Part 3: Interpretation

3.1 Defined terms

a) Terms that are defined in Section 4 have been bolded in the text of the By-law.

b) The definitions of words in this By-law are not intended to preclude the applicability of a definition under the *Ontario Building Code Act* or any other Act or its regulations for the purpose of obtaining a building permit or approval.

c) Words not defined in this By-law shall take on their usual meaning within a dictionary determined by the Director of Community Planning, or their meaning as they are defined in other relevant policy documents such as the Burlington Official Plan, Site Plan Guidelines, provincial policies, and the *Planning Act.*

d) The Director of Community Planning may exercise discretion in interpreting defined and undefined words in this By-law.

3.2 Interpretation of Words

For the purposes of this By-law,

a) words used in the present include the future;

b) words in the singular include the plural and words in the plural include the singular;

c) the words ‘used’ and ‘occupied’ shall include the words ‘arranged’ and ‘designed to be ‘used’ or ‘occupied’ respectively;

d) where a provision or standard involves two (2) or more conditions, connected by a conjunction, the following shall apply:

   i) ‘and’ means all the connected items shall apply in combination; and

   ii) ‘or’ means that the connected items may apply singly or in combination.

e) the words ‘provision’, ‘standard’ and ‘requirement’ are sometimes used interchangeably to refer to the regulations of this By-law, and may be further interpreted as follows:

   i) ‘standard’ and ‘requirement’ refer to matters that are regulating the position of **buildings** or **structures** on a **lot**, such as required **yards** and **setbacks**;

   ii) ‘provision’ refers to all other regulations, such as regulations setting out permitted and prohibited land **uses**.

3.3 Interpretation of Tables

a) Where a “P” appears in a table it shall mean that the use is permitted in that zone.

b) “--” shall mean the use is not permitted in that zone.

c) “P” followed by number in superscript “P (#)” means a qualification to the permitted use applies and is listed as a footnote to the table.

d) A standard followed by a number in superscript (such as "1.2 metres (1)") means one or more additional regulations apply and are listed as a footnote to the table.

e) “m” means metres.

f) “m^2” means square metres.

g) “N/R” means no requirement.

3.4 Interpretation of Permitted Uses

a) A **use** listed as a **permitted use** in a table of this By-law shall be permitted only within the **zone** in which it is listed as permitted.

b) A **use** not listed as a **permitted use** in a **zone** in a table of this By-law shall not be permitted in that **zone**, whether defined in Part 4: Definitions or not.

3.5 Interpretation of Phased Condominium Registration or Multiple Standard Condominiums on One Lot

Where a Plan of Condominium has received Draft Plan Approval and where registration of the Plan is intended to occur in phases or multiple standard condominiums, the draft approved plan of condominium shall be deemed to be one **lot** for purposes of applying zoning regulations. Zoning regulations shall apply only to the external limits of the Plan, not to interior boundaries resulting from the registration of each phase or condominium.

3.6 0.3 metre Reserves

For the purposes of this By-law, a 0.3 metre reserve shall be considered to be part of the **abutting road**.

3.7 Rounding to Determine By-law Compliance

All measurements and calculations shall be rounded to 1 decimal place, based on the following regulations of rounding numbers, to determine By-law compliance:

a) For regulations calculated as a whole number, numbers less than 0.5 shall be rounded downward to the nearest whole number, and the numbers 0.5 and greater than shall be rounded upward to the nearest whole number;

b) For regulations calculated as a number with one decimal place, numbers less than 0.05 shall be rounded downward to the nearest one-tenth number, and the numbers 0.05 and greater than shall be rounded upward to the one-tenth number; and

c) For the purposes of calculating required **parking spaces**, **accessible parking spaces**, **bicycle parking spaces** and **loading spaces**, the number of required spaces shall be rounded upward to the next whole number.

3.8 Multiple Building Connections

a) Where **buildings** are connected only below ground, they are considered separate **buildings** for the purposes of applying the regulations of the By-law.

b) Except where otherwise stated in this By-law, separation distances required by this By-law between **buildings** do not apply to those portions of the **building** below ground.

c) **Buildings** connected above the ground floor by features such as pedways, breezeways, bridges, or other connections and that do not create additional **gross floor area** within these connections are not considered one **building** for the purposes of applying the regulations of the By-law.

3.9 Purpose Statements

Purpose statements are included in this By-law for each **zone** and are intended to assist in the understanding of the By-law's objectives and purpose, the planning principles underlying the **use** provisions and the regulatory provisions of the **zone**. They do not form part of this By-law.

3.10 Daylight Triangles

For purposes of determining a **front lot line**, or an **exterior side lot line** or any **yard** dimension, a **daylight triangle** shall be deemed to be part of the **lot**, provided the minimum distance of any **building** or **structure** from the hypotenuse of the **daylight triangle** is 3 metres.

3.11 Development Comprising Contiguous Multiple Lots

Where multiple contiguous **lots** are developed under a single comprehensive site plan and under one ownership, all contiguous **lots** shall be deemed to be one **lot** for purposes of applying zoning regulations.

3.12 Stratified Severances as One Lot

Where a conditional stratified severance has been approved, the lands to which it applies, shall be deemed to be one **lot** for the purposes of applying zoning regulation.