

Appendix C - Grimsby Beach Zoning By-law 14-45 Definitions

Accessory Building or Structure means a building or structure naturally and normally incidental to, subordinate to or exclusively devoted to a principal use or building and located on the same lot as the principal building or use, and includes a detached garage and a detached carport.

Accessory Use means a use naturally and normally incidental to, subordinate to or exclusively devoted to a principal use and located on the same lot.

Building means a structure having a roof supported by columns or walls or supported directly on the foundation and used or intended for use as shelter or accommodation for persons, animals or goods, but does not include a shipping container.

Commercial means the use of land, building or structure for the purpose of buying and selling commodities, and supplying of services as distinguished from such uses as manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar uses.

Community Recreational Centre means a multi-purpose facility owned and operated by the Town of Grimsby, which offers a variety of programs and facilities of a recreational, cultural, community service, information and / or instructional nature.

Deck means a raised platform 0.6 metres or more above grade attached to the exterior wall of a building and with direct access from within a building and from grade.

Dwelling means a separate building containing one or more dwelling units.

Dwelling Unit means one or more rooms designed and used or intended to be used as a home by one or more persons and usually containing cooking, living, sleeping and sanitary facilities, and does not mean or include a tent, trailer, mobile home trailer, or a room or suite of rooms in a boarding house or in a hotel or motel.

Dynamic Beach Hazard means areas of inherently unstable accumulations of shoreline sediments along the Great Lakes - St. Lawrence River System and large inland lakes, as identified by provincial standards, as amended from time to time. The dynamic beach hazard limit consists of the flooding hazard limit plus a dynamic beach allowance.

Erosion Hazard means the loss of land, due to human or natural processes, that poses a threat to life and property. The erosion hazard limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over an one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Existing means a use, building, structure or lot in existence on the date of the passing of this bylaw.

Flooding Hazard means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a) Along the shoreline of Lake Ontario, the flooding hazard limit is based on the one hundred year flood level plus an allowance for wave uprush and other waterrelated hazards;

- b) Along river, stream and small inland lake systems, the flooding hazard limit is the one hundred year flood.

Floor Area, Gross

- a) means, with reference to a dwelling unit, the total habitable area thereof, measured between the exterior faces of the exterior walls or from the centre line of a common or party wall, but excluding any garage, breeze-way, porch, verandah, balcony, sunroom, attic, basement or cellar;
- b) with reference to a building or any part thereof used for non-residential purposes, the total area within the building or that part thereof used for nonresidential purposes, measured between the exterior faces of the exterior walls or from the centre line of a common or party wall, but excluding any cellar, basement, parking lot or mechanical room.

Garage Means a building or part thereof used for the temporary parking or storage of private passenger vehicles or commercial vehicles of less than one tonne maximum capacity and wherein neither servicing or repairing is carried on for remuneration. A garage may be an accessory building.

Garden Suite means a dwelling unit that is ancillary to an existing residential structure and that is designed to be portable.

Height means, with reference to a building, the vertical distance measured from the finished grade of the front wall of such building to:

- a) in the case of a flat roof, the highest point of the roof surface, or the parapet, whichever is the greater, and
- b) in the case of a pitched roof, a point midway between the eaves and the ridge, but

in calculating the height of a building, any construction used as ornament or for the mechanical operation of the building such as a mechanical penthouse, or a chimney, tower, cupola or steeple is not to be included.

Landscaping Strip means an area not built upon and not used for any purpose other than as a landscaped area which may include grass, shrubs, flowers, trees and similar types of vegetation and paths, walks, and fences but does not include parking spaces, parking lots, driveways or ramps.

Lot means a parcel or tract of land:

- a) which is a whole lot as shown on a Registered Plan of subdivision, but a registered Plan of Subdivision for the purposes of this paragraph does not include a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a By-law passed pursuant to The Planning Act; or
- b) which fronts onto a street;
- c) which is a separate parcel of land without any adjoining lands being owned by the same owner or owners of the date of passing of this by-law; or

- d) the description of which is the same as in a deed which has been given consent pursuant to The Planning Act; or
- e) which is the whole remnant remaining to an owner or owners after a conveyance made with consent pursuant to The Planning Act; but

for the purpose of this paragraph no parcel or tract of land ceases to be a lot by reason only of the fact that a part or parts of it has or have been conveyed to or acquired by the Town of Grimsby, Regional Municipality of Niagara, Her Majesty in the Right of Ontario, or Her Majesty in the Right of Canada for the purposes of a street and opened by bylaw.

Lot area means the total horizontal area within the lot lines of a lot.

Lot Coverage means the percentage of the lot area covered by all buildings above ground level, measured to the exterior of the walls but does not include the portion of the lot area occupied by a below grade building or portion thereof. The portion of a lot in a Hazard Overlay Zone shall be included in the calculation of lot coverage. However, in the case of a lot abutting Lake Ontario, regardless of the location of any Hazard Overlay Zone, the lot area used in the calculation of the lot coverage shall be exclusive of any portion of the lot on the waterside of the high-water mark or shorewall.

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

Lot, frontage means 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 9 metres back from the 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 Line means any boundary of a lot.

Natural Heritage Feature or Area means features and areas, including significant wetlands, significant coastal wetlands, fish habitat, significant woodlands south and east of the Canadian Shield, significant valleylands south and east of the Canadian Shield, significant habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Porch means a roofed deck or portico structure attached to the exterior wall of a building. A basement may be located under the porch.

Residential means the use of land, buildings or structures for human habitation.

Structure means anything that is erected, built or constructed of parts joined together and attached or fixed permanently to the ground or any other structure, but a structure shall not include a light standard, a sign or a fence.

Use means the actual or intended purpose for which any land, building, structures or premises, or part thereof is arranged, designed, occupied or maintained.

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

Yard means an open, uncovered space on a lot situated between a lot line and a building on a lot.