of the City of Waterloo.

WHOLESALE

means a commercial establishment that sells merchandise and commodities exclusively to retailers, and not to the end consumer. Excludes RETAIL STORE and WAREHOUSE MEMBERSHIP CLUB.

CITY OF WATERLOO

Y

YARD

means the unbuilt space on a LOT that extends from the facade (exterior wall) of a principal BUILDING or BUILDINGS to the nearest LOT LINE.

FLANKAGE YARD

means a YARD extending across the full width of a LOT between the facade (exterior wall) of the principal BUILDING or BUILDINGS and the FLANKAGE LOT LINE. Jointly comprises part of the FRONT YARD and REAR YARD where such YARDS coincide with the FLANKAGE YARD as herein described.

FRONT YARD

means a YARD extending across the full width of a LOT between the facade (exterior wall) of the principal BUILDING or BUILDINGS and the FRONT LOT LINE. Jointly comprises part of the FLANKAGE YARD where such YARDS coincide.

LOW RISE RESIDENTIAL YARD

means a YARD extending across the full width of a LOT between the facade (exterior wall) of the principal BUILDING or BUILDINGS and a LOW RISE RESIDENTIAL LOT LINE.

REAR YARD

means a YARD extending across the full width of a LOT between the facade (exterior wall) of the principal BUILDING or BUILDINGS and the REAR LOT LINE. Jointly comprises part of the FLANKAGE YARD where such YARDS coincide.

In the case of a triangular LOT, the REAR YARD shall be the YARD extending across the full width of a LOT between the facade (exterior wall) of the principal BUILDING or BUILDINGS and the apex of the triangle opposite the FRONT LOT LINE.

SIDE YARD

means a YARD extending from the FRONT YARD to the REAR YARD, between the SIDE LOT LINE and the facade (exterior wall) of the principal BUILDING or BUILDINGS.

CITY OF WATERLOO

Z

ZONE BOUNDARY

means the boundary between two zone classifications.