

Corporation of the Municipality of Clarington

By-law Number 2024-XXX_____

being a By-law to amend By-law 84-63 and By-law 2005-109.

Whereas the Council of the Corporation of the Municipality of Clarington deems it advisable to amend By-law 84-63 and By-law 2005-109;

Now Therefore Be It Resolved That, the Council of the Corporation of the Municipality of Clarington enacts as follows:

1. By-law 84-63 is amended as set out in Sections 3 through 5 of this By-law.
2. By-law 2005-109 is amended as set out Sections 6 through 7 of this By-law.
3. By-law 84-63 is amended by deletion of the definition of “Landscaped Openspace” in Section 2 and replacing it with the following:

“Landscaped Openspace

An open unobstructed space from ground to sky on a lot which is used exclusively for landscaping and used to enhance the visual amenity of a lot and/or to provide a screen to mitigate any aspects that may detrimentally affect abutting lots. The area shall contain any combination of horticultural elements such as grass, flowers, shrubs, bushes, or trees, and may also contain architectural elements such as decorative stonework, planters, or screening. The area shall be located at the finished grade of a lot. The term landscaped area includes any surfaced walks, surfaced patios, deck of not more than 0.2m above finished grade, storm water management pond, swimming pool, decorative pool or pond, or similar areas, but shall not include any driveway, ramp (whether surfaced or not), curb, parking lot, delivery space, loading space, or any space below, within or on top of a building or structure, or any lands zoned Environmental Protection (EP).”

- a) By-law 84-63 is amended by the addition of the following definition to Section 2:

“Soft Landscaping”

The portion of a lot comprised of any combination of flowers, grass, shrubs, sod, trees or other horticultural elements and that is not covered by impervious surfaces. It must not include any buildings or structures,

any hard surface areas such as, but not limited to, driveways, parking lots, decorative stonework, walkways, patios, screening or other landscape architectural elements.”

- b) By-law 84-63 is amended by the addition of the following definition to Section 2:

“Farm Building”

A building or part thereof which does not contain a residential occupancy or a habitable room for human occupancy, and which is associated with and located on land devoted to the practice of farming and used essentially for the housing of equipment or livestock, or the production, storage or processing of agricultural and horticultural produce or feeds, or manure storage and anaerobic digester. These types of buildings include but limited too barns, silos, pole barn, drivesheds, manure storages, anaerobic digesters greenhouses, fruit and vegetable storage buildings. A farm building is not the same as an accessory structure or buildings that is secondary to the principal residential building.”

4. By-law 84-63 is amended by deletion of Section 3.11.c) and replacing it with the following:

"Home occupations are permitted within any legally permitted *single detached, semi-detached or townhouse dwelling* except in the Environmental Protection Zone, the Residential Mobile Home Park Zone, and the Residential Estate Zone. The following regulations apply to dwelling units wherein a home occupation is permitted”.

5. By-law 84-63 is amended by deletion of Section 3.16.c.iii) and replacing it with the following:

"Parking spaces provided in the front yard for detached, semidetached and/or townhouse units must not reduce the **minimum soft landscaping within the front yard or exterior side yard below 40 percent”.**

6. By-law 2005-109 is amended by the deletion of the definition of “Landscaped Area” in Section 3 and replacing it with the following:

“Landscaped Area

An open unobstructed space from ground to sky on a lot which is used exclusively for landscaping and used to enhance the visual amenity of a lot and/or to provide a screen to mitigate any aspects that may detrimentally affect abutting lots. The area shall contain any combination of horticultural elements such as grass, flowers, shrubs, bushes, or trees, and may also contain architectural elements such as decorative stonework, planters, or screening. The area shall be located at the finished grade of a lot. The term landscaped area includes any surfaced walks, surfaced patios, deck of not more than 0.2m above finished grade, storm water management pond,

swimming pool, decorative pool or pond, or similar areas, but shall not include any driveway, ramp (whether surfaced or not), curb, parking lot, delivery space, loading space, or any space below, within or on top of a building or structure, or any lands zoned 'EP-Environmental Protection.'”

a) By-law 2005-109 is amended by the addition of the following definition in Section 3:

“Farm Building

A building or part thereof which does not contain a residential occupancy or a habitable room for human occupancy, and which is associated with and located on land devoted to the practice of farming and used essentially for the housing of equipment or livestock, or the production, storage or processing of agricultural and horticultural produce or feeds, or manure storage and anaerobic digester. These types of buildings include but limited too barns, silos, pole barn, drivesheds, manure storages, anaerobic digesters greenhouses, fruit and vegetable storage buildings. A farm building is not the same as an accessory structure or buildings that is secondary to the principal residential building.”

7. By-law 2005-109 is amended by deletion of Section 4.7.1 a) and replacing it with the following:

“Landscaped Area shall mean an open unobstructed space from ground to sky on a lot which is used exclusively for landscaping and used to enhance the visual amenity of a lot and/or to provide a screen to mitigate any aspects that may detrimentally affect abutting lots. The area shall contain any combination of horticultural elements such as grass, flowers, shrubs, bushes, or trees, and may also contain architectural elements such as decorative stonework, planters, or screening. The area shall be located at the finished grade of a lot. The term landscaped area includes any surfaced walks, surfaced patios, deck of not more than 0.2m above finished grade, storm water management pond, swimming pool, decorative pool or pond, or similar areas, but shall not include any driveway, ramp (whether surfaced or not), curb, parking lot, delivery space, loading space, or any space below, within or on top of a building or structure, or any lands zoned 'EP-Environmental Protection.'”

8. This By-law shall come into effect on the date of the passing hereof, subject to the provisions of Section 34 of the Planning Act.

By-Law passed in open session this _____ day of _____, 20____

Adrian Foster, Mayor

June Gallagher, Municipal Clerk

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