
Section 3: Definitions

Accessory Building or Structure

Shall mean a detached *building* or *structure* that is subordinate to and customarily incidental to the *principal building, structure* or *use* on the same *lot*.

Accessory Retail Sales

Shall mean the sale of products manufactured, processed or assembled on the *premises* of a primary *manufacturing use*.

Accessory Use

Shall mean a *use* customarily incidental to, subordinate to and exclusively devoted to the principal *use* and which operates together with the principal *use* on the same *lot*.

Adult Entertainment Parlour

Shall mean any *premises* or part thereof in which is providing services appealing to or designed to appeal to, erotic or sexual appetites or inclinations.

Adult Video Store

Shall mean a *premises* in which the principal business is the sale or rental of slides, films, videotape, pre-recorded magnetic tape or computerized or electronically generated images designed to appeal to sexual appetites or depicting sexual acts.

Agricultural Operations

Shall mean general farming and shall include such *uses* as the breeding and rearing of livestock, including poultry, fowl and fur-bearing animals, the general cultivation of land and associated production, conditioning, processing, and storing of field crops, fruits, vegetables, and horticultural crops and the selling of such produce on the *premises*.

Agriculturally Related Commercial Use

Shall mean a *use* directly related to agriculture and requiring proximity to farm operations.

Apron (New definition as incorporated by By-Law 27-2021)

Shall mean an area of the boulevard consisting of a hard surface leading from the travelled portion of the highway to a private *driveway*.

Art Gallery

Shall mean a *building*, place or area where paintings, sculptures or other works of art are exhibited or sold.

Automotive Recycling Facility

Shall mean an area outside of an enclosed *building* where *motor vehicles* are disassembled and dismantled, or where vehicles in an inoperable condition or *motor*

vehicle parts are stored or re-sold. An *automotive recycling facility* may also include facilities for the disposal, storage or reuse of *motor vehicle* fuels, lubricants and related materials.

Banquet Facility

Shall mean a *premises* for the purpose of catering to banquets, receptions, weddings or similar functions for which food and beverages are prepared and served.

Bed And Breakfast Establishment (Amended by By-Law 114-2013)

Shall mean a *dwelling* or part of a *dwelling* in which not more than 3 bedrooms are used or maintained for the accommodation of the travelling public, in which the owner supplies lodgings with or without meals for hire or pay but does not include a *group home* or a *lodging house*.

Block Face (New definition as incorporated by By-Law 86-2005)

Shall mean the distance along a *street line* edge between any given pair of adjacent road intersections, or between a road intersection and an overpass.

Boarding Kennel

Shall mean a commercial establishment for the keeping, breeding, boarding or training of domestic animals but shall not include the keeping of animals in a *veterinary clinic* for the purpose of observation, and/or recovery necessary to veterinary treatment.

Body Rub

Shall mean the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a *person's* body or part thereof but does not include medical or therapeutic treatment given by a *person* otherwise duly qualified, licensed or registered under the laws of the Province of Ontario.

Body Rub Parlour

Shall mean 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, licensed or registered to do so under the laws of the Province of Ontario.

Build-Within Zone (New definition as incorporated by By-Law 86-2005)

Shall mean an area established by the *use of* a minimum and maximum *building* setback, drawn parallel to the front and/or exterior *lot line* where a prescribed portion of the main front *building* wall and/or exterior side wall of a *building* (excluding a public utility *building*) shall be positioned. Accessory *buildings* and *structures* are not subject to the setbacks defining a *build-within zone*.

Building

Shall mean a *structure* occupying an area greater than 10.0 m² and consisting of any combination of walls, roof and floor or any structural system serving the function thereof, including all associated plumbing, works, fixtures and service systems.

Building, Principal

Shall mean a *building* which constitutes, by reason of its *use*, the primary purpose for which the *lot* is used.

Building, Front Of

Shall mean the wall or walls of a *building* that are more or less parallel to the *front lot line*; when setback regulations are applicable, "*front of building*" shall mean that wall or walls of the *building* which front upon the street on which the setback is applicable.

Building And Construction Materials Facility

Shall mean a *premises* in which *building* or construction materials are offered or kept for sale.

Building Storey (New definition as incorporated by By-Law 86-2005)

Shall mean that portion of a *building* between any floor and the floor, ceiling or roof next above, provided that any portion of a *building* partly below the average level of the *established grade* shall not be deemed a storey unless its ceiling is at least 1.8 metres above the average level of the *established grade*. For that portion of a *building* located wholly or partly within a sloping roof, the space shall be considered an additional full storey if the floor area is not less than one-half of the floor area of the storey next below, all side walls are not less than 1.2 metres in *height*, and the ceiling has a minimum *height* of 2.3 metres over an area equal to at least 50 percent of the floor area.

Cemetery

Shall mean land that is set apart or used for the interment of the dead or in which human bodies have been buried, and may include a crematorium, a columbarium and a mausoleum but does not include any facilities for public assembly.

Co-Generation District Energy Facility (New definition as incorporated by By-law 136-2008)

Shall mean a central facility in wholly enclosed *building(s)* that generates and distributes thermal energy (steam and/or hot and cold water) to end users through an underground pipeline distribution system and generates electricity, including electricity for supply to the grid.

Commercial Fitness Centre

Shall mean a private club in which facilities are provided for recreational athletic activities and shall include associated facilities such as a sauna, *office* space, retail shop and related lounge facilities.

Commercial School

Shall mean a *premises* as a school conducted for gain, including a studio of a dancing teacher or a music teacher, an art school, a golf school or business school and any other similar specialized school.

Community Centre

Shall mean a *building* or *structure* owned and/or operated by the Town of Ajax that provides facilities for indoor recreational activities and other community facilities such as meeting rooms or a *library* for use by the general public.

Contractors Yard

Shall mean a *yard* of any *building* trade or contractor where equipment and material is stored or where a contractor performs shop or assembly work.

Convenience Store

Shall mean a retail establishment which deals primarily in goods required by the inhabitants of a residential area to meet their day-to-day needs.

Council

Shall mean the *Council* of The Corporation of the Town of Ajax.

Crematorium (New definition as incorporated by By-Law 67-2013)

A *building*, *structure* or part thereof used for the purposes of the cremation of human remains. This use is only permitted in association with a *cemetery* or a *funeral home*.

Crisis Care Facility

Shall mean a residential facility that is licensed and funded by the Province of Ontario, Government of Canada or an appointed agency, for the short term, temporary care of *persons* requiring immediate emergency shelter and aid who are 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.

Curb Cut (New definition as incorporated by By-Law 27-2021)

Shall mean the portion of a concrete curb that has been constructed or cut to grade level to facilitate the passing of vehicles and pedestrians.

Daylighting Triangle

Shall mean an area of private land on a *corner lot*, which area is to be determined by measuring from the point of intersection of the *street lines*, the distance required by this By-law along each such *street line* and joining such points with a straight line. The triangular shaped land between the intersecting *street lines* and the straight line joining the points at the required distance along the *street lines* is the "*daylighting triangle*".

Day Care Facility

Shall mean a *premises* where more than 5 children are provided with temporary care and/or guidance for a continuous period not exceeding sixteen hours and which is licensed in accordance with the applicable Provincial legislation.

Driveway

Shall mean that portion of a *lot* used to provide vehicular access from a roadway to an off-street parking or loading area located on the same *lot*.

Driveway-Adjacent Walkway (New definition as incorporated by By-Law 27-2021)

Shall mean a hard surface alongside a *driveway* that is constructed to connect at-grade with the *driveway* and has a maximum width regulated by this By-Law. A *driveway-adjacent walkway* shall be visually delineated from the *driveway* through a change in material, a change in the colour of the material or a change in the layout or pattern of the material.

Driveway Width (New definition as incorporated by By-Law 83-2004, Amended by By-Laws 27-2021 and 23-2025)

Shall mean the widest horizontal surface of any *driveway* required by this By-law, measured along a line parallel to the *lot line* through which it passes. Measurements of *driveway width* shall include any portion of hard surface contiguous to a *driveway* or *parking space*, except for *driveway-adjacent walkways* as permitted in this By-law or other hard surfaces elevated a minimum of 0.15 metres above the surface grade of the *driveway*. Provisions relating to *driveway width* are applicable in *front yards* and *side yards*, but not in *rear yards*.

Drive-Thru Facility

Shall mean a *building* or *structure* or part thereof where goods or services are offered to the public within a parked or stationary vehicle by way of a service window, or offered in a similar fashion where goods, money or materials are exchanged.

Dry Cleaning Depot

Shall mean a *premises* for the purpose of receiving articles or goods of fabric to be subjected to the process of laundering, dry cleaning at another location, and may include self serve laundry facilities.

Dry Cleaning Establishment

Shall mean a *premises* in which the business of laundry or dry cleaning is undertaken and where the cleaning, drying, ironing and finishing of such goods is conducted.

Dwelling

Shall mean a *building*, occupied or capable of being occupied as a home, residence, or sleeping place by one or more *persons*, containing one or more *dwelling units*.

Dwelling, Apartment

Shall mean a *dwelling* consisting of four (4) or more *dwelling units* which units have a common entrance from the street level and common halls and/or stairs, elevators and yards.

Dwelling, Back-To-Back Stacked Townhouse (New definition incorporated by By-Law 86-2005)

Shall mean a *dwelling* that is structurally configured to resemble two *stacked townhouse dwellings* attached to one another, rear wall to rear wall, such that a rear wall common to all units in the *dwelling* is created, dividing the *dwelling* vertically.

Dwelling, Back-To-Back Townhouse (New definition as incorporated by By-Law 42-2005)

Shall mean a *dwelling* that is divided vertically into three (3) or more *dwelling units*, each of which has an independent entrance to the front of the *dwelling*. In the case of an end unit, the entrance may be at the front or exterior side of a *dwelling*. The dividing walls between the adjoining *dwelling units* is formed by walls joining the sides of the *dwelling units* and a wall joining the rear of the *dwelling units*.

Dwelling, Block Townhouse (New definition as incorporated by By-Law 23-2025)

Shall mean the whole of a *dwelling* configured as three (3) or more horizontally-aligned *dwelling units* divided by a series of shared side walls. Each *dwelling unit* within a *block townhouse dwelling* has access to a private *lane, driveway* or *drive aisle*, as well as independent entrances to the front and rear of the *dwelling*. Further, where permitted by this By-law, each principal *dwelling unit* in a *block townhouse dwelling* may be accompanied by one or more *accessory dwelling units*.

Dwelling, Detached (Amended by By-Law 23-2025)

Shall mean the whole of a *dwelling* located entirely on one (1) *lot* and containing one (1) principal *dwelling unit*. Where permitted by this By-law, the principal *dwelling unit* in a *detached dwelling* may be accompanied by one or more *accessory dwelling units*.

Dwelling, Duplex (Amended by By-Law 23-2025)

Shall mean the whole of a *dwelling* located on a single *lot* and purpose-built as two (2) horizontally-aligned or vertically-layered *dwelling units*, where neither unit is subordinate or incidental to the other. A *duplex dwelling* is different and distinctive from a *detached dwelling* with one (1) *attached accessory dwelling unit*.

Dwelling, Linked Villa (Amended by By-Law 23-2025)

Shall mean the whole of a *dwelling* configured as three (3) or more horizontally-aligned *dwelling units* connected by single-storey *private garages* so the habitable space of one *dwelling unit* does not adjoin the habitable space of the adjacent *dwelling unit*. Each *dwelling unit* in a *linked villa dwelling* has independent entrances to the front and rear of the *dwelling*. Further, where permitted by this By-law, each principal *dwelling unit* in a *linked villa dwelling* may be accompanied by one or more *accessory dwelling units*.

Dwelling, Live Work Units (Amended by By-Laws 86-2005, 55-2008)

Shall mean a *dwelling unit* with a minimum ceiling *height* of 2.75 metres on the ground floor, and designed to accommodate a *home based business* in accordance with all relevant provisions for the same, save and except that:

- a) Only an office, an archive or library, a personal service shop (excluding the sale of goods not assembled, crafted or produced on the premises), or the studio of an artist, photographer or craftsperson, shall be permitted as the non-residential component of the *dwelling unit*; and
- b) Up to two employees, in addition to the resident(s) of the *dwelling unit*, may be engaged in the business and working in the *dwelling unit*.

Dwelling, Maisonette

Shall mean a *dwelling* that is divided into three (3) or more *dwelling units*, each of which has independent entrances, one to a common corridor and the other directly to the outside *yard* area adjacent to the said *dwelling unit*.

Dwelling, Mobile Home

Shall mean a transportable, factory-built, *dwelling unit* designed to be transported on its own wheels and chassis and may be supported on wheels, jacks, posts or piers, or with a permanent foundation.

Dwelling, Quadruplex (New definition as incorporated by By-Law 23-2025)

Shall mean the whole of a *dwelling* located on a single *lot* and purpose-built as four (4) horizontally-aligned and/or vertically-layered *dwelling units*, where each has an independent exterior entrance and no unit is subordinate or incidental to the others. A *quadruplex dwelling* is different and distinctive from a *detached dwelling* with three (3) *attached accessory dwelling units*.

Dwelling, Semi-Detached (Amended by By-Law 23-2025)

Shall mean the whole of a *dwelling* that spans two (2) abutting *lots* and contains two (2) horizontally-aligned *dwelling units* divided by a shared side wall. Where permitted by this By-law, each principal *dwelling unit* in a *semi-detached dwelling* may be accompanied by one or more *accessory dwelling units*.

Dwelling, Stacked (New definition as incorporated by By-Law 75-2011)

Shall mean a residential *use building* containing four or more *dwelling units* where each *dwelling unit* is divided horizontally and vertically, and in which each *dwelling unit* has an independent entrance to the exterior.

Dwelling, Stacked Townhouse (New definition as incorporated by By-Law 86-2005)

Shall mean a *dwelling* containing three or more *dwelling units* in a *building* vertically configured to be two *dwelling units* high - ground units below upper units, exclusive of basements – where ground units are attached side-by-side and share a common

vertical dividing wall, and where upper units are attached side-by-side and share a common vertical dividing wall.

Dwelling, Street Townhouse (Amended by By-Law 23-2025)

Shall mean the whole of a *dwelling* that spans three (3) or more abutting *lots* and is configured as three (3) or more horizontally-aligned *dwelling units* divided by a series of shared side walls. Each *dwelling unit* within a *street townhouse dwelling* has frontage on and access to a *public street*, as well as independent entrances to the front and rear of the *dwelling*. Further, where permitted by this By-law, each principal *dwelling unit* in a *street townhouse dwelling* may be accompanied by one or more *accessory dwelling units*.

Dwelling, Triplex (Amended by By-Law 23-2025)

Shall mean the whole of a *dwelling* located on a single *lot* and purpose-built as three (3) horizontally-aligned and/or vertically-layered *dwelling units*, where no unit is subordinate or incidental to the others. A *triplex dwelling* is different and distinctive from a *detached dwelling* with two (2) *attached accessory dwelling units*.

Dwelling Unit

Shall mean a room or a group of rooms in a *dwelling* used or intended to be used as a single, independent and separate housekeeping unit in which a kitchen and sanitary facilities are provided, and which has a private entrance from outside the *dwelling* or from a common hallway or stairway inside the *dwelling*.

Dwelling Unit, Accessory (New definition as incorporated by By-Law 23-2025)

Shall mean a separate, self-contained *dwelling unit* that is subordinate or incidental to a principal *dwelling unit* on the same *lot*. An *accessory dwelling unit* may exist as an *attached accessory dwelling unit* or a *detached accessory dwelling unit*.

Dwelling Unit, Attached Accessory (New definition as incorporated by By-Law 23-2025)

Shall mean a separate, self-contained *accessory dwelling unit* located within a principal *dwelling* on the same *lot*.

Dwelling Unit, Detached Accessory (New definition as incorporated by By-law 23-2025)

Shall mean a separate, self-contained *accessory dwelling unit* located within an *accessory building or structure* on the same *lot* as a principal *dwelling*.

Equestrian Centre

Shall mean a commercial operation in which lands, *buildings* or *structures* are used for the boarding of 10 or more horses, the training of horses and riders, and/or the staging of equestrian events, but does not include the racing of horses.

Established Grade

Shall mean the average elevation of the finished ground level abutting the wall or walls in question.

Existing

Shall mean *existing* as of the date of the final passing of this By-law.

Financial Institution

Shall mean a *premises* where financial transactions including the borrowing, depositing, exchanging of currency and credit occurs and may include an automated banking machine.

Floor Area, Gross

Shall mean the aggregate of the floor area measured between the exterior faces of the exterior walls of the *building* or *structure* at the level of each floor, excluding any *porches*, verandas, sunrooms (unless habitable in all seasons of the year), basement, cellar, garage, or mechanical penthouse.

Floor Area, Gross Leasable

Shall mean the aggregate area of all floors in a *building* measured from the centre line of the joint interior partitions and from the exteriors of outside walls, and used or capable of being used for commercial purposes, such as sales, display, storage and *offices* but excluding storage areas below grade.

Floor Area, Ground

Shall mean the floor area of the lowest storey of a *building* approximately at or first above the finished grade level excluding any basement, cellar or sub-cellar, which area is measured between the exterior faces of the exterior walls at the floor level of such storey, but:

- a) Excludes car parking areas within the *building*; and
- b) For the purpose of this definition the walls of an inner court are and shall be deemed to be exterior walls.

Floor Space Index

Shall mean the aggregate of the *gross floor area* of all *buildings* on a *lot* divided by the area of the *lot*.

Fuel Storage Supply Yard

Shall mean the *use* of land for the bulk storage or wholesale distribution of gasoline, oil, petroleum products or other flammable liquids.

Funeral Home

Shall mean a *premises* where the care and preparation of human bodies and the co-ordination of rites and ceremonies with respect to dead human bodies is performed, but does not include services provided by a *cemetery* or crematorium owner under the Cemeteries Act.

Funeral Visitation Centre (New definition as incorporated by By-Law 67-2013)

A *building* which typically has visitation rooms, a chapel or gathering room and a room or rooms where a reception can be held after a service. This *use* is only permitted in association with a *funeral home*.

Gaming Establishment

Shall mean *premises* accommodating up to 800 *slot machines*, together with related *restaurants*, lounges, administrative *offices* and other *accessory uses*. For the purposes of this definition a '*Gaming establishment*' shall not include a bingo parlour or any other casino-type game or *use*.

Garage, Private

Shall mean a detached *accessory building*, car port, or portion of a *dwelling* which is designed or for the sheltering of one or more private *motor vehicles* and may also include the storage of household wares or materials incidental to the residential occupancy and which is fully enclosed and roofed.

Garden Centre

Shall mean the *use* of land, *buildings* or *structures* for the growing of flowers, plants, shrubs, or trees and shall also include the retail sale of such goods, products and equipment as are normally associated with gardening or landscaping.

Gateway Site (New definition as incorporated by By-Law 86-2005)

Shall mean any area so identified symbolically in the Town of Ajax Official Plan, the actual limits of which are to be defined at the time of development approval subject to the parameters established by this By-law in Section 6.9.3, wherein either special performance standards shall apply, notwithstanding the provisions of any Downtown Central Area Zone that would otherwise be applicable, or which may be zoned Open Space.

Golf Course

Shall mean a *premises* for the purpose of playing golf and may include such associated *uses* as a *restaurant*, *banquet facility*, *retail store*, fitness centre and other *buildings* or *structures* devoted to the maintenance and operation of the *golf course*.

Golf Driving Range

Shall mean an open air *recreation facility* where the sport of golf is practiced from individual tees and which may include *accessory structures* to house the tees, a kiosk for golf balls and golf club rentals, and a *structure* from which the golfers tee off.

Group Home

Shall mean a residence, licensed or funded under an Act of the Parliament of Canada or Province of Ontario, that is designed for the accommodation of 3 to 10 *persons*, exclusive of staff, living under supervision in a *dwelling unit* and whom by reason of their emotional, mental, social, or physical condition or legal status, require a group living

arrangement for their well-being. For the purposes of this by-law, *group homes* are classified either as *Group Home A* or *Group Home B*.

Group Home A

Shall mean a *group home* primarily for *persons* who have been referred by a *hospital*, recognized social services agency or health professional.

Group Home B

Shall mean a *group home* operated primarily for *persons* who have been placed on probation, released on parole, or admitted for correctional purposes.

Height (Amended by By-Law 86-2005, 38-2008)

Shall mean the vertical distance from the average level of the *established grade* of the street in front of the *building* to:

- a) The highest point of any exterior wall of a flat roofed *building*; unless the *building* is located in a Downtown Central Area Zone or Village Core Mixed Use zone, in which case the measure shall exclude the *height* of any parapet rising above the roof deck.
- b) The mean *height* between the eaves and ridge of a pitched roof; or
- c) The deck roof line of a mansard roof.

When no grade has been established the level of the crown of the street upon which the *building* fronts at right angles to the mid point of that *building* shall be considered the *established grade*.

Home Based Business

Shall mean an *accessory use* within part of a *dwelling unit* for a lawful occupation or business activity that results in a product or service and which is clearly secondary to the main *use* of the *dwelling unit*.

Hospital

Shall mean any institution, *building* or other *premises* established for the treatment of *persons* afflicted with or suffering from sickness, disease or injury, or for the treatment of convalescent or chronically ill *persons* that is approved under the Public Hospitals Act as a public *hospital* and may include a gift shop, cafeteria or other *accessory use* normally associated with a *hospital*.

Hotel

Shall mean a commercial establishment offering accommodation to the travelling public on a daily rate basis and may include such accessory facilities as a *restaurant*, *banquet facilities*, meeting rooms, swimming pool and a fitness establishment.

Landscaped Buffer

Shall mean an area of land used only for the growth and maintenance of grass, flowers, bushes and other landscaping and includes the part of the *lot* unoccupied by any parking, *buildings* or *structures*.

Lane

Shall mean a thoroughfare which affords a means of access to abutting *lots* and which is not intended for general traffic circulation.

Laundromat, Self Serve

Shall mean a *premises* where coin-operated laundry machines, using only water, detergents and additives, are made available to the public for the purpose of laundry cleaning.

Licensed Outdoor Patio (New definition as incorporated by By-Law 75-2005)

An outdoor area where seating accommodation is provided, and where meals or refreshments are served to the public for consumption which is used on a seasonal basis in conjunction with, and in immediate proximity to, a *restaurant* or a *drive-thru restaurant*. The establishment shall be licensed by the Alcohol and Gaming Commission of Ontario for the consumption of alcohol within the establishment or accessory outdoor patio.

Library

Shall mean a *building* containing printed, electronic and pictorial material for public use for purposes of study, reference and recreation.

Livestock Housing Capacity

Shall mean the total maximum number of livestock that can be accommodated in a livestock facility at one time.

Livestock Facilities

Shall mean barns, *buildings* or *structures* where animals are housed and shall also include beef feed *lots* and the associated manure storage facilities.

Livestock Unit

Shall mean the equivalent values for various types of animals and poultry based upon manure production and production cycles.

Loading Space

Shall mean an unobstructed area of land which is provided and maintained upon the same *lot* or *lots* upon which the principal *use* is located and which area is provided for the temporary parking of one commercial *motor vehicle* while merchandise or materials are being loaded or unloaded from such vehicles. Such area shall not be used for the purpose of offering commodities for sale or display.

Lodging House (New definition as incorporated by By-Law 114-2013)

Shall mean a *building* or part of a *building*, containing three to ten *lodging units*, which does not function as a *dwelling unit*, although one may be included with the *lodging units*. It includes, without limitation, a rooming house and a boarding house, a fraternity house or sorority house. It does not include a *hotel*, a *hospital*, a *group home*, a *bed and breakfast establishment*, a *crisis care facility*, a *nursing home*, a *retirement home*, a seniors apartment, or a *senior citizens' apartment*.

Lodging Unit (New definition as incorporated by By-Law 114-2013)

Shall mean a room within a *building* that contains sleeping accommodations and may contain washroom facilities.

Lot

Shall mean a parcel of land which is only capable of being legally conveyed as a single *lot* pursuant to Section 50 of the Planning Act, R.S.O. 1990, c.P.13.

Lot Area

Shall mean the total horizontal area within the *lot lines* of a *lot* and in the case of a *corner lot* having *street lines* rounding at the corner with a radius of six metres (6.0 m) or less, the area of such *lot* is to be calculated as if the *lot lines* were projected to this point of intersection.

Lot, Corner

Shall mean a *lot* situated at the intersection of, and abutting upon at least two streets, provided that the interior angle of intersection of such streets is not more than one hundred and thirty-five (135) degrees.

Lot Coverage

Shall mean the proportion of the *ground floor area* of all *buildings* and *structures* on the *lot* to the *lot area*, expressed as a percentage, but shall not include *porches*, unenclosed verandas or *platforms*.

Lot Depth

Shall mean the horizontal distance between the front and *rear lot lines*, but where the front and *rear lot lines* are not parallel the *lot depth* is the length of a line joining the mid-points of such lines.

Lot Frontage

Shall mean the horizontal distance between the *side lot lines* measured along the *front lot line*, but where the *front lot line* is not a straight line or where the *side lot lines* are not parallel, the *lot frontage* is to be measured by a line nine metres (9.0 metres) back from and parallel to the chord of the *lot frontage*, and for the purpose of this paragraph, the chord of the *lot frontage* is a straight line joining the two points where the *side lot lines* intersect the *front lot line*.

Lot, Interior

Shall mean a *lot* other than a *corner lot* or a *thru lot*.

Lot Line

Shall mean any boundary of a *lot*.

Lot Line, Exterior Side

Shall mean a side lot line which abuts a public street or lane on a corner lot.

Lot Line, Front

Shall mean the *lot line* that divides the *lot* from the street, provided that, in the case of a *corner lot*, in any residential, commercial or industrial zone, the shorter *lot line* that abuts a street shall be deemed to be the *front lot line*; however, in residential zones, if both *lot lines* abutting streets exceed the stated or implied minimum *lot depth* requirements for that zone then either *lot line* may be considered to be the *front lot line*.

Lot Line, Rear

Shall mean the farthest *lot line* opposite the *front lot line*, or in the case of a triangular *lot*, shall be that point formed by the intersection of the *side lot lines*.

Lot Line, Side

Shall mean a *lot line* other than a *front* or *rear lot line*.

Lot, Through

Shall mean a *lot* bounded on opposite sides by a *public street*. However, if the *lot* qualifies as being both a *corner lot* and a *thru lot*, such *lot* is deemed to be a *corner lot* for the purposes of this By-law. Such *thru lot* shall have a *front yard* on each street in accordance with the provisions of the zone or zones in which each *front yard* is located.

Machinery And Equipment Sales and Rental

Shall mean a *premises* in which machinery and equipment are offered or kept for sale, rent, lease or hire.

Manufacturing

Shall mean the *use* of land, *building* or *structures* for the *manufacturing*, processing, fabricating or assembly of raw materials or goods and related *accessory uses*.

Manufacturing, Light

Shall mean the *use* of *buildings* or *structures* primarily for the purpose of *manufacturing*, processing, fabrication, assembly, treatment, packaging, and incidental indoor storage of goods and materials and may include accessory sales and distribution of such products but does not include basic industrial processing from raw materials, all such activities conducted wholly within one or more *buildings*. A food processing *use* shall be considered a *light manufacturing use* provided that no animal or animal by-products are used with or as a result of the *use*.

Medical Clinic

Shall mean a *premises containing* two or more *offices* where medical, dental, and/or therapeutic diagnosis and treatment is provided to the general public without overnight accommodation and may include accessory dispensary facilities.

Memorial/Nature Trail

Shall mean a meandering trail located within all of the buffer/vegetation protection zones described in this By-law for use by cemetery patrons. In the 15 metre buffer zones, the *Memorial/Nature Trail* shall include a strip of land approximately 1.5 metres in width on either side of the trail where in-ground cremated remains may be placed provided disruption to existing vegetation shall be minimized.

Model Home

Shall mean a new uninhabited *dwelling unit* constructed to the requirements and the provisions of the zone category in which the *lot* upon which the *model home* is situated or as specified by by-law and is used only for the purposes of displaying the architectural design, materials and interior design or decorating of homes, the layout and features of a draft approved or registered Plan of Subdivision or Condominium for the purpose of selling homes to the general public. The items displayed and homes offered for sale shall be restricted to those in the draft approved or registered Plan of Subdivision or Condominium in which the *model home* is located.

Motel

Shall mean a separate *building* or two (2) or more connected or detached *buildings* that are rented on a temporary basis to the travelling public for the purpose of sleeping accommodation with each room being accessible from the outside and which may or may not contain cooking facilities.

Motor Vehicle

Shall mean automobile, motorcycle, motor assisted bicycle or any other vehicle propelled or driven other than by muscular power, but does not include a street car, or other *motor vehicles* running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-*building* machine within the meaning of the Highway Traffic Act. R.S.O. 1990.

Motor Vehicle Gas Bar

Shall mean *premises* where gasoline or other motor fuels and oil are kept for sale and delivery directly into a *motor vehicle*, and does not include a *motor vehicle repair facility*, *motor vehicle washing establishment* or a *motor vehicle service centre*.

Motor Vehicle Rental Depot

Shall mean an *office* where the rental of *motor vehicles* is administered and where such *motor vehicles* are picked up and dropped off, but shall not include facilities for the ongoing storage of a fleet of *motor vehicles*.

Motor Vehicle Rental Establishment

Shall mean a *premises* where *motor vehicles* are kept for rent, lease or hire under agreement for compensation.

Motor Vehicle Sales Establishment

Shall mean a *premises* where new *motor vehicles* are kept for display, lease or sale, and may include an associated *motor vehicle service centre*.

Motor Vehicle Used Sales Establishment

Shall mean a *premises* where only *used motor vehicles* are kept for display, lease or sale.

Motor Vehicle Repair Facility

Shall mean a *premises* used to conduct repairs of *motor vehicles* of a mechanical or structural nature and may include an associated towing service, *motor vehicle* service station and *motor vehicle* rentals.

Motor Vehicle Service Centre

Shall mean a *premises* used for the sale of gasoline or other motor fuels delivered directly into a *motor vehicle*; the servicing, repairing or equipping essential to the actual operations of *motor vehicles*; the performance of diagnostic services on *motor vehicles*; the sale to the motoring public of goods usual to the trade; and may include a *motor vehicle washing establishment*.

Motor Vehicle Washing Establishment

Shall mean a *building* or part thereof used for gain or profit for the operation of washing equipment for *motor vehicles*.

Motor Vehicle Washing Establishment, Automatic

Shall mean a *building* or part thereof with a capacity to wash more than ten (10) cars per hour in a mechanically driven or automated fashion.

Nightclub

Shall mean a *premises* whose primary function is the provision of theatrical performances, pre-recorded music, or live musical entertainment, whether such pre-recorded music or live music is provided for listening or dancing by the patrons, or any combination of the above functions, and whose accessory function is the sale and consumption on the *premises* of food and alcoholic beverages, but does not include a *restaurant* or an *adult entertainment parlour*.

Non-Conforming

Shall mean an *existing use* which is not permitted by the provisions of this By-law on the effective date of this By-law.

Non-Complying

Shall mean a *lot, building or structure* which is permitted by this By-law but which has less than the minimum frontage and/or depth and/or area, or less than the minimum set back and/or *side yard* and/or *rear yard* and/or minimum open space or other performance standard required by the By-law on the effective date of this By-law.

Nursing Home

Shall mean a *dwelling* or other *building* in which lodging, with or without meals, is provided for hire or pay, and where nursing or medical care and treatment are provided or made available in accordance with The Nursing Homes Act, but does not include a *hospital*.

Office

Shall mean a *building* or part thereof, intended or used for the practice of a profession, conduct of a business or public administration.

Outdoor Amenity Space (New definition as incorporated by By-Law 81-2009)

Shall mean a common area on a property which provides benefits to the occupants, which increase the attractiveness, functionality and value of a property and which areas are dedicated to passive and active recreational *uses*, exclusive of *parking lots* and drive aisles based on a ratio of 10 square metres per bed. Such areas can include but are not limited to patios, decks, swimming pools, paths, leisure spaces or lawns.

Outdoor Display and Sales Area

Shall mean an area of land used for the display or sale of goods as an *accessory use* to the principal *use* of the *lot*, which principal *use* is conducted wholly within one or more *buildings*.

Outdoor Storage

Shall mean the storage of equipment, goods, or raw or processed materials outside of any *building* or *structure*.

Parking Lot

Shall mean an open area, other than a street, used for the temporary parking of two or more *motor vehicles* and available for *public use* whether free or for compensation, or as an accommodation for clients, customers or residents, but does not include the storage of impounded or wrecked vehicles.

Parking Lot, Principal Use (New definition as incorporated by By-Law 86-2005)

Shall mean a *lot* used for the principal purpose of providing space for general purpose public parking, offered either gratuitously or in return for a consideration or compensation, on an hourly or daily basis, but shall not be used for the storage or display of vehicles.

Parking Space (Amended by By-Law 27-2021)

Shall mean an area of land that is accessible by a *driveway* or aisle, having access to a *public street* or *lane*, that is reserved for the purpose of the temporary parking or storage of one *motor vehicle* and does not include any lands constituting a *driveway-adjacent walkway*.

Parking Space, Designated

Shall mean an off-street *parking space* marked by a sign indicating such space to be for the sole *use* of a vehicle displaying a permit in accordance with the requirements of the Highway Traffic Act.

Parking Space, Tandem (New definition as incorporated by By-Law 23-2025)

Shall mean a *parking space* from which access to the adjacent *public street* or *road, lane* or drive aisle is obstructed by the presence of an abutting *parking space*.

Passive Recreational Use

Shall mean a recreation *use* that does not require the erection of any *buildings* or *structures* and that does not alter the soil or topography of the land, but does not include a *golf course* or *golf driving range*.

Person

Shall mean any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executor or other legal representatives of a *person* to whom the context can apply according to law.

Personal Service Shop

Shall mean a *premises* where professional or personal services are provided for gain and where the sale of retail goods, wares, merchandise, articles or things is only accessory to the provision of such services.

Place Of Assembly

Shall mean a *premises* in which facilities are provided for the gathering of people.

Place Of Entertainment

Shall mean a *premises* where entertainment is offered for gain or profit such as a cinema, public hall, billiard or pool rooms, bowling alley, dance hall or similar activity for the enjoyment of the general public.

Place Of Worship

Shall mean *premises* used by one or more religious groups for the practice of religious services.

Platform

Shall mean a *structure* attached to, or abutting a *dwelling*, or constructed separately from a *dwelling*, which may be open, or roofed, and which may be screened-in, but not

fully enclosed, with or without access to the ground, the floor of which is above finished ground level. A *platform* does not include any stairs.

Porch (As Amended by By-Law 83-2004)

Shall mean a *platform* with a foundation that is fully roofed, unenclosed, permanent and projecting from the front exterior wall of the *building*.

Premises

Shall mean the area of a *building* and/or *lot* occupied by a business or enterprise. In a multiple tenancy *building* occupied by more than one business, each business area shall be considered a separate *premises*.

Public Authority

Shall mean the Government of Canada, Province of Ontario, Regional Municipality of Durham, or Town of Ajax.

Public Garage

Shall mean a *building* other than a *private garage* in which vehicles are parked.

Public Park

Shall mean an area of land for recreational purposes which is owned or controlled by a *public authority*.

Public Storage Facility

Shall mean a *premises* used for the temporary storage of household items and seasonal, recreational or commercial vehicles, boats and trailers in storage areas or lockers within enclosed *buildings*, which are generally accessible by means of individual loading doors.

Public Street Or Road

Shall mean a public thoroughfare available for use by vehicular and pedestrian traffic which is assumed or dedicated by/under the jurisdiction of the Regional Municipality of Durham, Town of Ajax or Province of Ontario, but does not include a private *lane*, private right-of-way, or unopened road allowance.

Public Use

Shall mean the *use* of any land, *building* or *structure* by a *public authority*.

Queuing Lane

Shall mean 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. For the purposes of this definition, a *queuing lane* shall be measured by the length of a queuing space times the number of spaces required.

Quonset Hut (New definition as incorporated by By-Law 23-2025)

Shall mean a prefabricated *structure* constructed of corrugated galvanized steel, or a similar metal cladding, with a semi-circular cross-section that may or may not include an enclosed front and/or rear portion.

Racetrack, Horse

Shall mean an oval race course with starting chutes including a betting theatre; pari-mutuel lobby, together with appurtenances for the conduct of horse races; a grandstand; *restaurants*; lounges and administrative *offices*; a museum; retail space for the sale of racetrack and tourist related merchandise; and areas and facilities for stabling, grooming, training and showing of horses; accommodation for staff, the parking of *motor vehicles* and horse vans; and storage facilities for feed, straw, equipment and accessories.

Recreation Facility

Shall mean a *premises* designated and equipped for the conduct of outdoor sports and leisure time activities such as sports fields but shall not include facilities for any indoor recreational activities.

Residential Care Facility (New definition as incorporated by By-Law 81-2009)

Shall mean a publicly or privately funded residential facility having 6 or more beds, not greater than 37 beds, in which *persons* with physical disabilities, *persons* who are developmentally delayed, *persons* with psychiatric disabilities, and/or pensioners are provided care and lodging.

Resource Management Uses

Shall mean the preservation, protection, and improvement of the natural environment through comprehensive management and maintenance of natural heritage features including the maintenance of wildlife habitats, flood and erosion control, protection and production of water supplies and preservation for *passive recreational use* and enjoyment.

Restaurant

Shall mean a commercial establishment in which the principal business is the preparation and serving of food and refreshments to the public for immediate consumption within the establishment or on an abutting terrace or patio, and which may include home delivery, catering or food pick-up/take-out services.

Restaurant, Drive-Thru

Shall mean a commercial establishment in which the principal business is the preparation and serving of food and refreshments to the public for immediate consumption within the establishment, on an abutting terrace or patio, or by means of an order or window service which *motor vehicles* access from the parking area by using designated *lanes*, and which may include home delivery, catering or food pick-up/take-out services.

Restaurant, Take-Out (New definition as incorporated by By-Law 93-2012)

Shall mean a commercial establishment where food or beverages are prepared and offered for sale to patrons for consumption off the *premises*.

Retail Store

Shall mean a *building* or part thereof which is not otherwise defined in this By-law, in which goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail directly to the public.

Retail Warehouse

Shall mean a *building* or *structure* or part thereof, where the entire floor area of the *use* is occupied by a single user with integrated storage and retail sale of goods to the general public in a warehouse format and which serves a regional trade area.

Sales Pavilion (New definition as incorporated by By-Law 55-2008)

Shall mean a permanent *building* intended for temporary *use* as a *sales pavilion* for residential units prior to being used for a different permitted *use*.

School

Shall mean a provincially approved institution for academic instruction and may include a public, private or separate *school*, college or university.

Seasonal Farm Produce Sales Outlet

Shall mean a *structure* from which fruits, vegetables, or other farm produce is sold during the growing season.

Senior Citizens' Apartment (Amended by By-Law 86-2005)

Shall mean an apartment *building* for seniors which shall include common facilities for the preparation, serving and consumption of meals, and may also include common areas, indoor and outdoor recreation facilities, and respite care facilities where such *uses* and activities are provided only for residents, and where each *dwelling unit* has a maximum of one bedroom and may or may not include a private kitchen.

Service Or Repair Shop

Shall mean a *premises* for the servicing, repairing or renting, of articles, goods or materials but shall not include any form of vehicles or boats.

Shipping Container (New definition as incorporated by By-Law 23-2025)

Shall mean a *structure* designed for repeated use as a vessel for moving goods by one or more means of transportation. A *shipping container* typically refers to a steel intermodal freight container but may also include a *vehicular trailer* or other similar transportation vessel. For the purposes of this By-law, a *shipping container* that has been fully retrofitted for use as the structural elements of a *dwelling* shall not be considered a *shipping container*.

Shopping Centre

Shall mean a group of commercial establishments designed, developed and managed as a unit by a single owner or tenant, or group of owners or tenants, for which parking is provided in common off-street areas.

Slot Machine

Shall mean a coin, token or slug-activated automatic machine, the results of the operation of which are a matter of chance or uncertainty to the operator.

Sports Arena

Shall mean a *building* or part of a *building*, in which the principal facilities provide for recreational activities such as curling, skating, hockey, lacrosse, broomball or other similar athletic activities, and which facilities may include dressing rooms, concession booths for the provision of food and refreshments to the general public, bleachers, equipment for making artificial ice and other such accessory facilities.

Street Line

Shall mean the dividing line between a *lot* and a street.

Structure

Shall mean anything that is erected, built or constructed of parts joined together or any such erection fixed to or supported by the soil or any other *structure*. But for the purposes of this By-law, an in-ground swimming pool shall be deemed not to be a *structure*.

Taxi Depot

Shall mean the *use* of a *premises* for a dispatch *office* for taxis and includes the area used for the parking of taxis when not engaged in transporting *persons* or goods.

Temporary Sales Structure

Shall mean a temporary *structure* or trailer used as a sales *office* for the sale of residential, commercial or industrial *lots*.

Tillable Hectares

Shall mean the total area of land including pasture that can be worked or cultivated.

Trailer, Vehicular

Shall mean any vehicle so constructed that it is suitable for being attached to a *motor vehicle* for the purpose of being drawn or propelled by the *motor vehicle* and is capable of being used for the transport of goods, materials, equipment or livestock notwithstanding that such vehicle is jacked up or that its running gear is removed.

Transportation Depot

Shall mean a *premises* where goods or wares are stored and where the vehicles used to transport such wares are stored, serviced, repaired, kept for hire, loaded or unloaded.

Unlicensed Outdoor Patio (New definition as incorporated by By-Law 75-2005)

Shall mean an outdoor area where seating accommodation is provided, and where meals or refreshments are served to the public for consumption which is used on a seasonal basis in conjunction with, and in immediate proximity to, a *restaurant* or a *drive-thru restaurant*. The selling, serving and consumption of alcohol shall not be permitted on the outdoor patio.

Use

Shall mean the purpose for which any portion of a *lot, building* or *structure* is designed, arranged, intended, occupied, operated or maintained.

Veterinary Clinic

Shall mean a *building* or part of a *building* where animals or pets are given medical or surgical treatment or grooming, within which there may be shelter facilities provided for short-term overnight medical treatment but shall not include a *boarding kennel*.

Warehouse/ Distribution Centre

Shall mean a *building* or part of a *building* used for the storage and distribution of goods, wares, merchandise, substances, articles or things.

Woodwaste (New definition as incorporated by By-Law 136-2008)

Shall mean a product

- a) That is wood or a wood product, including tree trunks, tree branches, leaves and brush;
- b) That is not contaminated with chromated copper arsenate, ammoniacal copper arsenate, pentachlorophenol or creosote; and
- c) From which easily removable hardware, fittings and attachments, unless they are predominantly wood or cellulose, have been removed

But does not include

- a) An upholstered article; or
- b) An article to which a rigid surface treatment is affixed or adhered, unless the rigid surface treatment is predominantly wood or cellulose.

Yard

Shall mean an open, uncovered space on a *lot* appurtenant to a *building* and unoccupied by *buildings* or *structures* except as may be expressly permitted in this By-law but does not include a courtyard. In determining *yard* measures, the minimum horizontal distance from the respective *lot lines* is to be used.

Yard, Exterior Side

Shall mean a *side yard* immediately adjacent to a *public street* or *lane*.

Yard, Front

Shall mean a *yard* extending across the full width of a *lot* between the *front lot line* and front walls of the nearest *building* or *structure* on the *lot*.

Yard, Interior Side

Shall mean a *side yard* other than an *exterior side yard*.

Yard, Rear

Shall mean a *yard* extending across the full width of a *lot* between the *rear lot line* and the nearest wall or walls of any main *building* on the *lot* for which the *yard* is required.

Yard, Side

Shall mean a *yard* extending from the *front yard* to the *rear yard* between the *side lot line* and the nearest wall of any *building* or *structure* on the *lot* for which the *yard* is required.