

# Municipality of Clarington Zoning By-law **XXXX-XX**

Draft November 2018

Municipality of Clarington  
Planning Services Department

Draft

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## 1. Administration and Interpretation

### 1.1 Title and Purpose

1.1.1 This By-law is cited as the "Municipality of Clarington Zoning By-law 201#-##".

### 1.2 Definitions

1.2.1 It is prohibited for any *person* to make *use* of any land or erect or *use* any *building* or *structure* except in conformity with this Zoning By-law.

1.2.2 For the purpose of this By-law, the definitions in Section 22 apply. Terms defined in this By-law are italicized.

### 1.3 Applicable Area

1.3.1 This By-law applies to all lands in the *Municipality of Clarington*.

1.3.2 The boundaries of the Oak Ridges Moraine Area, as established by Ontario Regulation 1/02 under the Oak Ridges Moraine Conservation Act, 2001, and the Greenbelt Area, as established by Ontario Regulation 59/05 under the Greenbelt Act, 2005, are shown on Schedule F.

1.3.3 Illustrations and examples used in this By-law are for clarification and convenience purposes only and are not part of this By-law.

### 1.4 Permitted Uses

1.4.1 A *use* that is listed as being permitted is only permitted if it satisfies all applicable regulations of this By-law.

1.4.2 In Permitted Use tables, the symbol "✓" beside a *use* indicates that the *use* is permitted in the specified zone. The symbol "✓" followed by a notation "(#)" indicates that the *use* is permitted in the specified zone provided that the condition(s) set out in the notation at the bottom of the table is satisfied. The notations are considered to be part of the table.

1.4.3 If a *use* is defined in this By-law but not listed as being permitted within a specific zone, then that *use* is not permitted in that zone.

### 1.5 Extended Meanings

1.5.1 In this By-law,

- (1) A grammatical variation of a defined word or expression has a corresponding meaning;

- (2) Words shall be read with all changes in gender or number as the context requires;
- (3) References to an Official Plan, Act or By-law shall include any amendments to, or replacements of, such Official Plan, Act or By-law; and
- (4) References to parts, sections, regulations, exceptions, tables, figures, maps and schedules, refer to those in this By-law.

## **1.6 Measurements and Dimensions**

- 1.6.1 All measurements and dimensions are expressed in metric (eg. hectare (ha), metres (m), square metres (m<sup>2</sup>)).

## **1.7 Severability**

- 1.7.1 Each section of this By-law is an independent section, and the determination of any section or part of any section to be void or ineffective for any reason shall not be deemed to affect the validity of any other sections of this By-law.

## **1.8 Relation to Other Government Requirements**

- 1.8.1 This By-law does not reduce or mitigate any restrictions or regulations lawfully imposed by the *Municipality* or by any government authority having jurisdiction to make such restrictions or regulations.

## **1.9 Changes Not Requiring an Amendment**

- 1.9.1 The following changes may be made to this By-law without an amendment:
  - (1) Changes or corrections to format, spelling or reference errors;
  - (2) Alterations in the numbering and arrangement of any provisions; and
  - (3) Adjustments to base information on any map including parcel fabric, street network, colours, symbology and fonts.

## 2. Zones, Symbols and Overlays

### 2.1 Zones

2.1.1 The zones and zone boundaries are shown on Schedule A through E.

2.1.2 This By-law places all lands in one or more of the following zones identified in Table 2-1.

**Table 2-1: Zone Categories**

Zone Category	Symbol
<b>Agricultural</b>	
Agricultural	A
<b>Environmental Protection</b>	
Environmental Protection	EP
<b>Rural Residential</b>	
Rural Residential	RR
Hamlet Residential	RS1
Bond Head Residential	RS2
Estate Residential	RS3
<b>Rural Commercial</b>	
Hamlet Commercial	RC1
Highway Commercial	RC2
Rural Service Station Commercial	RC3
Hamlet Service Station Commercial	RC4
<b>Community Use</b>	
Rural Community Use	RCU
<b>Utility</b>	
Utility	U
<b>Major Recreational</b>	
Major Recreational 1 (Brimacombe)	MR1
Major Recreational 2 (Canadian Tire Motorsport Park)	MR2



Zone Category	Symbol
Major Recreational 3 (Jungle Cat World)	MR3
Major Recreational 4 (Cedar Park)	MR4
Major Recreational 5 ( <i>Golf Course</i> )	MR5
<b>Future Development</b>	
Future Development	FD

## 2.2 Overlay Zones

2.2.1 In addition to the permitted *uses* and zoning regulations for each zone there are a number of Overlay Zones found in Section 16. Where applied the Overlay Zones are read together with the zone regulations. In the event of conflict the more restrictive regulation applies, with the exception of the Aggregate Extraction (AE) overlay. The Overlay Zones are shown on the Schedules to this By-law.

2.2.2 The Overlay Zones are identified in Table 2-2.

**Table 2-2: Overlay Zones**

Overlay	Symbol
Aggregate Extraction	AE
Environmental Review Area	ERA
Minimum Vegetation Protection Zone	MVP
Natural Hazard	NH
High <i>Aquifer Vulnerability Area</i>	HAVA
<i>Landform Conservation Area 1</i>	LCA1
<i>Landform Conservation Area 2</i>	LCA2
Natural Core Area	NCA
Natural Linkage Area	NLA
<i>Wellhead Protection Area</i>	WPA

## 2.3 Zone Boundaries

2.3.1 When determining the boundaries of any zone as shown on Schedules A through E, the following provisions apply:

- (1) Where a zone boundary is indicated as approximately following *lot lines* shown on a registered plan of subdivision or lots registered in the Land Registry Office, the boundary shall follow such lot lines.
- (2) Where a railroad or railway right-of-way, electrical transmission line right-of-way, or watercourse shown on Schedules A through E serves as a boundary between two or more different zones, a line midway on such right-of-way or watercourse is considered the boundary between zones.
- (3) Where a street or lane shown on Schedules A through E is closed, the property formerly in such street or lane is included within the zone of the adjoining property on either side of such closed street or lane. If a closed street or lane is the boundary between two or more different zones, the new zone boundary is the former centre line of the closed street or lane.
- (4) The boundary of an Environmental Protection (EP) zone represents natural heritage features, hydrologically sensitive features and natural hazards, and includes the Minimum Vegetation Protection Zone outside of settlement areas. The Environmental Review Area (ERA) is 90 m measured from a *natural heritage feature* and/or a *hydrologically sensitive feature*. The extent of this boundary may be determined through consultation with the appropriate Conservation Authority and review of an Environmental Impact Study, Floodplain Assessment, Natural Hazard Assessment, Natural Heritage Evaluation, Hydrologic Evaluation and/or Geotechnical Evaluation.

## 2.4 Multiple Zones on One Lot

2.4.1 Where more than one zone applies to a *lot*, the Zone Category or the geographic boundary between municipalities, is not a zone limit for defining *yard setbacks*.

2.4.2 Where a portion of a *lot* is zoned Environmental Protection (EP), that portion of the *lot* is included in the calculation of *lot area* and lot coverage, and does not affect the *yard* requirements provided that the *use* of that portion of the *lot* complies with the Environmental Protection (EP) zone.

2.4.3 No more than one *dwelling* is permitted on a *lot* except as specifically permitted by this By-law.

## 2.5 Special Exception

2.5.1 Where a zone symbol is followed by a hyphen and a number, the symbol refers to a Special Exception zone that applies to the lands (eg. A-15). The provisions

of this By-law are modified as set out in the site specific exceptions table for the relevant Zone Category as follows:

- (1) The first column sets out the exception number of each zone exception identified on the Schedules by the same number;
- (2) The second column sets out the additional *uses* permitted in the zone exception if applicable;
- (3) The third column identifies the limited *uses* permitted in the zone exception, if applicable; and
- (4) The fourth column sets out the new or modified special regulations for the zone exception, if applicable.

## 2.6 Holding Symbols

- 2.6.1 Where a zone symbol is preceded by an upper case letter “H” and a number in brackets, the symbol refers to a Holding Provision that applies to the lands as specified in Section 18. Until such time as the (H) symbol is removed, the land must only be *used* for continuing the *existing use, environmental management*, or for *uses* specified in Section 18.

## 2.7 Temporary Zones

- 2.7.1 Where a zone symbol is preceded by an upper case letter “T” and a number in brackets, the symbol refers to a Temporary Zone that applies to the lands as specified in Section 19. Upon expiry of the Temporary Zone, the prefix will be deleted from this By-law.

## 2.8 Compound Zones

- 2.8.1 Where two or more zone symbols are shown on a map to this By-law divided by an oblique line “/”, the total of the lands within that block may be *used* for any *use* permitted in either one of the zones subject to the regulations of the applicable zone(s).

### 3. General Development Provisions

#### 3.1 Residential Accessory Buildings and Structures

3.1.1 An *accessory building* and/or *structure* is permitted provided that:

- (1) The *accessory building* or *structure* must not be used as a *dwelling*, except where specifically permitted in this By-law;
- (2) The *accessory building* or *structure* must not be used for any activity for gain or profit, except where specifically permitted in this By-law; and
- (3) The *accessory building* or *structure* is constructed during or after the construction of the *principal building*.
- (4) A *shipping/cargo container* must not be used as an *accessory structure*.

3.1.2 Residential *accessory buildings* and *structures* must comply with the regulations in Table 3-1

**Table 3-1: Regulations - Residential Accessory Buildings and Structures**

Regulation	Swimming Pool	Accessory Building or Structure
<i>Front yard setback</i> (min.)	Behind the front wall of the dwelling in a Settlement Area.  Zone setback regulation in all other instances.	Zone setback regulation
<i>Exterior side yard setback</i> (min.)	1.2 m	Zone setback regulation
<i>Interior side yard setback</i> (min.)	1.2 m	1.8 m where there is a second <i>storey</i> 0 m where there is a <i>common wall</i> with a detached <i>garage</i> on an abutting <i>lot</i> 1.2 m in all other instances
<i>Rear yard setback</i> (min.)	1.2 m	1.8 m where there is a second <i>storey</i> 1.2 m in all other instances
<i>Lot coverage</i> (max.)	n/a	5% for all accessory buildings and structures

Regulation	Swimming Pool	Accessory Building or Structure
<i>Floor area</i> (max.)	n/a	60 m <sup>2</sup> in a Settlement Area 90 m <sup>2</sup> on a lot less than 2 ha outside of a Settlement Area, plus up to 50% additional <i>floor area</i> for the second <i>storey</i> of an <i>accessory building</i> 120 m <sup>2</sup> on a lot greater than 2 ha in an Agricultural (A) or Rural Residential (RR) zone, plus up to 50% additional <i>floor area</i> for the second <i>storey</i> of an <i>accessory building</i>
<i>Height</i> (max.)	n/a	6 m in an Agricultural (A) zone 5 m in all other instances

### 3.2 Projections

3.2.1 Projections into *required yard setbacks* are permitted in accordance with the regulations in Table 3-2.

**Table 3-2: Regulations - Projections into Required Yard Setbacks**

Structure	Yard into which projection is permitted	Projection into the minimum required yard setback (max.)
Fire escapes	<i>Rear yard</i> and <i>side yard</i>	Not more than 1.2 m, provided no <i>yard setback</i> is reduced to less than 0.6 m
Awnings, balconies, canopies, <i>decks attached</i> or abutting, <i>porches</i> , ramps, steps or patio on a residential <i>building</i>	All	1.5 m, provided no <i>yard setback</i> is reduced to less than 0.6 m
Awnings or canopies in a commercial, industrial or Community Use zone	All	3 m, provided the canopy or awning is a minimum <i>height</i> of 2.4 m above <i>finished grade</i>
Belt courses, cantilevered floors, chimneys, cornices, eaves, gutters, parapet,	All	0.75 m, provided no <i>yard setback</i> is reduced to less than 1.2 m

Structure	Yard into which projection is permitted	Projection into the minimum required yard setback (max.)
pilaster, sills, or window bays		
Belt courses, cantilevered floors, chimneys, cornices, eaves, gutters, parapet, pilaster, sills or window bays in a commercial, industrial or Community Use zone.	All	0.75 m
Eaves or gutters on an <i>accessory building or structure</i>	All	0.3 m

### 3.3 Attached Garages and Carports

3.3.1 A *garage* or *carport* attached to a *dwelling* in the Rural Residential (RR), Hamlet Residential (RS1), Bond Head Residential (RS2) and Estate Residential (RS3) zones shall:

- (1) Not exceed a *floor area* greater than 30% of the *gross residential floor area*; and
- (2) Not exceed 55% of the width of the *principal façade* of the *dwelling* unit to which it is *attached*.

### 3.4 Frontage on an Improved Public Street, Unassumed Road and Private Right-of-way

3.4.1 It is prohibited to construct a *building* or *structure* unless the *lot* has frontage on an *improved public street* that is maintained year round.

3.4.2 *Buildings* or *structures* are permitted on an unassumed road provided they are on a *lot* or block within a Registered Plan of Subdivision.

3.4.3 *Buildings* or *structures* are permitted on *lots* with access to a private *right-of-way* created prior to the date of the passing of this By-law.

3.4.4 *Buildings* or *structures* are permitted on a *lot* or block which has frontage on a private *street* that existed prior to the date of the passing of this By-law, or where such *street* is shown on a site plan approved under the Planning Act, R.S.O. 1990.

### 3.5 Servicing Requirements

- 3.5.1 Except as specifically provided for in this By-law, no *building* or *structure* may be constructed or enlarged and no *use* may be established on any *lot* unless the *lot* is serviced by a potable *water supply system* and a sanitary waste disposal system installed in accordance with the requirements of the appropriate *public authority*.
- 3.5.2 Subsection 3.5.1 does not prevent the construction or *use* of a *building* or *structure accessory* to any permitted *use*.
- 3.5.3 Subsection 3.5.1 does not prevent the construction or *use* of a *farm building* or *structure*.

### 3.6 How to Determine Height of a Building or Structure

- 3.6.1 When determining the *height* of a *building* or *structure*, the following shall be excluded:
- (1) Ornamental architectural features, such as church spires, domes, cupolas, and clock towers;
  - (2) Flag poles;
  - (3) Antennas;
  - (4) Chimneys;
  - (5) Parapets;
  - (6) Water towers or tanks;
  - (7) Skylights; and
  - (8) Communications towers.
- 3.6.2 When determining the *height* of a *building* or *structure*, rooftop mechanical equipment and *mechanical penthouses* are excluded, provided that such equipment or *structures* are less than 4.5 m in *height* above the roof deck and do not occupy more than 30% of the area of the roof upon which they are located.

### 3.7 Landscaped Area

- 3.7.1 In Commercial and Community *Use* zones, *landscaped areas* are required in the *front yard* and *exterior side yard* as follows:
- (1) The entire yard where the setback is less than 3 m.
  - (2) A 3 m wide area along the entire yard between the property line and the *building* where setbacks are greater than 3.1 m.

- 3.7.2 In the Commercial and Community *Use* zones, a 3 m wide *landscaped area* is required between a *parking area* and a *street line*.
- 3.7.3 Where a Commercial or Community *Use* zone and a *Residential zone* *abut*, a 1.5 m *landscaped area* is required in the *yards* between the two zones, adjacent to the adjoining lot line.
- 3.7.4 A permitted driveway can cross a *landscaped area*.

### 3.8 Non-Conforming Buildings, Structures and Uses

- 3.8.1 Nothing in this By-law prevents the *use* of any *lot*, *building* or *structure* for any purpose not permitted by this By-law if such *lot*, *building* or *structure* was lawfully *used* for such purpose on the date of the passing of this By-law, provided it continues to be *used* for that purpose.
- 3.8.2 Nothing in this By-law prevents the rebuilding, repair or alteration of any *legal non-conforming building* or *structure*, provided that the dimensions of the *building* or *structure* are not increased and the *yards* are not reduced, except in conformity with this By-law.
- 3.8.3 *Lots* legally conveyable prior to the date of passing of this By-law, or where such lot is created as a result of an expropriation or conveyance to an authority with expropriation powers, that do not meet the minimum *lot area* or *lot frontage* regulations are permitted to be *used* and *buildings* and *structures* built, rebuilt or repaired. The *use* of such lots must conform to the By-law and the *buildings* and *structures* comply with all other regulations of the By-law.

### 3.9 Visibility Triangles

- 3.9.1 Where a *sight triangle* has been dedicated to a *public authority* a *visibility triangle* is not required.
- 3.9.2 On an exterior lot, *visibility triangles* shall be determined by measuring from the intersection of the streetlines and a diagonal line drawn between the two points in accordance with Table 3-3:

**Table 3-3: Visibility Triangle Measurements for Exterior Lots**

Intersection of:	Arterial Road	Collector Road or Local Road
Arterial Road	15 m x 15 m	15 m x 10 m
Collector Road or Local Road	10 m x 15 m	5 m x 5 m



3.9.3 The *visibility triangle* for a *driveway*, *lane*, or *right-of-way* shall be the area enclosed by the line along the limits of the *driveway* and the *street line* measured to a point 3 m back from the intersection of the *street lines* and the limits of the *driveway*, *lane*, or *right-of-way* and a diagonal line drawn between these two points.

3.9.4 Within a visibility triangle the following are prohibited:

- (1) Any *building* or *structure*;
- (2) The parking or storage of any motor vehicle, trailer or recreational vehicle;
- (3) Fences with a *height* greater than 0.75 m;
- (4) *Landscaping* features, including shrubs or trees greater than 0.75 m *height*; and
- (5) *Parking spaces* or *driveways*.

### 3.10 Established Building Line

3.10.1 Where there is an *established building line* extending on one or both sides of a *lot* in a *Residential zone*, the minimum *front yard setback* required for a *principal building* on the *lot* may be reduced to the *established building line* as measured within 60 m of the *lot*.

### 3.11 Railway Setbacks

3.11.1 All *buildings* containing a residential *use*, daycare centre, *place of worship* or educational and health facilities must have a minimum 30 m *yard setback* from any property line that abuts a railway.

### 3.12 Minimum Distance Separation

3.12.1 A residential, community, industrial, commercial, major recreational, or agricultural *use* must not be established, erected or enlarged unless they comply with the *Minimum Distance Separation Formulae*.

3.12.2 New and expanding livestock facilities shall not be erected or enlarged unless they comply with the *Minimum Distance Separation Formulae*.

3.12.3 Sections 3.12.1 and 3.12.2 shall not apply to:

- (1) A residential *building* constructed on a *lot* within a registered plan of subdivision;
- (2) A livestock facility located within the limits of a Settlement Area;
- (3) Closed cemeteries; and
- (4) A residential use on the same lot as an agricultural facility.

**3.13 Apartments in a Mixed Use Building**

3.13.1 *Apartment dwellings* are permitted in the rear portion of the *ground floor*, or on the second floor or above in a mixed use building. A permitted non-residential use must occupy all of the *ground floor* behind the *principal façade*.

**3.14 Setback from Watercourses**

3.14.1 No building or structure shall be located within 30 m of the edge of a watercourse identified on Schedule F.

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## 4. Special Land Use Provisions

### 4.1 Bed and Breakfast

4.1.1 Where a *Bed and Breakfast* is a permitted use, it must be a *secondary use* within a *single detached dwelling* and is limited to a maximum of 3 *guest rooms*.

### 4.2 Special Needs Housing

4.2.1 *Special Needs Housing* is permitted in any permitted *dwelling* provided that:

- (1) The use complies with the applicable zone regulations for the type of *dwelling* unit it occupies; and
- (2) Parking is provided in accordance with Section 5.

### 4.3 Home Industries

4.3.1 Where a *home industry* is a permitted use, the following uses are permitted to be conducted as a *secondary use*:

- (1) Carpenter's shop;
- (2) Electrician's shop;
- (3) Plumber's shop;
- (4) *Manufacturing or processing* shop;
- (5) Small engine repair shop;
- (6) Light service shop;
- (7) Welding shop;
- (8) Farrier service;
- (9) Saw mill; and
- (10) Repair and *retail* sale of antiques.

4.3.2 A *home industry* is permitted in accordance with the regulations in Table 4-1

**Table 4-1: Regulations - Home Industry**

Regulation	Rural Residential (RR) Zone	Agricultural (A) Zone
<i>Lot area</i> (min.)	1 ha	2 ha
Location on <i>lot</i> in a <i>building</i>	Within an <i>attached garage</i> , or <i>accessory building</i> located in the interior side or <i>rear yard</i>	Within an <i>attached garage</i> , <i>accessory building</i> , or <i>farm building</i>

Regulation	Rural Residential (RR) Zone	Agricultural (A) Zone
<i>Floor area (max.)</i>	135 m <sup>2</sup>	180 m <sup>2</sup>
<i>Employees (max.)</i>	People residing in the <i>principal dwelling</i> plus 2 people who do not reside in the <i>dwelling</i>	People residing in the <i>principal dwelling</i> plus 2 people who do not reside in the <i>dwelling</i>
<i>Outdoor storage</i>	No exterior storage of goods	<ul style="list-style-type: none"> <li>Permitted in the <i>rear yard</i> and <i>interior side yards</i>, provided the area does not exceed 25% of the gross <i>floor area</i> of the <i>home industry</i>;</li> <li>It shall be screened from view from a street by a 2.1 m solid fence or hedge.</li> <li>The height of the materials stored must not exceed the height of the fence or hedge.</li> </ul>
<i>Outdoor display</i>	No exterior display of goods	Permitted provided the area does not exceed 10% of the gross <i>floor area</i> of the <i>home industry</i>
<i>Retail sales</i>	Limited to goods processed or produced on site, to a maximum <i>floor area</i> of 15% of the <i>home industry</i>	Limited to goods processed or produced on site, to a maximum <i>floor area</i> of 15% of the <i>home industry</i>
<i>Prohibitions</i>	Generation of <i>hazardous waste</i> , liquid industrial <i>waste</i> , or any severely toxic contaminant listed in Schedule 3 to Ontario Regulation 347 under the Environmental Protection Act	Generation of <i>hazardous waste</i> , liquid industrial <i>waste</i> , or any severely toxic contaminant listed in Schedule 3 to Ontario Regulation 347 under the Environmental Protection Act

4.3.3 Where a *home industry* is located on the same *lot* as a *home business*, the regulations in Table 4-1 regarding number of employees apply to both.

4.3.4 Parking is to be provided in accordance with Section 5.

#### 4.4 Home Business

4.4.1 Where a *home business* is a permitted *use*, the following *uses* are permitted:

- (1) *Adult home care*;
- (2) *Business or administrative office*;

- (3) *Caterer;*
- (4) *Child home care;*
- (5) *Home craft;*
- (6) *Instructional service;*
- (7) *Light service shop;*
- (8) *Medical office;*
- (9) *Personal service;* and
- (10) *Pet home care.*

4.4.2 A *home business* is permitted in accordance with the regulations in Table 4-2.

**Table 4-2: Regulations - Home Businesses**

Regulation	Specification
Floor area (max.)	30% of <i>dwelling</i> , to a maximum of 100 m <sup>2</sup>
Number of employees (max.)	People residing in the <i>dwelling</i> plus 1 <i>person</i> who does not reside in the <i>dwelling</i>
Location on <i>lot</i>	Within a <i>dwelling</i>
Outdoor storage	No exterior display of goods
Outdoor display	No exterior storage of goods

4.4.3 Parking is to be provided in accordance with Section 5.

4.4.4 A *personal service* must not include a *dry cleaners distribution centre* or *laundry*.

4.4.5 In the case of an *apartment dwelling* or a *townhouse dwelling*, a *home business* is restricted to a *business or administrative office* which does not have clients coming to the *dwelling*, and does not have employees who reside in a different *dwelling*.

4.4.6 An *adult home care* must not accommodate more than five adults at a time who do not reside in the *dwelling*. The *yard* of the *dwelling* may be used as *accessory* to the *adult home care*.

4.4.7 A *child home care* must not accommodate more than six children at a time not including the owner's children. The *yard* of the *dwelling* may be used as *accessory* to the *child home care*.

4.4.8 A *pet home care* must not accommodate more than 3 pets at a time, including the owner's pets. The *yard* of the *dwelling* may be used as *accessory* to the *pet home care*.

4.4.9 Instructional services must not accommodate more than 3 students at a time. The *rear yard* of the *dwelling* may be used as *accessory* to the instructional services.

#### **4.5 Secondary Apartments**

4.5.1 A *secondary apartment dwelling* is not permitted on a *lot* that contains more than one *dwelling*, not including permitted *farm worker accommodations*.

4.5.2 A *secondary apartment dwelling* must have a minimum floor area of 40 m<sup>2</sup>.

4.5.3 The floor area of a *secondary apartment dwelling* must not exceed 40% of the floor area of the principal dwelling unit.

4.5.4 Where a *secondary apartment dwelling* is located in a detached *garage*, the *floor area* must not exceed 50% of the total *floor area* of the detached *garage* and must be located within 30 metres of the *principal dwelling*.

4.5.5 Within a Settlement Area identified on Schedule F, the entrance for a *secondary apartment dwelling* must be located in the side or *rear yard*, unless it is through a common entrance within the *principal façade*.

4.5.6 A *secondary apartment dwelling* is prohibited within the Natural Heritage (NH) overlay on Schedule F.

#### **4.6 Construction Uses**

4.6.1 Temporary *buildings* or *trailers* associated with construction work are permitted on a *lot*, or on lands within a draft approved subdivision, *condominium plan*, approved site plan, or where a *building permit* has been issued for the duration of construction work.

4.6.2 Temporary *buildings* or *trailers* intended for construction work purposes must not be used for human habitation.

#### **4.7 Public Use Exemptions**

4.7.1 This By-law does not apply to prohibit the *use* of land, or the *use* of *buildings* or *structures* for the purposes of a *use* provided by a *Public Authority*.

#### **4.8 Refreshment Vehicles and Carts**

4.8.1 A *mobile refreshment vehicle* and/or *refreshment cart* can be operated anywhere in the *Municipality* in association with a *special event*, provided that

all licenses and permits, required under the Special Events and Refreshment Vehicle By-laws have been obtained.

- 4.8.2 A stationary refreshment vehicle can be located in a defined parking area, or where a location is identified on an approved site plan.
- 4.8.3 The location of the *stationary refreshment vehicle* must not obstruct or reduce the required minimum number of *parking spaces* for the *principal use* or be located within an *aisle*.

#### 4.9 Special Events

- 4.9.1 *Public special events* are permitted:
- (1) On a lot owned by a *public authority*;
  - (2) Within a *Zoo*; or,
  - (3) Within a Commercial, Major Recreational, or Industrial Zone.
- 4.9.2 A *private special event* or *public special event* hosted by a *Not-for Profit Organization* is permitted on all lands, except those zoned Environmental Protection (EP).
- 4.9.3 A *private special event* is permitted on any *lot* where an agricultural or residential *use* exists and is permitted.
- 4.9.4 A *special event* is permitted in accordance with the following regulations:
- (1) A *special event* permit must be obtained from the *Municipality*, if applicable.
  - (2) The combined total duration of all *special events* held on one *lot*, except on municipally owned property, must not exceed seven days in a calendar year.
  - (3) In any Commercial or Industrial zone, the *parking area* can be *used* for a *special event* provided that the number of *parking spaces* remaining is not reduced below 75% of that required by Section 5 for the *uses* on the *lot*.
  - (4) *Special events* licensed by the *Municipality* are not subject to the *parking space* and *loading space* requirements set out in Section 5.
  - (5) A temporary *building* or *structure* associated with a *special event* in a *Residential zone* is permitted provided it conforms to the setbacks set out in Section 3.1.
  - (6) No *site alteration* is permitted.

#### 4.10 Temporary Living Quarters

4.10.1 A *mobile home*, *recreational vehicle*, or an existing *dwelling* can be used as temporary living quarters while a permitted *dwelling* is under construction on the same *lot*, for a maximum of one year, unless Council approves and extension provided:

- (1) The owner of the *lot* enters into an agreement with the *Municipality* to remove the temporary living quarters from the *lot* immediately after the expiration of the one year period or with the occupation of the new *dwelling*, whichever occurs first;
- (2) The temporary living quarters are located on the *lot* in compliance with the *yard setbacks* of the zone in which it is located; and
- (3) The temporary living quarters are serviced with adequate *sanitary sewer* and water services approved by the appropriate *public authority*.

4.10.2 The temporary living quarters are not subject to the *lot coverage* regulation of the zone in which it is located.

#### 4.11 Use of Mobile Homes, Recreational Vehicles as Dwellings

4.11.1 The *use* of a *mobile home* or a *recreational vehicle* as a dwelling is prohibited in all zones except as otherwise specified in this By-law.

#### 4.12 Portable Asphalt Plants

4.12.1 A *portable asphalt plant* used to supply materials to a project undertaken by, or on behalf of, a *public authority* is permitted on a temporary basis provided it is not located within:

- (1) An Environmental Protection (EP) zone;
- (2) Settlement Area;
- (3) The Natural Core Areas or Natural Linkage Areas, as shown on Schedules A through E;
- (4) 30 m of any lands zoned Environmental Protection (EP); or
- (5) 90 m of any *lot* for a residential *use*.

#### 4.13 Wayside Pits and Quarries

4.13.1 A *wayside pit* or a *wayside quarry* is permitted for a maximum of 18 months, provided that it is not located within:

- (1) An Environmental Protection (EP) zone;
- (2) A Settlement Area, as shown on Schedules A through E;
- (3) The Natural Core Area as shown on Schedules A through E;



- (4) 30 m of any land zoned Environmental Protection (EP); or
- (5) 30 m of any lot used for residential.

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## 5. Parking, Loading and Queuing

### 5.1 General

5.1.1 Every *building, structure or lot* used for a purpose set out in this By-law, unless provided for otherwise, must provide and maintain parking and *loading spaces* in accordance with Section 5.

### 5.2 Parking Spaces

5.2.1 *Parking space* dimensions are regulated in accordance with Table 5-1.

**Table 5-1: Regulations - Parking Space Dimensions**

Parking Space Type	Width (min.)	Length (min.)	Other
Angle	2.75 m	5.7 m measured on the angle	Angle of space must be 45 degrees or greater
Parallel	2.75 m	7 m	n/a
Perpendicular	2.75 m	5.7 m	Total width of 2 adjacent outdoor perpendicular <i>parking spaces</i> for a <i>single detached dwelling, semi-detached dwelling or duplex dwelling</i> can be reduced to 4.6 m
Tandem	2.75 m	5.7 m	n/a
Type A (van) accessible	3.4 m	5.7 m	An additional minimum 1.5 m access <i>aisle</i> the full length of the <i>parking space</i> must be provided. The access <i>aisle</i> can be shared where paired with another Type A or Type B

Parking Space Type	Width (min.)	Length (min.)	Other
			accessible <i>parking space</i>
Type B accessible	2.4 m	5.7 m	An additional minimum 1.5 m access <i>aisle</i> the full length of the <i>parking space</i> must be provided. The access <i>aisle</i> can be shared where paired with another Type A or Type B accessible <i>parking space</i>
Within a <i>garage</i>	3 m	6.2 m	Area - 18.6 m <sup>2</sup> (min.)

5.2.2 The width of an outdoor *parking space* must be increased by 0.25 m where abutting a wall.

### 5.3 Tandem Parking

5.3.1 Tandem parking is permitted for the following *uses*:

- (1) Single detached dwelling;
- (2) Semi-detached dwelling;
- (3) Townhouse dwelling;
- (4) *Secondary apartment dwelling*;
- (5) Bed and Breakfast;
- (6) Special needs housing;
- (7) Home industry; and
- (8) Home business.

### 5.4 Parking Space Requirements

5.4.1 All *motor vehicles* occupying a required *parking space* must be operative and currently licensed.

5.4.2 A driveway providing access to parking spaces must be on the same lot as the use unless a registered easement provides access to a driveway on another lot. *Parking spaces* must be provided on the same *lot* as the *use* requiring the *parking spaces*. If the required *parking spaces* cannot be provided on the same *lot* the required *parking spaces* can be located on another *lot*, subject to the following:

- (1) The *parking spaces* are located within 150 m of the *use* requiring the parking; and
- (2) The *parking spaces* are located on lands within the same zone as the *use* requiring the *parking spaces* or within a Commercial or Industrial zone, and subject to an agreement.

5.4.3 The required number of *parking spaces* is calculated in accordance with the requirements specified in Table 5-2 and must be rounded up to the next whole number.

**Table 5-2: Regulations - Number of Parking Spaces**

Type of Use	Number of Parking Spaces (min.)
Residential	
<i>Single detached</i>	2 outdoor spaces per <i>dwelling</i>
<i>Semi-detached</i>	2 outdoor spaces per <i>dwelling</i>
<i>Bed and breakfast</i>	1 per <i>guest room</i> in addition to spaces required for the <i>dwelling</i>
<i>Special needs housing</i>	2 plus 1 per 4 beds
<i>Home industry</i>	1 for each employee residing in a different <i>dwelling</i> , plus the number of spaces required for <i>industrial uses</i> in Table 5-2
<i>Home business</i>	1 for each employee residing in a different <i>dwelling</i> , plus the number of spaces required for <i>the use</i> in Table 5-2
<i>Garden suite or secondary apartment dwelling</i>	1 for a <i>garden suite</i> , or <i>secondary apartment dwelling</i> established after November 16, 1995 0 where the <i>secondary apartment dwelling</i> was established before November 16, 1995
Other permitted residential uses	2 per <i>dwelling</i>

Type of Use	Number of Parking Spaces (min.)
<b>Commercial</b>	
<i>Flea market; grocery store; retail warehouse; shopping centre</i>	1 for every 20 m <sup>2</sup> of <i>gross leasable floor area</i>
<i>Business or administrative office; child care centre; office building; personal service; fitness centre, professional service; retail</i>	1 for every 30 m <sup>2</sup> of <i>gross leasable floor area</i>
<i>Medical office; veterinary clinic</i>	1 for every 18 m <sup>2</sup> of <i>gross floor area</i> 1 for every 30 m <sup>2</sup> where the <i>use is a home business</i>
<i>Hotel; motel</i>	1 per suite or <i>guest room</i> , plus the requirement for <i>restaurants</i> and gathering places where the <i>use is provided</i>
<i>Adult entertainment parlour; bar; take-out restaurant</i>	The greater of: i) 7; or ii) 1 for every 7 m <sup>2</sup> of publicly accessible <i>floor area</i>
<i>Drive-through restaurant; eat-in restaurant (with or without take-out restaurant)</i>	The greater of: i) 10; or ii) 12 per 100 m <sup>2</sup> <i>gross floor area</i>
<i>Temporary sales office</i>	8
<b>Gathering Places</b>	
<i>Art gallery; place of assembly; auction centre; banquet hall; funeral home; museum; place of entertainment; place of worship; private club; recreation centre; special event; theatre; other similar gathering places</i>	The greater of 1 per: i) 5 fixed seats; ii) 3 m of bench seating; or iii) 9 m <sup>2</sup> of <i>floor area</i>
<i>Golf course</i>	3 per hole, plus the requirement for <i>restaurants, banquet hall and retail</i> where the <i>use is provided</i>
<i>Golf driving range</i>	1 per tee/mat, plus the requirement for <i>restaurants, banquet hall and retail</i> where the <i>use is provided</i>

Type of Use	Number of Parking Spaces (min.)
<i>Marina</i>	1.25 per boat slip, plus the requirement for <i>restaurants, banquet hall</i> and <i>retail</i> where the use is provided
Mini-putt	1.5 per hole
Schools	
<i>Elementary school</i>	The greater of: i) 2 per classroom; or ii) 1 per 10 m <sup>2</sup> of total <i>floor area</i> in the <i>assembly hall</i> and cafeteria
<i>Secondary school; commercial school</i>	The greater of: i) 5 per classroom; or ii) 1 per 10 m <sup>2</sup> of <i>floor area</i> in the <i>assembly hall</i> and cafeteria
Health Care	
<i>Long term care facility; retirement home</i>	1 per every 4 beds
<i>Hospital</i>	The greater of 1 per: i) 2 beds; or ii) 50 m <sup>2</sup> of <i>floor area</i>
Industrial	
<i>Industrial uses</i>	1 per 30 m <sup>2</sup> for first 500 m <sup>2</sup> of <i>floor area</i> ; 1 per 90 m <sup>2</sup> of <i>floor area</i> between 501 m <sup>2</sup> and 2,000 m <sup>2</sup> of <i>floor area</i> ; and 1 per every 500 m <sup>2</sup> of <i>floor area</i> above 2001 m <sup>2</sup>
Other	
Other permitted uses	1 space per 30 m <sup>2</sup> of floor area

## 5.5 Accessible Parking Spaces

5.5.1 The required number of accessible *parking spaces* must be provided accordance with Table 5-3.

**Table 5-3: Regulations - Number of Accessible Parking Spaces**

Number of Parking Spaces Required By Table 5-2	Total Number of Accessible Parking Spaces	Total Number of Type A Parking Spaces	Total Number of Type B Parking Spaces
1 to 12	1	1	0
13 to 25	1	0	1
26 to 50	2	1	1
51 to 75	3	1	2
76 to 100	4	2	2
101 to 133	5	2	3
134 to 166	6	3	3
167 to 250	7	3	4
251 to 300	8	4	4
301 to 350	9	4	5
351 to 400	10	5	5
401 to 450	11	5	6
451 to 500	12	6	6
501 to 550	13	6	7
551 to 600	14	7	7
601 to 650	15	7	8
651 to 700	16	8	8
701 to 750	17	8	9
751 to 800	18	9	9
801 to 850	19	9	10
851 to 900	20	10	10
901 to 950	21	10	11
951 to 1000	22	11	11
1001 and over	11 + 1% of total number of parking	Where an even number is required, provide an equal	

Number of Parking Spaces Required By Table 5-2	Total Number of Accessible Parking Spaces	Total Number of Type A Parking Spaces	Total Number of Type B Parking Spaces
	spaces required by Table 5-2	number of Type A and B accessible parking spaces. Where an odd number is required, provide equal number of Type A and B plus an additional Type B.	

5.5.2 Long term care facilities, retirement homes, hospitals, medical clinics and medical offices must provide twice the number of accessible *parking spaces* as required by Table 5-3.

## 5.6 Parking Area Location and Design Standards

5.6.1 An *aisle* must have a minimum width of 4.5 m for one way traffic or 6 m for two way traffic.

5.6.2 In all Commercial, Industrial, Community Use, and Major Recreational zones every open *parking area* must provide an area equivalent to 2% of the required *parking area* for snow storage purposes.

5.6.3 Unenclosed *parking areas* located at *finished grade* are permitted in all *yards* provided that the following are complied with:

- (1) In all zones except the *Residential zones*, no *driveway* or *parking space* can be located within 7.5 m of a *side lot line* abutting a *Residential zone*, or within 1.5 m of a *rear lot line* abutting a *Residential zone*;
- (2) In a *Rural Residential zone*, no part of any *parking space* or *parking area* other than a *driveway* can be located within 1 m of a *street line* or within a required *visibility triangle*; and
- (3) In a Commercial zone, no part of any *parking space* or *parking area* other than a *driveway* can be located within 1.5 m of a *street line* or within a required *visibility triangle*.

5.6.4 *Parking spaces*, *parking areas*, *aisles* and *driveways* must be constructed and maintained with a stable surface.

## 5.7 Drive-Through Queue Aisle

5.7.1 Each *drive-through* must provide a *drive-through queue aisle* for the queuing of *motor vehicles* in accordance with Table 5-4.



Table 5-4: Regulations – Drive-Through Queue Aisles

Type of Use	Length (min.)	Width (min.)	Radius (min.)	Separation from Street line (min.)
<i>Financial institution; pharmacy; other</i>	24 m	3 m	9 m	18 m
<i>Restaurant</i>	24 m between the pick-up window and order board; 48 m beyond the order board	3 m	9 m	18 m

5.7.2 A *drive-through queue aisle* must be separate from all *driveways, parking areas, and/or loading spaces* on site, and must not be located within a *visibility triangle* or within the *front yard*.

5.7.3 Where a *drive-through queue aisle* abuts a residential use, the *queue aisle* must be setback a minimum of 12 m from the abutting residential *lot line* and shall be screened from the residential use by a 2 m high wall or decorative closed board fence.

## 5.8 Loading Spaces

5.8.1 Every *building* or *structure* must provide and maintain *loading spaces* in accordance with Table 5-5 and Section 5.8

5.8.2 *Loading spaces* must be provided on the same *lot* as the *building, structure* or *use* requiring the *loading space*.

5.8.3 All *loading spaces* must provide a vertical clearance of 4.27 metres.

5.8.4 *Loading spaces* dimensions and required numbers must be provided in accordance with the regulations in Table 5-5.

Table 5-5: Regulations – Dimensions and Number of Loading Spaces

Building or Structure	Length - 11 m Width - 4 m	Length - 7.5 m Width - 3 m
<b>Residential and Health Care</b>		
<i>Apartment building</i>	n/a	1
<i>Hospital</i>	4	n/a
<i>Long term care facilities; retirement home</i>	2	n/a
<b>Commercial and Gathering Places</b>		
Permitted uses with 301 m <sup>2</sup> to 1,000 m <sup>2</sup> gross commercial floor area	1	n/a
Permitted uses with 1,000 m <sup>2</sup> to 7,000 m <sup>2</sup> gross commercial floor area	2	n/a
Permitted uses with greater than 7,000 m <sup>2</sup> gross commercial floor area	3	n/a
<b>Industrial</b>		
Permitted uses with up to 1,000 m <sup>2</sup> floor area	1	n/a
Permitted uses 1,001 m <sup>2</sup> to 3,000 m <sup>2</sup> floor area	2	n/a
Permitted uses with 3,001 m <sup>2</sup> to 7,000 m <sup>2</sup> floor area	3	n/a
Permitted uses with greater than 7,000 m <sup>2</sup> floor area	3, plus 1 for every additional 10,000 m <sup>2</sup> of floor area or portion thereof	n/a

5.8.5 Access to *loading spaces* must be provided by means of an *aisle* located on the same *lot* as the *use* requiring the *loading spaces*. The *aisle* must be a minimum of 6 m wide and lead to a *driveway*.

5.8.6 *Loading spaces* must be located abutting the *building* or *structure* for which they are required and not be provided in tandem.

5.8.7 Loading spaces in Industrial zones are permitted in the *front yard* and *exterior side yard* provided the spaces are setback from the *street line* a minimum

distance of 20 m. Loading spaces must be located in the interior side yard or rear yard for all other zones.

### **5.9 Additions to or Change in Use of Buildings**

- 5.9.1 The *parking space* and *loading space* requirements of this By-law do not apply to any existing non-complying *building* or *structure*, provided the existing *floor area* of the *building* or *structure* is not increased or the *use* of the *building* or *structure* is not changed to a *use* that requires a greater number of *parking spaces* or *loading spaces*.
- 5.9.2 Where an addition is made to a *building* or *structure* that increases the total *floor area* of the *building* or *structure*, then *parking spaces* and *loading spaces* for the addition must be provided in accordance with the requirements of this By-law.
- 5.9.3 Where the *use* of a *building*, *structure* or *lot* changes, *parking spaces* and *loading spaces* for the new *use* must be provided in accordance with the requirements of this By-law.

### **5.10 Commercial Motor Vehicle Parking**

- 5.10.1 A maximum of two *commercial motor vehicles*, unrelated to a *farm use* may be parked outside or within a *building* or *structure* on a lot used for residential or agricultural purposes outside of a Settlement Area as shown on Schedule F.
- 5.10.2 A maximum of one *commercial motor vehicle* not exceeding 7 m in length, and 2.6 m in height can be parked on a driveway or within a *building* or *structure* on a lot used for residential purposes within a Settlement Area as shown on Schedule F.

### **5.11 Recreational Vehicle and Utility Trailer Parking**

- 5.11.1 A maximum of three *recreational vehicles* or *utility trailers* may be parked or stored on a *lot* used for residential purposes.
- 5.11.2 A recreational vehicle or utility trailer may be parked on a driveway.
- 5.11.3 Storage or parking of *recreational vehicles* or *utility trailers* is permitted within a *garage*, *carport* or other permitted *accessory structure*.
- 5.11.4 The parking or storage of *recreational vehicles* or *utility trailers* is permitted in any *side yard* or *rear yard*.

**6. Urban Residential Zone Category (Reserved)**

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## 7. Rural Residential Zone Category

### 7.1 Zones

7.1.1 The Rural Residential Zone Category consists of the following zones:

- (RR) Rural Residential
- (RS1) Hamlet Residential
- (RS2) Bond Head Residential
- (RS3) Estate Residential

### 7.2 Permitted Uses

7.2.1 The permitted *use* for *lots* in the Rural Residential Zone Category are set out in Table 7-1.

**Table 7-1: Permitted Uses - Rural Residential Zone Category**

Use	RR	RS1	RS2	RS3
<i>Single detached dwelling</i>	✓	✓	✓	✓
<i>Secondary apartment dwelling</i> subject to Section 4.5	✓	✓	✓	✓
<i>Bed and breakfast</i> subject to Section 4.1	✓	✓	✓	✓
<i>Home industry</i> subject to Section 4.3	✓			
<i>Home business</i> subject to Section 4.4	✓	✓	✓	✓

### 7.3 Regulations

7.3.1 The regulations for *lots* in the Rural Residential Zone Category are set out in Table 7-2.

Table 7-2: Regulations - Rural Residential Zone Category

Regulation	RR	RS1	RS2	RS3
Lot area (min.)	4000 m <sup>2</sup>	4000 m <sup>2</sup>	4000 m <sup>2</sup>	4800 m <sup>2</sup>
Lot frontage (min.)	30 m	25 m	45 m	30 m
<i>Front yard setback (min.)</i>	6 m	6 m	10 m to dwelling 7.5 m to porch 12 m to attached garage	15 m
<i>Exterior side yard setback (min.)</i>	6 m	6 m	10 m to dwelling 7.5 m to porch 12 m to attached garage	15 m
<i>Interior side yard setback (min.)</i>	2 m	2 m	2 m	6 m
<i>Rear yard setback (min.)</i>	10 m	10 m	15 m	15 m
Landscaped area (min.)	40%	40%	40%	40%
Lot coverage (max.)	30%	30%	30%	30%
Floor area (min.)	110 m <sup>2</sup>	110 m <sup>2</sup>	110 m <sup>2</sup>	165 m <sup>2</sup>
Height (max.)	10.5 m	10.5 m	10.5 m	10.5 m
Other			New dwellings must be serviced by municipal water	

## 7.4 Site Specific Exceptions

7.4.1 The provisions of this By-law are modified as set out in Table 7-3, as follows:

**Table 7-3: Site Specific Exceptions - Rural Residential Zone Category**

Exception Number	Additional Use	Limited Use	Special Regulations
RR-1			<i>Lot area (min.)</i> 550 m <sup>2</sup> <i>Lot frontage (min.)</i> 15 m <i>Front yard setback (min.)</i> 9 m <i>Interior side yard setback (min.)</i> 6 m on one side, 1 m on the other side <i>Rear yard setback (min.)</i> 18.5 m <i>Floor area (min.)</i> 65 m <sup>2</sup> <i>Lot coverage (max.)</i> 15% No accessory buildings or structures are permitted in the rear yard.
RR-2		Existing motor vehicle wrecking yard	<i>Lot area (min.)</i> 6000 m <sup>2</sup>
RR-3			<i>Lot area (min.)</i> 3800 m <sup>2</sup> <i>Lot frontage (min.)</i> 6 m <i>Lot depth (max.)</i> 140 m For lots with a lot area greater than 4500 m <sup>2</sup> <i>Interior side yard setback to the southern property line (min.)</i> 40 m <i>Rear yard setback (min.)</i> 25 m
RS1-1			<i>Lot area (min.)</i> 2000 m <sup>2</sup> <i>Lot frontage (min.)</i> 27 m
RS1-2			Front yard setback (min) 10 m Front yard setback (max) 50 m Maximum permitted outside width of the garage shall be 45% of the total width of the dwelling.
RS1-3			<i>Lot area (min.)</i> 1.9 ha

## 8. Mixed Use Zone Category (Reserved)

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## 9. Urban Commercial Zone Category (Reserved)

Draft

## 10. Rural Commercial Zone Category

### 10.1 Zones

10.1.1 The Rural Commercial Zone Category consists of the following zones:

- (RC1) Hamlet Commercial
- (RC2) Highway Commercial
- (RC3) Service Station
- (RC4) Hamlet Service Station

### 10.2 Permitted Uses

10.2.1 The permitted *use* for *lots* in the Rural Commercial Zone Category are set out in Table 10-1.

**Table 10-1: Permitted Uses - Rural Commercial Zone Category**

Use	RC1	RC2	RC3	RC4
<b>Residential</b>				
<i>Apartment dwelling in a mixed use building</i>	✓			✓
<i>Existing apartment dwelling in a mixed use building</i>				✓
<b>Restaurants</b>				
<i>Refreshment vehicle</i> subject to Section 4.9	✓	✓	✓	✓
<i>Restaurant</i>	✓	✓		
<i>Secondary restaurant</i>			✓	✓
<b>Drive-Through</b>				
<i>Drive-through</i> subject to Section 5.7		✓	✓	
<b>Gathering Places</b>				
<i>Auction centre</i>	✓	✓		
<i>Fitness centre</i>	✓	✓		
<i>Place of assembly</i>	✓	✓		
<i>Place of entertainment</i>	✓	✓		
<b>Motor Vehicle Uses</b>				

Use	RC1	RC2	RC3	RC4
<i>Motor vehicle fuel bar</i>			✓	✓
<i>Motor vehicle repair garage</i>		✓		
<i>Secondary motor vehicle repair garage</i>			✓	✓
<i>Motor vehicle sales and rentals</i>		✓		
<i>Recreational vehicle and marine sales and service</i>		✓		
<b>Personal and Professional Uses</b>				
<i>Financial institution</i>	✓			
<i>Child care centre</i>	✓			
<i>Dry cleaners distribution centre</i>	✓			
<i>Medical clinic</i>	✓			
<i>Motel</i>		✓		
<i>Personal service</i>	✓			
<i>Professional service</i>	✓			
<b>Retail Uses</b>				
<i>Flea market</i>		✓		
<i>Garden and nursery centre</i>	✓	✓		
<i>Retail</i>	✓	✓		
<i>Secondary retail</i>			✓	✓
<i>Farm related commercial establishment</i>	✓	✓		

### 10.3 Regulations

10.3.1 The regulations for *lots* in the Rural Commercial Zone Category are set out in Table 10-2.

Table 10-2: Regulations - Rural Commercial Zone Category

Regulation	RC1	RC2	RC3	RC4
<i>Lot area (min.)</i>	4000 m <sup>2</sup>	4000 m <sup>2</sup>	4000 m <sup>2</sup>	4000 m <sup>2</sup>
<i>Lot frontage (min.)</i>	25 m	50 m	40 m	40 m
<i>Front yard setback (min.)</i>	3 m	5 m	5 m to fuel pump island and/or weather canopy 3 m in all other instances	5 m to fuel pump island and/or weather canopy 3 m in all other instances
<i>Exterior side yard setback (min.)</i>	3 m	5 m	5 m to fuel pump island and/or weather canopy 3 m in all other instances	5 m to fuel pump island and/or weather canopy 3 m in all other instances
<i>Interior side yard setback (min.)</i>	0 m where a <i>building</i> has a <i>common wall</i> with a <i>building</i> on an adjacent <i>lot</i> 5 m for <i>buildings</i> abutting a <i>Residential zone</i> 2 m in all other instances	5 m for <i>buildings</i> abutting a <i>Residential zone</i> 2 m in all other instances	5 m to fuel pump island and/or weather canopy 20 m to fuel pump island and/or weather canopy abutting a <i>Residential zone</i> 3 m in all other instances	5 m to fuel pump island and/or weather canopy 20 m to fuel pump island and/or weather canopy abutting a <i>Residential zone</i> 3 m in all other instances

Regulation	RC1	RC2	RC3	RC4
<i>Rear yard setback (min.)</i>	7.5 m abutting a <i>Residential zone</i> 2 m in all other instances	7.5 m abutting a <i>Residential zone</i> 2 m in all other instances	5 m to fuel pump island and/or weather canopy 20 m to fuel pump island and/or weather canopy abutting a <i>Residential zone</i> 3 m in all other instances	5 m to fuel pump island and/or weather canopy 20 m to fuel pump island and/or weather canopy abutting a <i>Residential zone</i> 3 m in all other instances
<i>Landscaped area (min.)</i>	30%	30%	30%	30%
<i>Gross leasable floor area (max)</i>	1000 m <sup>2</sup> for a <i>farm related commercial establishment</i> 300 m <sup>2</sup> per unit for all other instances	2000 m <sup>2</sup> for a <i>retail establishment</i> and a <i>farm related commercial establishment</i>	250 m <sup>2</sup> for a <i>retail establishment</i>	250 m <sup>2</sup> for a <i>retail establishment</i>
<i>Height (max.)</i>	10.5 m	10.5 m	10 m for a motor fuel bar canopy 6 m in all other instances	10 m for a motor fuel bar canopy 6 m in all other instances
Other	Merchandise sold at an <i>auction centre</i> may be stored for a maximum of 30 consecutive days	Merchandise sold at an <i>auction centre</i> may be stored for a maximum of 30 consecutive days		

## 10.4 Site Specific Exceptions

10.4.1 The provisions of this By-law are modified as set out in Table 10-3, as follows:

**Table 10-3: Site Specific Exceptions - Rural Commercial Zone Category**

Exception Number	Additional Use	Limited Use	Special Regulations
RC1-1		<i>Bulk fuel distribution establishment</i>	
RC1-2	<i>Auction centre</i>		Merchandise sold on the premises may be stored for a maximum of 30 consecutive days.
RC1-3	<i>Garden and nursery centre</i>		
RC1-4	<i>Drive-through</i> subject to Section 5.7		
RC1-5		<i>Farm related commercial establishment</i> <i>Single detached dwelling</i>	<i>Interior side yard setback (min.)</i> 3 m <i>Floor area (max.)</i> 500 m <sup>2</sup>
RC2-1		<i>Motor vehicle sales and rentals</i>	
RC2-2		<i>Restaurant</i>	
RC2-3		<i>Recreational vehicle sales and service</i> <i>Motor vehicle sales and rentals</i> <i>Marine sales and service</i> <i>Home improvement store</i>	<i>Lot coverage (max.)</i> 10% <i>Outdoor display area (max.)</i> 35% <i>Number of motor vehicles on display (max)</i> 30
RC2-4		<i>Motor vehicle sales and rentals</i> <i>Motor vehicle fuel bar</i> <i>secondary motor vehicle repair garage</i>	
RC4-1		<i>Motor vehicle sales and rentals</i> <i>Motor vehicle fuel bar</i> <i>Secondary motor vehicle repair garage</i> <i>Motor vehicle body shop</i>	<i>Front yard setback (min.)</i> 9 m <i>Interior side yard setback (min.)</i> 20 m <i>Rear yard setback (min.)</i> 150 m

## 11. Employment Zone Category (Reserved)

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## 12. Community Use and Utility Zone Category

### 12.1 Zones

12.1.1 The Community Use and Utility Zone Category consists of the following zones:

- (RCU) Rural *Community Use*
- (U) Utility

### 12.2 Permitted Uses

12.2.1 The permitted *use* for *lots* in the Community Use and Utility Zone Category are set out in Table 12-1.

**Table 12-1: Permitted Uses – Community Use and Utility Zone Category**

Use	RCU	U
<i>Existing cemetery</i>	✓	
<i>Community centre</i>	✓	
<i>Child care centre</i>	✓	
<i>Emergency service facility</i>	✓	
<i>Library</i>	✓	
<i>Art gallery</i>	✓	
<i>Museum</i>	✓	
<i>Place of worship</i>	✓	
<i>Public works depot</i>		✓
<i>Public park</i>	✓	
<i>Pumping station</i>		✓
<i>Recreation centre</i>	✓	
<i>Elementary school</i>	✓	
<i>Secondary school</i>	✓	
<i>Utility substation</i>		✓
Water pollution control plant		✓
Water supply plant		✓
<i>Stormwater management facility</i>		✓



### 12.3 Regulations

12.3.1 The regulations for *lots* in the Community Use and Utility Zone Category are set out in Table 12-2.

**Table 12-2: Regulations - Community Use and Utility Zone Category**

Regulation	RCU	U
<i>Lot area (min.)</i>	4000 m <sup>2</sup>	460 m <sup>2</sup>
<i>Lot frontage (min.)</i>	<i>Elementary school:</i> greater of 140 m, or 25% of the site perimeter <i>Secondary school:</i> greater of 280 m; or 25% of the site perimeter All other uses: 30 m	30 m
<i>Front yard setback (min.)</i>	6 m	6 m
<i>Exterior side yard setback (min.)</i>	6 m	6 m
<i>Interior side yard setback (min.)</i>	10 m where abutting a <i>Residential zone</i> 7.5 m in all other instances	10 m where abutting a <i>Residential zone</i> 2 m in all other instances
<i>Rear yard setback (min.)</i>	10 m where abutting a <i>Residential Zone</i> 7.5 m in all other instances	10 m where abutting a <i>Residential zone</i> 2 m in all other instances
<i>Landscaped area (min.)</i>	30%	40%
<i>Lot coverage (max.)</i>	40%	
<i>Height (max.)</i>	12 m	10.5 m where abutting a <i>Rural Residential (RR)</i> <i>zone</i> 12 m in all other instances

Regulation	RCU	U
Other	Outdoor storage is not permitted <i>School portables are not permitted closer to the street line than the front wall of the principal school building and must comply with all required yard setbacks</i>	Outdoor storage is permitted in the <i>rear or side yard</i> behind the <i>principal building</i>

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## 12.4 Site Specific Exceptions

12.4.1 The provisions of this By-law are modified as set out in Table 12-3, as follows:

**Table 12-3: Site Specific Exceptions - Community Use and Utility Zone Category**

Exception Number	Additional Use	Limited Use	Special Regulations
RCU-1	<i>Place of worship with rooms for overnight accommodation.</i>		<i>Front yard setback (min.)</i> 10 m <i>Exterior side yard setback (min.)</i> 10 m <i>Interior side yard setback (min.)</i> 10 m <i>Rear yard setback (min.)</i> 10 m <i>Height (max.)</i> 10.5 m <i>Landscape open space (min.)</i> 20% <i>Rooms for overnight accommodation (max.)</i> 2 <i>Floor area for rooms for overnight accommodation (max.)</i> 14 m <sup>2</sup>

## 13. Environmental Protection Zone Category

### 13.1 Zones

13.1.1 The Environmental Protection Zone Category consists of the following zones:

- (EP) Environmental Protection

### 13.2 Permitted Uses

13.2.1 The permitted *uses* for *lots* in the Environmental Protection Zone Category are set out in Table 13-1.

**Table 13-1: Permitted Uses - Environmental Protection Zone Category**

Use	EP
<i>Bed and breakfast</i> subject to Section 4.1	✓ <sup>(1)</sup>
<i>Home business</i> subject to section 4.4	✓ <sup>(1)</sup>
<i>Single detached dwelling</i>	✓ <sup>(1)</sup>
<i>Secondary apartment dwelling</i> subject to Section 4.5	✓ <sup>(1)</sup>
<b>Non-Residential Uses</b>	
Farm, excluding buildings and structures	✓
Passive park	✓
Environmental management	✓

#### Notations for Table 13-1

<sup>(1)</sup> Applies to *uses* existing, or if permission to construct a *single detached dwelling* existed as follows:

- As of November 15, 2001 in the Oak Ridges Moraine Area shown on Schedule F.
- As of December 16, 2004 in the Greenbelt Area shown on Schedule F.
- As of July 11, 2017 for the remainder of the *Municipality*.

### 13.3 Regulations – (EP) Environmental Protection Zone

13.3.1 Permitted residential *buildings* shall comply with the zone regulations for residential *uses* within the Rural Residential (RR) zone in Table 7-2. Accessory buildings and structures shall comply with Table 3-1.

13.3.2 Permitted non-residential *buildings* and *structures* shall comply with the zone regulations for non-residential *uses* within the Agricultural zone (A) in Table 14-2.

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### 13.4 Site Specific Exceptions

13.4.1 The provisions of this By-law are modified as set out in Table 13-2, as follows:

**Table 13-2: Site Specific Exceptions – Environmental Protection Zone Category**

Exception Number	Additional Use	Limited Use	Special Regulations
EP-1	Existing <i>farm</i> related commercial establishment		
EP-2	Private club		
EP-3	Kennel		Setback to the <i>lot line</i> between a kennel and a Residential zone 15 m
EP-4		Environmental management Passive park Nitrate dilution area	
EP-5	Single detached dwelling Residential accessory buildings and structures		Subject to the Rural Residential (RR) regulations contained in Table 7-2 regulations and the regulations contained in Table 3-1
EP-6	Buildings existing prior to June 26, 2006		Front yard setback (min.) 14 m Easterly side yard setback (min.) 7.5 m Westerly side yard setback (min.) 12 m Rear yard setback (min.) 16 m Lot coverage (max.) 15% Landscape open space (min.) 17% Building height (max.) 8 m
EP-7	In-ground swimming pool existing prior to December 3, 2007		
EP-8	Secondary business or administrative office Home improvement store Restaurant Light equipment sales and rental Commercial school Manufacturing Processing Factory outlet Motor vehicle repair garage		Uses must be located completely within the existing building

Exception Number	Additional Use	Limited Use	Special Regulations
EP-9		<i>Motor vehicle wrecking yard</i>	
EP-10	<i>Motor vehicle body shop</i>		

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## 14. Agricultural Zone Category

### 14.1 Zones

14.1.1 The Agricultural Zone Category consists of the following zones:

- (A) Agricultural

### 14.2 Permitted Uses

14.2.1 The permitted *use* for *lots* in the Agricultural Zone Category are set out in Table 14-1.

**Table 14-1: Permitted Uses - Agricultural Zone Category**

Use	A
<b>Residential Uses</b>	
<i>Secondary apartment dwelling</i> subject to Section 4.5	✓
<i>Bed and breakfast</i> subject to section 4.1	✓
<i>Farm worker accommodations</i> subject to Section 14.4	✓
<i>Home business</i> subject to Section 4.4	✓
<i>Home industry</i> subject to Section 4.3	✓
<i>Single detached dwelling</i>	✓
<b>Non-Residential Uses</b>	
<i>Farm</i>	✓
<i>Farm experience activity</i> subject to Section 14.6	✓
<i>Farm processing-value retaining facility, secondary to a farm</i> subject to Section 14.5	✓
<i>Farm processing- value added facility</i> subject to Section 14.5	✓
<i>Farm produce outlet</i> subject to Section 14.7	✓
<i>Greenhouse</i>	✓
<i>Environmental management</i>	✓

### 14.3 Regulations

14.3.1 The regulations for *lots* in the Agricultural Zone Category are set out in Table 14-2.



Table 14-2: Regulations - Agricultural Zone Category

Regulation	A
<i>Lot area</i> (min.)	40 ha
<i>Lot frontage</i> (min.)	<i>Farm without buildings or structures</i> 10 m All other lots 30 m
<i>Front yard setback</i> (min.)	Residential uses 6 m Non-residential uses 15 m
<i>Exterior side yard setback</i> (min.)	Residential uses 6 m Non-residential uses 15 m
<i>Interior side yard setback</i> (min.)	Residential uses 6 m Non-residential uses 15 m
<i>Rear yard setback</i> (min.)	Residential uses 10 m Non-residential uses 15 m
<i>Lot coverage</i> (max.)	Residential uses 5% Non-residential uses 5% Greenhouse 35%
<i>Floor area</i>	Residential uses (min.) 110 m <sup>2</sup> <i>Farm worker accommodations</i> (min.) 60 m <sup>2</sup> <i>Farm processing– value added facility</i> (max.) 560 m <sup>2</sup>
<i>Height</i> (max.)	Residential uses 10.5 m
Separation distance to a <i>dwelling</i> on an adjacent <i>lot</i> or <i>Residential zone</i> (min.)	<i>Greenhouse</i> 30 m <i>Farm processing– value added facility</i> 30 m

#### 14.4 Farm Worker Accommodations

##### 14.4.1 *Farm worker accommodations* must:

- (1) Be located no further than 30 m from a *single detached dwelling* or agricultural *building* on the *lot*;
- (2) Within the Oak Ridges Moraine Area, be a temporary, mobile or portable unit, unless located within an existing *building* or *structure*;
- (3) Be located on a *farm* having a minimum *lot area* of 20 ha; and
- (4) Meet the Residential *Use* regulations in Table 14-2.

## 14.5 Farm Processing Facility

### 14.5.1 Farm processing – value retaining facilities must:

- (1) Have the majority of the product processed, preserved, packaged and/or stored from the farm; and

### 14.5.2 Farm processing – value added facilities must:

- (1) Have the majority of the product process, preserved, packaged and/or stored from the farm;
- (2) Be secondary and directly related to the principal *farm use*;
- (3) Limit outside employees on any given shift to five;
- (4) Limit outdoor storage to the rear and *interior side yard*, provided the area does not exceed 25% of the floor area;
- (5) Screen outdoor storage from view by a visual barrier with a maximum *height* of 2.1 m; and
- (6) Limit outdoor display to an area of 10% of the floor area.

14.5.3 The retail sale of *farm processing - value added* products must not exceed a maximum floor area of 100 m<sup>2</sup>. The retail sale area is included in the calculation of the maximum floor area stated in Table 14-2.

## 14.6 Farm Experience Activity

### 14.6.1 Farm experience activities must:

- (1) Be secondary to the *principal farm use*;
- (2) Be clearly *farm-related* through ongoing interaction with agricultural activities;
- (3) Have any *new buildings* and structures located no further than 30 m from a *single detached dwelling* or *agricultural building* on the *lot*, and
- (4) Not exceed 2% of the total *lot area* of the *farm* parcel.

14.6.2 Production lands used for the growing of crops and residential and farm buildings and structures simultaneously used as part of the farm experience activity area shall not be included in the calculation of the 2%.

## 14.7 Farm Produce Outlet

### 14.7.1 Farm produce outlets must:

- (1) Not exceed a maximum combined *floor area* and outdoor display area that exceeds 100 m<sup>2</sup>;
- (2) Be operated by the owner of the *farm*; and,

- (3) Be secondary to the main *farm use*.

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## 14.8 Site Specific Exceptions

14.8.1 The provisions of this By-law are modified as set out in Table 14-3, as follows:

**Table 14-3: Site Specific Exceptions - Agricultural Zone Category**

Exception Number	Additional Use	Limited Use	Special Regulations
A-1	<i>Garden and nursery centre</i>		
A-2	<i>Farm related industrial establishment</i>		<i>Farm produce outlet floor area (max.)</i> 400 m <sup>2</sup>
A-3	<i>Contractor's yard</i>		<i>Contractor's yard floor area (max.)</i> 500 m <sup>2</sup>
A-4	<i>Farm related commercial establishment</i>		
A-5	<i>Kennel</i>		<i>Setback to the lot line between a kennel and a Residential zone (min.)</i> 15 m
A-6	<i>Private club</i>		
A-7	<i>Golf driving range</i>		<i>Front yard setback (min.)</i> 50 m <i>Front yard setback (max.)</i> 150 m <i>Interior side yard setback (min.)</i> 30 m <i>Exterior side yard setback (min.)</i> 50 m <i>Rear yard setback (min.)</i> 15 m <i>Lot coverage (max.)</i> 2% <i>Parking spaces (min.)</i> 60 <i>The loading space is not required to abut a building or structure</i>
A-8	<i>Storage of non-hazardous dry goods within an existing barn</i>		<i>An existing barn may house up to 3 horses</i>
A-9	<i>A second single detached dwelling</i>		
A-10			<i>Home industry floor area (max.)</i> 260 m <sup>2</sup>
A-11	<i>Warehouse for the storage and sale of bulk pre-packaged lubricants, bulk fuel distribution establishment, and a transport depot</i>		<i>Front yard setback (min.)</i> 27 m <i>Side yard setback (min.)</i> 20 m <i>Rear yard setback (min.)</i> 20 m <i>Floor area (max.)</i> 400 m <sup>2</sup> <i>Outdoor storage area (max.)</i> 165 m <sup>2</sup> <i>Front yard setback for outdoor storage area (min.)</i> 32 m <i>Side yard setback for outdoor storage area (min.)</i> 15 m

Exception Number	Additional Use	Limited Use	Special Regulations
A-12	<i>Motor vehicle body shop</i>		<i>Interior side yard setback (min.)</i> 1.1 m <i>Floor area (max.)</i> 120 m <sup>2</sup> <i>Outdoor storage area (max.)</i> 200 m <sup>2</sup> <i>Setback for outdoor storage area (min.)</i> 1.1 m The <i>outdoor storage area</i> must be enclosed by a 1.8 m solid barrier privacy fence All waste must be contained within the <i>outdoor storage area</i>
A-13	Home business including an administrative office and storage of equipment and supplies for a cleaning business within an accessory building		<i>Home business floor area (max.)</i> 225 m <sup>2</sup> No outdoor storage of materials related to the home business
A-14	3 par <i>golf course</i> excluding a driving range, mini putt, <i>restaurant</i> or <i>bar</i>		<i>Golf course area (max.)</i> 1.6 ha <i>Distance between tees (max.)</i> 160 m
A-15		Organic waste composting and wood waste processing facility. Bulk wholesale of materials produced on site is permitted as a <i>secondary use</i>	<i>Height of the topsoil berm (min.)</i> 1 m <i>Width of the topsoil berm (max.)</i> 35 m <i>Width of vegetated buffer (min.)</i> 10 m <i>Gross floor area (max.)</i> 3,400 m <sup>2</sup>
A-16		Non-residential uses contained in Table 14-1	
A-17	<i>Farm event venue</i>		<i>Floor area (max.)</i> 375 m <sup>2</sup> <i>Interior side yard setback (min.)</i> 65 m
A-18	<i>Farm event venue</i>		<i>Floor area (max.)</i> 400 m <sup>2</sup>
A-19	Sixteen <i>single detached dwellings</i> Clubhouse		<i>Front yard setback (min.)</i> 15 m <i>Exterior side yard setback (min.)</i> 15 m <i>Interior side yard setback (min.)</i> 15 m <i>Rear yard setback (min.)</i> 15 m <i>Landscaped area (min.)</i> 10% <i>Lot coverage (max.)</i> 5% <i>Club house floor area (max.)</i> 200 m <sup>2</sup>
A-20	Private radio <i>communication tower</i>		<i>Floor area (max.)</i> 50 m <sup>2</sup> <i>Height of tower (max.)</i> 80 m
A-21		Existing <i>salvage yard</i>	
A-22		Existing <i>motor vehicle wrecking yard</i>	

Exception Number	Additional Use	Limited Use	Special Regulations
A-23	<i>Farm worker accommodations</i>		<i>Lot area (min.)</i> 4 ha <i>Greenhouse lot coverage (max.)</i> 57%

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## 15. Major Recreational Zone Category

### 15.1 Zones

15.1.1 The Major Recreational Zone Category consists of the following zones:

- (MR1) Major Recreational 1 (Ski Resort)
- (MR2) Major Recreational 2 (Speedway)
- (MR3) Major Recreational 3 (Zoo)
- (MR4) Major Recreational 4 (Water Park)
- (MR5) Major Recreational 5 (Golf Course)

### 15.2 Permitted Uses

15.2.1 The permitted *use* for *lots* in the Major Recreational Zone Category are set out in Table 15-1.

**Table 15-1: Permitted Uses - Major Recreational Zone Category**

Use	MR1	MR2	MR3	MR4	MR5
<i>Ski resort</i>	✓				
<i>Speedway</i>		✓			
<i>Zoo</i>			✓		
<i>Secondary kennel</i>			✓		
<i>Secondary pet cemetery</i>			✓		
<i>Secondary campground</i>		✓	✓	✓	
<i>Active park</i>				✓	
<i>Golf course</i>					✓
<i>Uses permitted in the Agricultural (A) zone as set out in Table 14-1</i>			✓	✓	✓

### 15.3 Regulations

15.3.1 The regulations for *lots* in the Major Recreational Zone Category are set out in Table 15-2.

Table 15-2: Regulations - Major Recreational Zone Category

Regulation	MR1	MR2	MR3	MR4	MR5
<i>Lot area</i> (min.)			40,000 m <sup>2</sup>		
<i>Lot frontage</i> (min.)			100 m		100 m
<i>Front yard setback</i> (min.)	15 m	Track 50 m 40 m in all other instances	<i>Kenel</i> 65 m 15 m in all other instances	20 m	15 m
<i>Exterior side yard setback</i> (min.)	15 m	Track 50 m Campground 10 m 40 m in all other instances	<i>Animal Enclosure</i> 6.5 m 15 m in all other instances	20 m	15 m
<i>Interior side yard setback</i> (min.)	15 m	Track 50 m 40 m in all other instances	<i>Kenel</i> 2.5 m <i>Animal Enclosure</i> 6.5 m 7.5 m in all other instances	20 m	15 m
<i>Rear yard setback</i> (min.)	15 m	Track 50 m 40 m in all other instances	<i>Animal Enclosure</i> 6.5 m 10.5 m in all other instances	20 m	15 m
<i>Landscaped area</i> (min.)			40%		
<i>Lot coverage</i> (max.)	25%	25%	15%	25%	5%



Regulation	MR1	MR2	MR3	MR4	MR5
<i>Height (max.)</i>			<i>Kennel 5 m 10 m in all other instances</i>		10 m
Other			<i>Campground is limited to 5 recreational vehicles accommodating 69 people, including sanitary facilities and space for educational instruction</i>	<i>Camping lot (min.) 200 m<sup>2</sup></i>	

#### 15.4 Site Specific Exceptions

15.4.1 The provisions of this By-law are modified as set out in Table 15-3, as follows:

**Table 15-3: Site Specific Exceptions - Major Recreational Zone Category**

Exception Number	Additional Use	Limited Use	Special Regulations
MR5-1			<i>Front yard setback (min.) 35 m Miniature golf front yard setback (min.) 3 m</i>

## 16. Overlay Zones

### 16.1 Aggregate Extraction

16.1.1 The permitted *use* for *lots* in the (AE) Aggregate Extraction overlay are set out in Table 16-1.

**Table 16-1: Permitted Uses – Aggregate Extraction**

Use	AE
Pit	✓
Environmental management	✓
<i>Farm</i> in accordance with the regulations contained in Table 14-2 for non-residential uses	✓

16.1.2 The regulations for *lots* in the Aggregate Extraction overlay are set out in Table 16-2.

**Table 16-2: Regulations - Aggregate Extraction**

Regulation	Excavation Area	Buildings, Structures, Stockpiles, or Aggregate Processing Plant
<i>Front yard setback</i> (min.)	30 m	90 m from the <i>lot line</i> of an abutting <i>Residential zone</i> , a <i>lot</i> with an existing <i>dwelling</i> 30 m in all other instances
<i>Exterior side yard setback</i> (min.)	30 m	90 m from the <i>lot line</i> of an abutting <i>Residential zone</i> or a <i>lot</i> with an existing <i>dwelling</i> 30 m in all other instances
<i>Interior side yard setback</i> (min.)	30 m from the <i>lot line</i> of an abutting <i>Residential zone</i> , a <i>lot</i> with an existing <i>dwelling</i> 15 m in all other instances	90 m from the <i>lot line</i> of an abutting <i>Residential zone</i> or a <i>lot</i> with an existing <i>dwelling</i> 30 m in all other instances

Regulation	Excavation Area	Buildings, Structures, Stockpiles, or Aggregate Processing Plant
<i>Rear yard setback (min.)</i>	30 m from the <i>lot line</i> of an abutting street, <i>Residential zone</i> , a <i>lot</i> with an existing <i>dwelling</i> 15 m in all other instances	90 m from the <i>lot line</i> of an abutting <i>Residential zone</i> or a <i>lot</i> with an existing <i>dwelling</i> 30 m in all other instances

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16.1.3 The provisions of this By-law are modified for the site specific exceptions for the Aggregate Extraction overlay as set out in Table 16-3, as follows:

**Table 16-3: Site Specific Exceptions - Aggregate Extraction Overlay**

Exception Number	Additional Use	Limited Use	Special Regulations
AE-1	Importation and stockpiling of limestone for the purpose of resale and blending with material extracted on-site		<p>Maximum amount of imported limestone annually:  50,000 tonnes, provided 100,000 tonnes of <i>aggregate</i> was extracted from the <i>pit</i> in the previous calendar year</p> <p>Northerly <i>interior side yard</i> (min.) 15 m</p> <p>Setback to an Environmental Protection (EP) zone which is a <i>naturalized area</i> (min.) 30 m</p> <p>Distance below grade for an <i>aggregate processing plant</i>, including crushing and other processing equipment (min.) 7.5 m</p> <p>Distance from an <i>aggregate processing plant</i> to a residence (min.):  300 m where located up to 22.5 m below grade  400 m where located between 15 m and 22.5 m below grade  500 m where the equipment is located 7.5 m below grade</p> <p>Maximum area subject to <i>site alteration</i> 45 ha</p>

## 16.2 Minimum Vegetation Protection Zone

16.2.1 The Minimum Vegetation Protection zone overlay on Schedules A through E depicts a 30 m *buffer* from a *natural heritage feature* and/or *hydrologically sensitive feature*. The permitted *uses* and regulations of the Environmental Protection (EP) zone contained in Section 13 apply.

## 16.3 Environmental Review Area

16.3.1 The Environmental Review Area overlay on Schedules A through E depicts a 90 m minimum area of influence from the Minimum Vegetation Protection zone of a *natural heritage feature* and/or *hydrologically sensitive feature*. The applicable permitted *uses* and regulations of the underlying zone apply.

## 16.4 Natural Core Area and Natural Linkage Area

16.4.1 The lands identified as Natural Core Area and Natural Linkage Area on Schedules A through E are subject to the permitted *uses* and regulations contained in Section 14 Agricultural (A) zone. In addition to the permitted *uses*, a *passive park* is also permitted.

16.4.2 New *buildings* and *structures* are only permitted where permission to construct existed on November 15, 2001.

## 16.5 High Aquifer Vulnerability Areas and Wellhead Protection Areas

16.5.1 The following *uses* are prohibited on the lands identified as High *Aquifer Vulnerability Areas* (HAVA) and *Wellhead Protection Areas* (WPA) on Schedule F:

- Generation and storage of hazardous waste or liquid industrial waste;
- Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities;
- Underground and above-ground storage tanks that are not equipped with an approved secondary containment device;
- Storage of contaminants listed in Schedule 3 (Severely Toxic Contaminants) to Ontario Regulation 347 under the Environmental Protection Act;
- High risk land uses identified in Schedule 'E' – Table 'E5' in the Region of Durham Official Plan;
- Moderate risk land uses identified in Schedule 'E' – Table 'E5' in the Region of Durham Official Plan within Wellhead Protection Areas A, B, C and D; and
- Low risk land uses identified in Schedule 'E' – Table 'E5' in the Region of Durham Official Plan within Wellhead Protection Areas A, B, and C.

## 16.6 Landform Conservation Areas and Greenbelt Natural Heritage System

16.6.1 The following regulations contained in Table 16-4 apply within *Landform Conservation Area* overlays outside of the Aggregate Extraction Overlay and within the Greenbelt Natural Heritage System outside of the Aggregate Extraction overlay and Major Recreational Zones as indicated on Schedules E and F:

**Table 16-4: Regulations - Landform Conservation Areas**

Regulation	Landform Conservation Category 1	Landform Conservation Category 2	Greenbelt Natural Heritage System
Maximum <i>net developable area</i> that may be disturbed	25% of total <i>lot area</i>	50% of total <i>lot area</i>	25% of total <i>lot area</i>
Maximum <i>net developable area</i> that may have <i>impervious surfaces</i>	15% of total <i>lot area</i>	20% of total <i>lot area</i>	10% of total <i>lot area</i>

## 16.7 Natural Hazard

- 16.7.1 The Natural Hazard (NH) overlay on Schedule F represents lands that could be unsafe for development or alteration due to naturally occurring hazards, such as flood susceptibility, erosion, steep/unstable slopes, organic soils and/or dynamic beach hazards.
- 16.7.2 No *buildings* or *structures* shall be erected or expanded within the Natural Hazard (NH) overlay except with the prior written approval of the Municipality and in accordance with a permit issued by the Conservation Authority.

## 17. Future Development Zone Category

### 17.1 Zones

17.1.1 The Future Development Zone Category consists of the following zone:

- (FD) Future Development

### 17.2 Permitted Uses

17.2.1 No new principal buildings are permitted.

17.2.2 The permitted *use* for *lots* in the Future Development Zone Category are set out in Table 17-1.

**Table 17-1: Permitted Uses - Future Development Zone Category**

Use	FD
<i>Accessory buildings and structures for an existing residential permitted use</i> subject to Table 3-1	✓
<i>Farm buildings and structures, excluding livestock facilities</i>	✓
<i>Bed and breakfast</i> subject to Section 4.1	✓
<i>Home business</i> subject to Section 4.4	✓
<i>Environmental management</i>	✓
Growing of crops	✓

## 18. Holding Zones

### 18.1 Holding Zones

18.1.1 Lands subject to a Holding (H) provision are listed in Table 18-1 in accordance with Section 2.7.

**Table 18-1: Regulations - Holding Zones**

Holding Symbol	Conditions for Removal	Special Provisions
H1	Enter into a development agreement with the <i>Municipality</i>	
H2	Completion of an archaeological study	
H3	Complete mitigation contained in the Environmental Impact Study to the satisfaction of the <i>Municipality</i> (file PLN17.9.12)	
H4	Removal of regional storm <i>floodplain</i>	
H5	Approval from the Ministry of the Environment, Conservation and Parks for the change of <i>use</i> from the former <i>motor vehicle wrecking yard</i>	
H6	Approval from the Ministry of the Environment, Conservation and Parks for the change of <i>use</i> from the former gas station	



## 19. Temporary Zones

### 19.1 Temporary Uses

19.1.1 Temporary *uses* shall be permitted in accordance with Table 19-1.

**Table 19-1: Permitted Uses - Temporary Zones**

Zone Category	Temporary Uses Permitted	Special Provisions	Expiry

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## 20. Transition

### 20.1 Building Permits

20.1.1 Nothing in this By-law prevents the erection of a *building* or *structure* in accordance with a *building permit* application submitted prior to the date of the passing of this By-law, provided the *building* permit complies with all prior zoning by-laws that applied before this By-law came into effect.

### 20.2 Planning Applications

20.2.1 Nothing in this By-law shall prevent the erection of a *building* or *structure* in accordance with any minor variance or site plan approved by the *Municipality* prior to the date of the passing of this By-law.

### 20.3 Lapse of Transition Provisions

20.3.1 Section 20 shall lapse and is deemed to be deleted three years after the date of passing of this By-law. For clarity, this provision shall not require an amendment to this By-law to take effect.

## 21. Enforcement

### 21.1 Conformity

21.1.1 No *person* can *use*, or permit to be *used*, any land except in accordance with this By-law.

21.1.2 No *person* can *use*, erect or alter, or permit to be *used*, erected or altered, any *building* or *structure* except in accordance with this By-law.

### 21.2 Inspections

21.2.1 Subject to the restrictions set out in section 49 of the Planning Act, R.S.O. 1990, R.S.O.1990 respecting *dwellings*, a *Municipal Law Enforcement Officer* may enter any land, *building* or *structure* at any reasonable time for the purpose of carrying out an inspection to determine whether or not this By-law is being complied with.

21.2.2 For the purposes of an inspection, the *Municipal Law Enforcement Officer* may require the production for inspection of documents or things relevant to the inspection and any information from any *person* concerning a matter related to the inspection.

21.2.3 No *person* can obstruct or attempt to obstruct with an inspection undertaken by a *Municipal Law Enforcement Officer*.

### 21.3 Offences and Penalties

21.3.1 Every *person* who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Planning Act, R.S.O. 1990 and such other sanctions as are provided for in the Provincial Offences Act.

### 21.4 Repeal of Existing Zoning By-laws

21.4.1 Zoning By-laws 84-63 and 2005-109, and all amendments to it, are repealed.

### 21.5 Continuation of Existing Regulations

21.5.1 All By-laws in force within the *Municipality* prohibiting or regulating the *use* of land or *buildings* or *structures* are hereby amended as necessary to give effect to the provisions of this By-law and the provisions of this By-law shall govern, provided however, where this By-law does not apply, existing Municipal By-laws remain in full force and effect.

**21.6 Effective Date**

21.6.1 This By-law shall come into effect on the date of its passing, subject to the provisions of Section 34 of the Planning Act, R.S.O. 1990.

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## 22. Definitions

22.1.1 The terms set out below shall have the following meanings:

### **Accessory**

A *building*, or *structure* that is normally incidental and exclusively devoted to the *principal building, structure or use* located on the same *lot*.

### **Active Park**

A *park* that may include a recreation area, playground, *swimming pools*, picnic areas, gardens, boating facilities, playing fields, *parking areas* and recreational *structures* and facilities but shall not include a *campground* or trailer park.

### **Adult Entertainment Parlour**

An *establishment* in which goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations are provided as part of a trade, calling, business or occupation.

### **Adult Home Care**

A *home business* that provides temporary care and companionship to senior citizens and/or adults over the age of 18 with disabilities for a period not exceeding 24 consecutive hours.

### **Aggregate**

Sand, gravel, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite and other non-metallic ores.

### **Aggregate Processing Plant**

Equipment for the crushing, blending, and/or washing of extracted *aggregate* by mechanical means, including the stockpiling of the *aggregate*, but excluding a concrete batching plant, an asphalt plant or a cement manufacturing plant..

### **Aggregate Recycling**

The crushing of *used* asphalt and concrete and the blending of it with sand and gravel or crushed stone, including the temporary stockpiling of materials *used* in an active recycling operation on the same site.

### **Aisle**

Part of a *parking area* used for the maneuvering or circulation of motor vehicles.

### **Amenity Area**

An area that is designed and intended primarily for the leisure and recreation of the residents of a *building* or site.

**Animal Enclosure**

A *building, structure*, fenced area or any combination of the three that secures an animal from the public.

**Apartment Building**

A *building* containing 4 or more *dwellings* which have a common entrance from *street* level. The occupants have equal rights to use all common halls, stairs, elevators, *yards*, and *amenity areas*.

**Apartment Dwelling**

A *dwelling* located either within an *apartment building* or a *building* that contains other uses permitted by this By-law.

**Aquifer Vulnerability**

An aquifer's intrinsic susceptibility, as a function of the thickness and permeability of overlying layers, to contamination from both human and natural impact on water quality.

**Areas of Natural and Scientific Interest**

Areas of land and water containing natural landscapes or features which have been identified by the Ministry of Natural Resources and Forestry as having values related to natural heritage protection, scientific study, or education.

**Art Gallery**

An *establishment* open to the public where the *principal use* is the exhibition of paintings, photographs, sculptures, pottery, and other visual art.

**Attached**

A *building* or *structure* otherwise complete in itself that depends upon a division wall shared in common with an abutting *building* or *structure* for complete enclosure.

**Attic**

The portion of a *building* situated wholly or in part under a roof, but which is not a *storey* or a *one-half storey*.

**Auction Centre**

An *establishment* used for the sale of goods, and materials by auction.

**Auto Auction Centre**

A *building, structure* or lands used for the storage of *motor vehicles* which are to be sold on the premises by auction, and for the sale of said *motor vehicles* by auction on an occasional basis.

**Banquet Hall**

An *establishment* used for banquets, wedding receptions, conventions, or similar functions, for which food and beverages are prepared and served to guests on the premises.

**Bar**

An *establishment* that sells liquor under a provincial license which may provide live entertainment and/or dancing. The term *bar* shall not include an *adult entertainment parlour*.

**Basement**

The portion of a *building* between two floor levels that has less than 50% of its *height* below the average *finished grade* of the *lot* on which the *building* is located.

**Bed and Breakfast**

An *establishment* that provides sleeping accommodation (which may include breakfast and other meals, services, facilities and amenities for the exclusive *use of guests*) for the traveling or vacationing public within a *single detached dwelling* that is the *principal* residence of the proprietor.

**Berm**

A man-made mound of earth *used* to provide visual or acoustic screening, or to protect property.

**Block Townhouse Building**

A *townhouse building* which gains access to a *street or lane* via a *private street* on a commonly held parcel of land and/or a common *driveway*.

**Block Townhouse Dwelling**

A townhouse dwelling located in a block townhouse building.

**Boarding or Rooming House**

A building in which more than 2 and less than 6 bedrooms intended for use as separate living accommodations, without kitchen facilities, are rented. Shared bathroom, kitchen and living facilities may be provided. The building may include a dwelling unit for the proprietor and/or his agent.

**Body-Rub**

The kneading, manipulation, 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 licensed or registered under the laws of the *Province*.

**Body-Rub Parlour**

An *establishment* 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 licensed or registered to do so under the laws of the *Province*.

**Buffer**

An area intended to minimize potential conflict between land *uses*.

**Building**

A *structure* used for the shelter, accommodation or enclosure of *persons*, animals, goods, materials or equipment that is supported by columns or walls, has one or more floors, is covered by a roof and is permanently affixed to the land.

**Building Permit**

An approval issued by the *Chief Building Official* of the *Municipality* of Clarington pursuant to the Building Code Act.

**Bulk Fuel Distribution Establishment**

An *establishment* where fuel is stored in *bulk fuel storage tanks* and sold to the operators of *commercial motor vehicles* or to a commercial distributor or reseller of the fuel. The term *bulk fuel distribution establishment* shall not include a *motor vehicle fuel bar*.

**Bulk Fuel Storage Tank**

A tank for the bulk storage of petroleum, diesel or other fuels, oil, gas or flammable liquid or fluid but does not include a container for flammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other *use* of the premise where such tank is located.

**Bungalow Dwelling**

A one storey dwelling with a partial second storey that is not more than 50% of the ground floor area of the dwelling (excluding the garage); the habitable area of the second storey shall be contained within the roof area and may have dormers on the front or rear elevations, not more than 33% of the width of the wall of the dwelling, directly below, including garage.

**Business or Administrative Office**

An *establishment* in which one or more *persons* are employed in conducting, managing, or administering a business. The term *business or administrative office* includes the administrative offices of a government agency, a non-profit organization, or a charitable organization.



**Campground**

A parcel of land where individual sites are rented on a transient or seasonal basis for the placement of *recreational vehicles*, or *tents*, for recreational or vacation purposes. *Secondary uses* such as washrooms and *laundry* facilities are permitted.

**Camping Lot**

A part of a *campground* which is occupied on a temporary basis only, by *recreational vehicles*, or *tents*.

**Cannabis Production Facility**

A building used for the cultivation, processing, testing, destruction, packaging and/or shipping of cannabis as permitted and licensed by the federal government.

**Carport**

A roofed *structure* open on at least two sides that is *accessory* to a *dwelling* and used for the parking or storage of a *motor vehicle*.

**Caterer**

An *establishment*, including a *restaurant*, in which meals are prepared and delivered for consumption off the premises.

**Cellar**

The portion of a *building* between two floor levels that has 50% or more of its *height* below the average *finished grade* of the *lot* on which the *building* is located

**Cemetery**

Lands, *buildings* and *structures* subject to the Cemeteries Act used for the internment of deceased *persons*. *Secondary uses* may include a mortuary, and a mausoleum, but shall not include a crematorium.

**Chief Building Official**

A *Chief Building Official* appointed under section 3 or 4 of the Building Code Act, 1992.

**Child Care Centre**

An *establishment* licensed by the *Province* and used for the temporary care and education of children on a regular basis for continuous periods not exceeding 24 consecutive hours. The term *child care centre* shall not include a *school*.

**Child Home Care**

A *home business* that provides temporary care and education of children not exceeding 24 consecutive hours.

**Club House**

A facility *secondary* to a *golf course* or a *private club* which may include *uses* such as a pro-shop, snack bar, *banquet hall* and a lounge/recreation area.

**Commercial Dock Facility**

An area of land and/or a *structure attached* to the shore of Lake Ontario where material, excluding liquid or chemical petroleum products, is stored and loaded and unloaded from ships. The term *commercial dock facility* includes the stockpiling of solid bulk materials, but shall not include a *warehouse*, a *bulk fuel distribution establishment*, the storage of liquid materials, or the handling of transport containers.

**Commercial Motor Vehicle**

Any *motor vehicle* designed or operated for construction activity, the transportation of property, or a bus, excluding public transit vehicles, which exceeds 2.6 metres in width or 7 metres in length.

**Commercial School**

A *school* conducted for profit or gain and shall include a music or dance studio, an art *school*, a golf *school*, a *school* of athletics, a business or trade *school*, and other specialized *schools*.

**Common Wall**

A vertical wall separating two *buildings* between the top of the footings to the underside of the roof and that is mutually common to both *buildings*.

**Communication Tower**

A *building* or *structure* that transmits and/or receives telephone, telex, satellite, radio and/or television signals. The term *communication tower* does not include *buildings* or *structures* used exclusively for dispatch communication.

**Community Centre**

A *building* and associated lands owned by the *Municipality* and either operated by the *Municipality* or by a non-profit corporation for *use* by residents of the *Municipality* for community activities including, but not limited to recreational, social, charitable and educational purposes.

**Concrete Batching Plant**

A plant where dry materials are weighed, batched and distributed to trucks as part of a process to produce concrete. The dry materials may be mixed with the water in the truck or mixed with water in a stationary mixer prior to being distributed to the truck. A *concrete batching plant* may include concrete recycling.

**Condominium**

A *building* or group of *buildings* in which units are held in private ownership and floor space, facilities and/or outdoor areas *used* in common are owned, administered and maintained by a corporation created pursuant to the provisions of the condominium.

**Connectivity**

The degree to which *natural heritage features* are connected to one another by links such as plant and animal movement corridors, hydrological and nutrient cycling, genetic transfer, and energy flows through food webs.

**Conservation Authority**

A *conservation authority* having jurisdiction in the *Municipality*. The term *conservation authority* shall include the Central Lake Ontario Conservation Authority, the Ganaraska Region Conservation Authority, the Kawartha Region Conservation Authority, and the Otonabee Region Conservation Authority.

**Contractor's Yard**

An enclosed area used for the storage of equipment, vehicles and materials *used* in the conduct of a contracting business.

**Convenience Store**

A *retail establishment* that sells a limited range of food, household and convenience items.

**Correctional Residence**

A secure facility licensed, funded or approved by the *Province* within which the residents, who are on probation, on parole, or awaiting trial, or who have been admitted to the facility for correctional or rehabilitation purposes, live together under 24 hour supervision in a group living arrangement.

**Crisis Care Facility**

An *establishment* operating as a dwelling unit and *used* for short term supervised accommodation of people who require a temporary living arrangement for their well-being.

**Deck**

A *structure* that is located a minimum of 0.2 metres above *finished grade* that does not have a roof.

**Drive-Through**

A facility that provides or dispense products or services through an attendant, window, or automated machine, to customers remaining in *motor vehicles* located in a *drive-through queue aisle*. A *drive-through* may be in combination with other *uses* such as a *financial institution*, *dry cleaners establishment*, dry cleaning distribution center, *motor vehicle fuel bar*, *restaurant*, or a store. A *drive-through* does not include a *motor vehicle wash*.

**Drive-Through Queue Aisle**

An on-site stacking *aisle* that is *used* exclusively for *motor vehicles* waiting for service from a *drive-through* window, which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

**Drive-Through Restaurant**

A restaurant with a *drive-through*.

**Driveway**

A portion of a *lot* extending to the *street line*, designed to provide *motor vehicle* access from the *lot* to the traveled portion of the *street*, *private street* or *lane*.

**Dry Cleaners Distribution Centre**

An *establishment* used for the collection and distribution of clothing and/or fabric articles which are dry-cleaned off the premises which many include the pressing of any such clothing or articles.

**Duplex Building**

A two *storey building* that is divided horizontally into two separate *dwellings*, with each *dwelling* having a separate entrance either directly from the outside or through a common vestibule.

**Duplex Dwelling**

The whole of a *building* that was constructed with vertical or horizontal dividing walls, creating two separate *dwellings*, each of which has an independent entrance either directly from the outside or through a common vestibule.

**Dwelling**

One or more *habitable rooms*, occupied or capable of being occupied as an independent housekeeping *establishment*, in which kitchen and sanitary facilities are provided for the exclusive *use* of the occupants. The term *dwelling* does not include a *tent*, a *recreational vehicle*, or a room or a group of rooms in a *boarding or rooming house*, *farm worker accommodations*, a *retirement home*, a *hotel*, or a *motel*.

**Dwelling Unit Area**

The habitable area contained within the inside walls of a *dwelling* excluding any *garage*, *carport*, *porch*, *deck*, veranda, unfinished *attic*, *cellar* or sunroom; (unless such sunroom is habitable in all seasons of the year) and, excluding public or common halls or areas, stairways and the thickness of outside walls.

**Eat In Restaurant**

A *restaurant* in which tables and/or counters are provided for the *use* of customers.

**Elementary School**

A *school* that offers education for all or some of the grades from Junior Kindergarten to Grade Eight, recognized by the Ministry of Education and which may include facilities for boarding students registered at the *school*.

**Emergency Service Facility**

An *establishment* housing emergency personnel, their supplies, equipment and vehicles authorized by a *public authority* to provide emergency services.

**Environmental Management**

The maintenance, protection, restoration and/or enhancement of ecosystem forms and functions and may include wetland restoration and/or creation, vegetative planting, *watercourse* fencing, management, enhancement and rehabilitation.

**Environmental Review Areas**

The minimum area of influence from a *natural heritage feature* and/or *hydrologically sensitive feature* and its associated minimum vegetation protection zone area, as identified in the Clarington Official Plan.

**Established Building Line**

The average *yard setback* from the *street line* of the existing *principal buildings* on one side of a *street* or *private street* with a minimum of three *lots* where at least 50% of the *lots* on that side of the *street* or *private street* have been built upon;

**Establishment**

A *building*, *structure* and/or area of land within or on which an activity referred to in this By-law is conducted.

**Existing**

Legally in existence prior to the date of the passing of this By-law.

**Exterior Lot**

A *lot* situated at the intersection of and abutting upon two *streets*, *private streets*, *lanes* or the same *street* where the interior angle of the intersection of the *street lines* is not more than 135 degrees. In the case of a curved corner, the interior angle of the intersection shall be measured as the angle formed by the intersection of the extension of each of the *street lines*.

**Exterior Side Lot Line**

A side lot line abutting a street or private street on an exterior lot.

**Exterior Side Yard**

*Exterior Side Yard* shall mean a *yard* extending from an *exterior side lot line* to the wall of the *building*, *structure* or outdoor area extending from the *front yard* to the *rear yard*.

**Façade**

The exterior wall of a *building* facing a *street* or *private street*.

**Farm**

The *use* of land, *buildings* or *structures* for one or more of the following purposes: production of forage crops, grain and feed crops, soil and seed crops, vegetables and row crops, dairy animals and dairy products, livestock for food production, sheep for wool production, fruits of all kind including grapes, nuts and berries, bees and apiary products, maple products, nurseries, floral and *greenhouse* products, poultry and poultry products, mushrooms, horse and ponies, tobacco, *forestry*, market gardening, and such other *uses* or enterprises as are customarily carried out in the field of agriculture.

**Farm Event Venue**

An event venue *secondary* to a farm, which may or may not be open to the public and is operated for profit or gain.

**Farm Experience Activity**

A *secondary* activity that is directly associated with agriculture and an existing *farm* and which consists of adding a component of information, education, or entertainment to an existing *farm*.

**Farm Processing – Value Retaining**

To retain their value, the grading, sorting, packing, drying of crops primarily produced on properties which form part of the *farm* where the facility is located.

**Farm Processing Value-Added**

The processing and refining of crops produced on properties which form part of the *farm* to a final retail product. The final retail product consists of the crops produced on the *farm* and may include such *uses* as but not limited to wineries, cideries, jams, and baked goods.

**Farm Produce Outlet**

An outlet that is *secondary* to a *farm* and located on the same *lot*, in which fresh fruits, grains, grasses and vegetables grown on the *farm* are offered for sale, but may also include the limited sale of value-added *farm* products made from the produce grown on the *farm*, such as jam, pies, honey, wine, meat, eggs or dairy products. The limited sale of preserving supplies, *home crafts*, flowers and bedding plants grown locally may also be included.

**Farm Related Commercial Establishment**

A farm related commercial *use* that is small in scale, required to be in close proximity to the farming community and is directly related to the business of farming.

**Farm Related Industrial Establishment**

An industrial operation that processes farm commodities from the area such as abattoirs, feed mills, grain dryers, cold/dry storage facilities, fertilizer storage and distribution facilities, food and beverage processors (eg. Wineries and cheese factories) and agricultural biomass pelletizers.

**Farm Worker Accommodations**

Temporary accommodations for seasonal farm workers located on a *farm*. Such accommodation does not serve as the principal place of residence of an occupant. A *mobile home* or *recreational vehicle* may be used for *farm worker accommodations*.

**Financial Institution**

An *establishment* where money is deposited, kept, loaned or exchanged, and must include a bank or credit union.

**Financial Office**

An *establishment* where financial advice or services are provided to persons and businesses. The term *financial office* includes the offices of a finance company, mortgage company, insurance company, financial advisor, financial broker, and an investment company, but does not include a *financial institution*.

**Finished Grade**

The lowest elevation of the finished surface of the ground abutting the exterior walls of a *building* or *structure*.

**Fitness Centre**

An *establishment* that provides facilities for recreational or athletic activities.

**Flea Market**

An *establishment* where floor space is made available to two or more individual *retail* operators, and where the space allocated to each *retail* operator is not physically separated by walls which extend from the floor to ceiling from the space allocated to other *retail* operators.

**Flood Proofing**

The measures taken to ensure that a structure is safe from the effects of flooding.

**Floodplain**

The area of land adjacent to a *watercourse* that may be subject to flooding.

**Floor Area**

The total horizontal area of a floor or floors.

**Forestry**

The management, development and cultivation of timber resources in accordance with *good forestry practice*.

**Fourplex Building**

Two *duplex buildings* attached vertically by a *common wall* extending from the base of the foundation to the roof.

**Fourplex Dwelling**

The whole of a building that is divided vertically and horizontally by common masonry walls above finished grade into four separate dwellings, and each dwelling has an independent entrance either from the outside or through a common vestibule.

**Front Lot Line**

In the case of an *interior lot*, a *lot line* dividing the *lot* from the *street*, *lane* or *private street* shall be deemed to be a front *lot line*. In the case of an *exterior lot*, the shorter *lot line* abutting a *street*, *lane* or *private street* shall be deemed to be a front *lot line*, and the longer *lot line* abutting a *street*, *lane* or *private street* shall be deemed to be an *exterior side lot line*. In the case of a *through lot* whether or not such *lot* is deemed to be an *exterior lot*, the *lot line* where the *principal* access to the *lot* is provided shall be deemed to be a front *lot line*.

**Front Yard**

A *yard* extending across the full width of the *lot* between the front *lot line* and the wall of the *building* or *structure* permitted on the *lot*.

**Funeral Home**

An *establishment* used for human funeral services, which may the embalming and performing other services *used* in the preparation of deceased *persons* for burial, the storage of caskets, funeral urns and other related funeral supplies, and the storage of funeral vehicles. A *funeral home* shall not include facilities for cremation.

**Gaming Establishment**

An *establishment* operated on a commercial or for-profit basis and which may offer to the public coin-operated gambling machines, video *lottery* terminals, gambling services through a special closed-circuit network or telephone network, and gaming tables with persons employed as dealers to supervise and officiate specific forms of gaming activity, for the purposes of wagering, gambling, or betting.

**Garage**

A *building* or *structure*, including a *carport*, designed and/or used for the parking of *motor vehicles* accessed by a *driveway*, and where household equipment incidental to the residential *use* may be stored.

**Garden and Nursery Centre**

An *establishment* where gardening materials and vegetation such as flowers, plants, shrubs, and trees are sold to the public including the sale or rental of such goods, products, and equipment normally required for gardening.

**Garden Suite**

A one unit residential *structure* containing washroom and kitchen facilities that is designed to be portable and that is *secondary* to a *single detached dwelling* constructed on the same *lot*.



**Golf Course**

An area of land operated for the purpose of playing golf, and may include *secondary uses* such as a *golf driving range*, a mini-putt, a *club house*, a *restaurant*, and a *bar*.

**Golf Driving Range**

An area of land where the sport of golf is practiced from individual tees, and may include *secondary uses* for the storage and rental of golf balls and golf clubs, a mini-putt, and a practice green.

**Good Forestry Practice**

The proper implementation of harvest, renewal and maintenance activities known to be appropriate for the forest and environmental conditions under which it is being applied and that minimize detriments to forest values, including: significant ecosystems, important fish and wildlife habitat, soil and water quality and quantity, forest productivity and health; and the aesthetic and recreational opportunities of the landscape. *Good forestry practice* includes the cutting and removal of hazardous, severely damaged, diseased and insect-infested trees that must be removed in order to prevent contamination or infestation of other trees, or that no longer contribute to the achievement of forest values.

**Greenhouse**

A *structure* whose roof and sides are made primarily of transparent or translucent material and within which plants are cultivated. Such *use* may also include the wholesale and/or *retail* sale of *greenhouse* products produced in the *greenhouse*, but shall not include a *greenhouse* used for cultivation of plants that will later be transplanted outdoors *principally* for the *farmer's* use on the *farm*.

**Grocery Store**

A *retail establishment* where all types of food and other household items are offered for sale, primarily on a self-service basis.

**Gross Commercial Floor Area**

The total of the *floor area* of each floor measured from the exterior face of the exterior walls, whether such floor is above or below *finished grade*, that is designed and/or used for commercial purposes permitted by the By-law, but excluding any part of the *building* used for mechanical equipment, parking, loading, common garbage storage, elevators, stairs or storage below *finished grade*. Where a floor is used for both residential and commercial uses permitted by this By-law, the *gross commercial floor area* shall be measured from the exterior face of exterior walls and/or the centre line of interior walls separating the commercial uses from the residential uses.

**Gross Leasable Floor Area**

That portion of *gross commercial floor area* that is designed for the occupancy and exclusive use of tenants and that is capable of accommodating uses such as sales, display, storage or offices, and excludes public common areas and walkways. Where a single use occupies a floor, *gross leasable floor area* shall be measured from the

exterior faces of exterior walls. Where a floor is divided into different *uses* by walls, *gross leasable floor area* shall be measured from the exterior face of exterior walls and/or the centre line of interior walls separating such *uses*.

### **Gross Residential Floor Area**

The total of the *floor area* of each floor measured from the exterior face of the exterior walls, excluding *garages*, mechanical equipment, parking, loading, common garbage storage, elevators, stairs, *cellars*, unfinished *attics*, and sunrooms that are not habitable year round. Where two or more *dwellings* share a *common wall*, *gross residential floor area* shall be measured from the centre line of the *common wall*. In the case of an *apartment building* or a block townhouse *building*, *gross residential floor area* shall also include common indoor areas located within the same *building* or on the same *lot*. Where a floor is *used* for both residential and commercial *uses* permitted by this By-law, the *gross residential floor area* shall be measured from the exterior face of exterior walls and/or the centre line of interior walls separating the residential *uses* from the commercial *uses*.

### **Ground Floor**

The lowest *storey* of a *building* closest to *finished grade*.

### **Group Home**

A provincially-licensed detached *dwelling* used as *special needs housing* accommodating up to 10 persons, exclusive of staff, but shall not include halfway house.

### **Guest**

A *person*, other than a boarder, who contracts temporary accommodation in a *bed and breakfast*, *hotel*, *motel*, motor *hotel* or *campground* and includes all the members of the *person's* party.

### **Guest Room**

A room or suite of rooms in a *hotel*, *motel*, motor *hotel*, or *bed and breakfast establishment* used or maintained for the temporary accommodation of an individual or individuals to whom hospitality is extended for compensation.

### **Habitable Room**

A room within a *building* that is designed and *used* for year-round human occupation, including finished *basements*, *cellars* and *attics*.

### **Height**

The *Height* of a *building* or *structure* shall be measured as the vertical distance between the *finished grade* adjacent to each wall of the *building* or *structure* and:

In the case of a flat roof, the highest point of the roof surface;

In the case of a gable or hip roof, the average *Height* between the eaves and the ridge of the roof;

In the case of a mansard or gambrel roof, the roof deck line.

In the case of a saltbox roof, the average *Height* between the eaves and the peak of the longer roofline.

**Home Craft**

The crafting of small items that are made by hand or with the *use* of small tools.

**Home Improvement Store**

A retail *establishment* which offers a wide variety of home improvement products such as construction materials and tools, hardware, electrical supplies, plumbing and related fixtures, bathroom and kitchen cabinetry, doors and windows, home decorating materials including paint, wallpaper, flooring, carpeting, and lighting. The term *home improvement store* may include a seasonal *garden and nursery centre*.

**Home Industry**

A small scale industrial operation that is a *secondary use* to a permitted residential use.

**Home Business**

An occupation or business that is a *secondary use* to a permitted residential *use*.

**Hospital**

An *establishment* approved under the Public Hospitals Act for the treatment of patients.

**Hotel**

An *establishment* that caters to guests by furnishing private sleeping accommodations and washroom facilities, and consists of one or more *buildings* containing at least three individual rental accommodation units that share a common ground level entrance. A *hotel* may provide *secondary uses* such as a *restaurant*, *bar*, and conference and recreational facilities.

**Hydrologically Sensitive Feature**

Land that includes, wetlands, *watercourses*, seepage areas and springs, aquifers, recharge areas, groundwater features and lakes and their littoral zone.

**Impervious Surface**

A surface that does not permit the infiltration of water, such as a rooftop, sidewalk, paved roadway, *driveway* or *parking area*.

**Improved Public Street**

A *street* or road under the jurisdiction of the *Province*, the *Region* or the *Municipality*, which is maintained so as to allow normal vehicular access to adjacent properties throughout all seasons of the year.

**Industrial Use**

The assembly or processing of substances, goods or raw materials related to the manufacture or fabrication of finished goods, warehousing or bulk storage of goods, and may include *secondary uses* such as storage and facilities for receiving and shipping materials and goods.

**Infrastructure**

The combination of public works and facilities including *streets*, transit terminals, municipal water and sewage systems, stormwater systems, *schools*, *hospitals*, libraries, *parks*, community and *recreation centres*, and any other public projects.

**Interior Lot**

A lot other than an exterior lot or a through lot.

**Interior Side Lot Line**

A side lot line that is not an exterior side lot line.

**Interior Side Yard**

A *yard* extending from an *interior side lot line* to the wall of the *building*, *structure* or outdoor area extending from the *front yard* to the *rear yard*;

**Kennel**

An *establishment* where four or more dogs, cats or other domestic animals are being boarded or trained for a fee, or kept for the purposes of breeding.

**Landform Conservation Area**

An area possessing significant *landform features* such as steep slopes, kames, kettles, ravines and ridges.

**Landform Feature**

Distinctive physical attributes of land such as slope, shape, elevation and relief.

**Landscape Open Space**

The open unobstructed space from ground to sky at *finished grade* on a *lot* which is *used* exclusively for *landscaping*, and includes any surfaced walk, patio, *deck* or similar area no more than 200 mm above *finished grade*, at its highest point. *Landscape open space* does not include any *driveway* or ramp, curb, retaining wall, *parking area* or any open space beneath or within any *building* or *structure*.

**Landscaped Area**

An open area designed 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, patios or similar areas, but shall not include any *driveway*, ramp, curb, *parking area*, or any space below, within or on top of a *building* or *structure*, or any lands zoned Environmental Protection (EP).

**Landscaping**

Any combination of trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, paving, screening or other architectural elements, all of which are designed to enhance the visual amenity of a property and/or to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land.

**Lane**

A road owned by the *Municipality* having a *right-of-way* width of 10 metres or less that provides either the primary access to abutting *lots* or the secondary access to abutting *lots* where the primary access/frontage is available from a *street*. The term *lane* shall not include a *street*.

**Laundry**

An *establishment* where the service of *laundry* cleaning, using only water, detergents and additives, is made available to the public.

**Legal Non-Conforming**

Any land, *building*, *structure* or use prohibited by this By-law provided such land, *building*, *structure* or use lawfully existed on the date of passing of this By-law, as long as it continues to be *used* for that purpose.

**Library**

A public *library* within the meaning of The Public Libraries Act, as amended.

**Light Service Shop**

An establishment that provides small-scale servicing and or repair of household goods, accessories, electronic devices, appliances and small engines, excluding motor vehicle needs.

**Link Dwelling**

A building constructed to be separated vertically into two separated dwelling units, connected underground by footing and foundation, and does not share a common wall above ground, each of which has an independent entrance directly from the outside of the building and each of which is located on a separate lot.

**Linked Townhouse Dwelling**

One of a group of three or more dwelling units separated vertically.

**Livestock Facilities**

All livestock barns and manure storage on a lot, as well as unoccupied livestock barns and unused manure storage.

**Loading Space**

An area that is provided on the same *lot* upon which the *principal use* is located, which is *used* for the temporary parking of one *commercial motor vehicle* while merchandise or materials are being loaded or unloaded.

**Long Term Care Facility**

A facility regulated through the Ministry of Health and Long Term Care, that provides accommodation for people requiring a broad range of 24 hour health care, *personal care* and support care within a supervised and secured setting and where common facilities for the preparation and consumption of food are provided and common lounges, recreation rooms, medical care facilities and *personal services*, may also be provided.

**Lot**

A parcel of land that is described in a deed or other document legally capable of conveying an interest in the land; or shown as a *lot* or block on a registered plan of subdivision.

**Lot Area**

The total horizontal area bounded by the *lot lines* of a *lot*, including any lands usually covered by water.

**Lot Coverage**

The percentage of the *lot area* at *finished grade* covered by the vertical projection of all *buildings* and *structures*. Where a *lot* is divided into more than one zone, the *lot coverage* in each zone shall be calculated as it applies only to that portion of the *lot* that is located within the specific zone. An un-enclosed *swimming pool* shall not be considered as a *structure* for the purposes of calculating *lot coverage*.

**Lot Frontage**

The minimum straight-line distance between the *side lot lines* measured along the front *lot line* of a *lot*. Where the front *lot line* is not a straight line or where the *side lot lines* are not parallel, the *lot frontage* is measured along a line parallel to the chord of the *lot frontage* and 6 metres from the front *lot line*. The chord of the *lot frontage* is measured as a straight line joining the points where each *side lot line* intersects the *front lot line*.

**Lot Line**

Any boundary of a *lot*.

**Manufacturing**

The use of land, buildings or structures for the purpose of production, preparing, packaging, altering, processing and/or assembly of any good, substance, material or service that is distributed to consumer retailers.

**Marina**

An *establishment* located on a navigable waterway containing a *boat dock* or mooring facilities for boats, *personal watercraft*, and other motorized and non-motorized watercraft. Facilities for the repair and servicing of watercraft and for the sale of marine accessories, fuels and lubricants may be provided..

**Mechanical Penthouse**

A room or enclosure on the roof of a *building* exclusively used for mechanical equipment, a stair tower, and/or elevator equipment.

**Medical Clinic**

An *office building* occupied by *medical offices* which may include such *uses* as reception areas, office for consultation, examination, x-ray facilities, minor operating rooms, medical laboratories, and pharmacies, provided that all such *uses* have access from the interior of the *building*.

**Medical Office**

An *establishment* where medical physicians, dentists, chiropractors, optometrists, osteopaths, naturopaths, occupational or physical therapists, and/or other medical professionals, either singularly or in union, provide diagnosis and treatment to the general public without overnight accommodation.

**Minimum Distance Separation Formulae**

A formulae and guidelines developed by the *Province*, as amended from time to time, to separate land uses so as to reduce incompatibility concerns about odour from livestock facilities

**Mixed Use Building****Mobile Home**

A *dwelling* designed to be mobile, and is constructed or manufactured to provide a temporary, mobile or portable residence for one or more *persons*, but does not include a *recreational vehicle* as defined by this By-law.

**Mobile Refreshment Vehicle**

A vehicle *used* exclusively for the sale of food and beverages, designed and intended to move from one location to another on a regular basis and on short notice and may include facilities for cooking.

**Model Home**

A finished *dwelling* that is *used* as an example of a product offered for sale or lease by a realtor, builder, developer, or contractor. The *dwelling* may be furnished but not occupied as a residence while being *used* as a *model home*.

**Motel**

An *establishment* that caters to the needs of the travelling public by furnishing private sleeping accommodations and washroom facilities and that consists of one or more *buildings* containing at least three individual rental accommodation units that have separate entrances from the outside. A *motel* may include *secondary uses* such as a *restaurant*, *bar* and recreational facilities.

**Motor Vehicle**

An automobile, motorcycle, motor assisted bicycle and any other vehicle propelled or driven by other than muscular power, but does not include a street car or other *motor vehicles* running only upon rails, power-assisted bicycle, motorized snow vehicle, traction engine, *farm* tractor, self-propelled implement of husbandry or a road *building* machine.

**Motor Vehicle Body Shop**

An *establishment* where painting or repairing of the exterior and/or undercarriage of *motor vehicle* bodies is undertaken, and may include a towing service and *motor vehicle* rentals for customers as *secondary uses*.

**Motor Vehicle Fuel Bar**

An *establishment* for dispensing fuel to *motor vehicles* that consists of fuel pumps, and a kiosk for the fuel bar attendant within which *motor vehicle* accessories and fluids and pre-packaged snack food items may be offered for sale.

**Motor Vehicle Repair Garage**

An *establishment* where automotive maintenance is performed on *motor vehicles*, including oil changes, ignition timing adjustments, rust proofing, the installation or repair of transmissions, exhaust systems, brakes, automotive glass and tires, but shall not include a *motor vehicle body shop*. *Secondary uses* may include the limited sale of automotive products such as antifreeze, sparkplugs, and batteries.

**Motor Vehicle Sales and Rentals**

An establishment where new or used motor vehicles are displayed for sale, rent, or lease. *Secondary uses* may include a motor vehicle body shop and a motor vehicle repair garage.

**Motor Vehicle Wash**

An *establishment* where mechanical equipment or self-service facilities are *used* for the washing of *motor vehicles*. A *motor vehicle wash* shall have water and *sanitary sewer* services provided by a *public authority*.



**Motor Vehicle Wrecking Yard**

An *establishment* where *motor vehicles* are dismantled and made inoperative, and are stored primarily outside. A *motor vehicle wrecking yard* may include the sale of *used motor vehicle parts*, but shall not include *motor vehicle sales*, a *waste transfer station* or a *recycling facility*.

**Motorized Recreational Competition**

Any competition involving sport and other recreational activities using motorized vehicles for the purposes of entertainment or recreation, and may include tractor pulls, snowmobile races, motorcycle/moto-cross events, and automobile races.

**Municipal Law Enforcement Officer**

An officer or employee of the *Municipality* of Clarington charged with the duty of enforcing the provisions of this By-law.

**Municipality**

The Corporation of the *Municipality* of Clarington or the geographic area of Clarington, as the context requires.

**Museum**

A *building* where collections of art, objects of natural history, mechanical or scientific inventions, instruments, models, designs, documents, and artifacts such as furniture and *clothing* are preserved and displayed primarily for educational purposes and not for sale. A *museum* may include *secondary uses* such as gift shops, libraries, snack bars, reading rooms, laboratories and administrative offices.

**Natural Heritage Feature**

Land that includes Wetlands, Woodlands, Wildlife Habitat, *Fish Habitat* and Riparian Corridors, Valleylands, *Areas of Natural and Scientific Interest (ANSI)*, rare vegetation communities, Habitat of Endangered Species or Threatened Species.

**Naturalized Area**

An area designed to enhance and restore the self-sustaining vegetation, providing opportunities for *connectivity* enabling the movement of vegetation and wildlife.

**Net Developable Area**

The area of a *lot* or site, less any area that is within a *natural heritage feature* or a *hydrologically sensitive feature*.

**Not-for-Profit Organization**

A registered charitable or registered *not-for-profit organization* that operates for cultural, educational, or religious goals, social welfare, recreation, amateur sport or any other similar community initiative for any purpose except profit.

**Office Building**

A *building* containing at least two *business or administrative offices* and/or *professional service offices*, which includes common halls, stairs and/or elevators, and which may also include services principally for the occupants of the *building* such as a cafeteria and a snack bar.

**One-half Storey**

A *storey* located wholly or in part under a sloping roof in which there is sufficient space to provide a *height* between finished floor and finished ceiling of at least 2.3 metres over a *floor area* equal to at least 50% of the *floor area* of the *storey* immediately below.

**Outdoor Storage Area**

An area of land not located within a *building* that is used for the storage of goods, equipment or materials and that is normally *accessory* to a permitted *use* located on the same *lot*.

**Overlay Zone**

A set of zoning requirements that is described in the text of this By-law, is mapped and imposes additional regulations to the underlying zone category.

**Park**

An area permanently devoted to recreational *uses*, owned by or leased to a *public authority*, and used for both passive and/or active forms of recreation designed to serve the public.

**Parking Area**

Shall mean an area not located on a *street, private street, or lane* that is used for the parking of more than one *motor vehicle* with or without a fee being charged, but shall not include any area where *motor vehicles* are impounded or kept or stored for sale or repair.

**Parking Space**

*Parking space* shall mean an area not located on a *street, private street, or lane* and exclusive of *aisles, ramps or columns* for parking one *motor vehicle* and may include a garage.

**Passive Park**

A *park*, owned by or leased to a *public authority*, which provides passive recreation opportunities, such as non-motorized trails, bird sanctuaries, wildlife reserves, and may include *structures* and facilities necessary to encourage and promote recreational/educational/instructional pursuits.

**Person**

Includes a corporation.

**Personal Service**

An *establishment* in which services are provided for a fee to satisfy the needs of persons, such as a hairdresser, *pet grooming*, a tailor shop, a shoe repair shop, a *dry cleaners distribution centre*, or a *laundry*, but shall not include a *gaming establishment* or an *adult entertainment parlour*.

**Pet Cemetery**

Lands, *buildings* and *structures* used for the internment of domestic animals.

**Pet Grooming**

An *establishment* where domestic animals are groomed, but does not include *retail* sales of goods, overnight boarding of animals or outdoor animal facilities.

**Pet Home Care**

A *home business* that provides temporary care, grooming and/or training of dogs or cats for continuous periods not exceeding 24 consecutive hours.

**Pit**

An area of land where unconsolidated *aggregate* such as gravel, stone and sand is extracted pursuant to a license or a permit issued under the Aggregate Resources Act. A *pit* may include as a *secondary use* an *aggregate processing plant*, and/or *aggregate recycling*.

**Place of Assembly**

An *establishment* in which permanent or temporary seating is provided for an audience for athletic, business, civic, educational, entertainment, political, religious or social purposes.

**Place of Entertainment**

An *establishment* where entertainment or amusement is provided for a fee, and includes such *uses* as a bingo hall, bowling alley, or an ice or roller skating rink, but shall not include a *gaming establishment* or an *adult entertainment parlour*.

**Place of Worship**

An *establishment* dedicated to religious worship such as a church, a synagogue, a mosque, or a temple. A *place of worship* may include *secondary uses* such as a *child care centre*, *school* of religious education, convent, monastery, rectory or *place of assembly*, and an existing *cemetery*.

**Porch**

A *structure* connected to a main wall of a *building* that has a roof supported in part either by pillars or by walls, with at least one side open.

**Portable Asphalt Plant**

A facility with equipment designed to heat and dry *aggregate* and to mix *aggregate* with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials *used* in the process. A *portable asphalt plant* is not of permanent construction and is to be dismantled and moved to another location as required and at the completion of the construction project.

**Principal Façade**

The *façade* within which the *principal* entrance to the *building* is located.

**Principal**

The primary purpose for which a *lot*, *building*, *structure* or any combination, is *used*, designed, arranged, occupied or maintained.

**Private Club**

An *establishment* within which the members of an association, club, cultural group or community group meet periodically to conduct the activities of the association, and for social activities, cultural events, performances, or exhibitions.

**Private Special Event**

An event, the duration of which is temporary in nature, for the purpose of celebrating a special occasion which is not open to the public and is not conducted for profit or gain.

**Private Street**

A road maintained privately not under the jurisdiction of the *Municipality*, the *Region*, or the *Province*.

**Processing**

The sorting, preparing and packaging of raw, semi-processed, processed and/or material goods that result in a finished product

**Professional Service**

An *establishment* in which a service is provided for a fee that administers to the needs of businesses, or a service is provided by professionally qualified persons and their staff to clients or patients who seek advice, consultation or treatment. The term *professional service* includes a travel agency, photographer, *veterinary clinic*, *medical office*, legal office, real estate office, *financial office*, photocopy centre, private investigator, data processing and computer services, personnel agency, and similar *uses*.

**Province**

The Province of Ontario.

**Public Authority**

Any department, agency, commission, board, corporation or authority of the *Municipality*, the *Region*, the *Province*, the Government of Canada, the Greater Toronto Transit Authority, a *conservation authority*, or a *public school board*.

**Public School Board**

The term *public school board* shall include the Kawartha Pine Ridge District School Board, the Peterborough Victoria Northumberland and Clarington Catholic District School Board, the Conseil Scolaire de District Catholique Centre – Sud, or the Conseil Scolaire de District Centre – Sud – Ouest.

**Public Special Event**

A cultural, recreational, educational or similar event including fairs, festivals and carnivals, the duration of which is temporary in nature. It is open to the public and may be conducted for profit and gain.

**Public Works Depot**

An *establishment* operated by the *Municipality*, the *Region*, or the *Province* where equipment, *motor vehicles*, and materials such as road salt and sand used for public works purposes are stored and/or maintained.

**Pumping Station**

An *establishment* used for the purpose of pumping substances such as sewage, municipal water, oil or natural gas.

**Quarry**

An area of land where consolidated *aggregate*, such as shale, stone, limestone, dolostone, sandstone, marble, granite, or rock is extracted pursuant to a license or a permit issued under the Aggregate Resources Act. A *quarry* may include as a *secondary use* an, *aggregate processing plant*, and/or *aggregate recycling*.

**Rear Lot Line**

A *lot line* (or point of intersection of the *side lot lines*) furthest from and opposite to the front *lot line*.

**Rear Yard**

*Rear yard* shall mean a *yard* extending across the full width of the *lot* between the *rear lot line* and any wall of the *principal building, structure* or outdoor area permitted on the *lot*;

**Recreation Centre**

A *building* and associated lands owned by the *Municipality* and either operated by the *Municipality* or by a non-profit corporation for use by residents of the *Municipality* for community activities including, but not limited to recreational, athletic, social, charitable and educational purposes.

**Recreational Vehicle**

A motorized or non-motorized vehicle that is *used* predominantly for recreational purposes, including snowmobiles, boats, personal watercraft, all-terrain vehicles, or similar vehicles.

**Recycling Facility**

An *establishment* where non-hazardous solid *waste* such as paper, glass, metal, construction *waste* and plastic is collected, separated, or processed for further *use*. The processing and/or the storage of goods, wares, merchandise, or articles occurs wholly within a *building*.

**Refreshment Cart**

Any non-motorized vehicle *used* exclusively for the sale of prepackaged food and beverages, which does not include facilities for cooking.

**Refreshment Vehicle**

A *commercial motor vehicle* or *trailer* located either on a permanent or temporary basis where food or meals are offered for sale to the public for immediate consumption primarily off-site.

**Region**

The Corporation of the Regional Municipality of Durham.

**Required Yard**

The minimum *yard* required by the provisions of this By law.

**Residential Care Facility**

An *establishment* operating as a single housekeeping unit, for a maximum of eight individuals, exclusive of staff and/or receiving persons, with social, legal, emotional, mental and/or physical disabilities, and where the well-being of its residents is provided for and supported through self-help, professional care, guidance and supervision. The *residential care facility* is either licensed or funded under Provincial or Federal statute. Any counseling or support services provided in the *residential care facility* shall be limited to those required by the residents. The term *residential care facility* shall not include a *correctional residence*.

**Residential Zone**

All zones and site specific exceptions contained in Sections 6 and 7 of this By-law.

**Restaurant**

An *establishment* where prepared food and beverages are offered for sale to customers for immediate consumption.

**Retail Warehouse**

A *retail use* which contains at least 1,400 square metres of gross leasable floor space, of which at least 80% is visible to customers and is *used* primarily for the combination of storage and display for *retail* sale of goods in a *warehouse* format.

**Retail**

An *establishment* where goods or merchandise are sold.

**Retirement Home**

A residential facility, licensed by the Retirement Home Regulatory Authority that provides accommodation in suites primarily for retired persons or couples. Such suites shall not have a stove or range and shall have separate entrances from a common hall. Common facilities for the preparation and consumption of food are provided. Common lounges, recreation rooms, medical care facilities and ancillary *uses* such as a beauty salon, barber shop or tuck shop may also be provided.

**Right-of-Way**

An area of land on which has been created and registered against the title of the *lot* on which it is located, perpetual easements appurtenant to one or more *lots* that provide access to such *lots* to a *street* or *lane*. The term *right-of-way* shall not include a *private street*.

**Rural Residential Zone**

All zones and site specific exceptions contained in Section 7 of this By-law.

**Salvage Yard**

An *establishment* where goods or materials such as scrap metal are stored wholly or partly in the open. Limited processing of the stored materials is permitted as an *secondary use*. A *salvage yard* shall not include a *motor vehicle wrecking yard*.

**Sanitary Sewer**

An adequate system of underground conduits, operated by a *Public Authority*, which carries sewage to an adequate place of treatment which meets with the requirements of the Ministry of Environment.

**Saw Mill**

An *establishment* where timber is cut by machine. The temporary storage of uncut and cut wood and facilities for the sale of cut lumber are permitted as a *secondary use*.

**School**

An institution for instruction and may include a public, private or separate *school*, college, university or *commercial school*.

**Secondary**

A use in conjunction with and subordinate to a *principal use*.

**Secondary Apartment Dwelling**

A *secondary dwelling* unit within a permitted *dwelling* or a permitted detached *garage* that is registered with the *Municipality*

**Secondary School**

A *school* that offers education, which prepares students for an Ontario Secondary *School* diploma, recognized by the Ministry of Education and which may include facilities for boarding students registered at the *school*.

**Semi-Detached Building**

A *building* constructed to be separated vertically into two separate *dwelling* units, connected by a *common wall* above and below ground, each of which has an independent entrance directly from the outside of the *building* and each of which is located on a separate *lot*. But does not include a *dwelling* unit to be erected next to or added onto an existing *single detached dwelling*.

**Semi-Detached Dwelling**

One of the two dwellings located in a semi-detached building, but not including a *secondary apartment dwelling*.

**Shipping/Cargo Container**

A prefabricated metal container or box specifically constructed for transport of goods by rail, ship or transport truck.

**Shopping Centre**

An *establishment* containing a minimum of three *retail* units, which is designed and managed as a single, comprehensively planned development with common on-site circulation and parking for *motor vehicles* and a common access to an abutting *street*.

**Side Lot Line**

A *lot line* other than a front *lot line* or a rear *lot line*.

**Side Yard**

A *yard* extending from the required *front yard* to the required *rear yard* and from the *side lot line* of the *lot* to the nearest part of any *building* or *structure* on the *lot*.

**Sight Triangle**

A triangular-shaped area of land at the intersection of two *streets* that has been dedicated to a Public Authority

**Single Detached Dwelling**

A completely detached building containing one dwelling.



**Site Alteration**

Activities such as filling, grading and excavation that would change the landform and natural vegetative characteristics of land, but does not include:

- a) The construction of facilities for *transportation, infrastructure and utilities uses*, by a public body; or
- b) For greater certainty:
  - i. The reconstruction, repair or maintenance of a drain approved under the Drainage Act and in existence on November 15, 2001; or
  - ii. The carrying out of agricultural practices on land that was being used for agricultural *uses* on November 15, 2001.

**Ski Resort**

An *establishment* where snow skiing facilities including ski lifts, tows, maintenance shops, ski rental, sales, and instructions are provided. A *ski resort* may include as a *secondary use* a *restaurant* and/or a snack bar.

**Soft Landscaping**

That 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. Vegetative materials such as trees, shrubs, grass, flowers, vegetables or any other plant material but shall not include any buildings or structures, any hard surface areas such as, but not limited to, driveways, parking areas, decorative stonework, walkways, patios, screening or other landscape architectural elements.

**Special Event**

*Special Event* shall mean an activity that is of a temporary duration and that is limited to one or more of the following *uses*: an exhibition, a fair, a parade, a carnival, or a religious or music festival. The term *special event* shall not include a *motorized recreational competition*

**Special Needs Housing**

Housing that is suited to the specific needs of certain households or individuals and includes *group homes*, crisis care facilities, hospices, rest homes and independent permanent living arrangements where support services such as meal preparation, grocery shopping, *laundry*, housekeeping, respite care and attendant services are provided.

**Speedway**

An *establishment* where *motor vehicle* racing, competitions and training occur on a track. *Secondary uses* to the *speedway* may include, concession stands for the sale of food and souvenirs, grand stands, *buildings* for vehicle maintenance and storage, and may include over-night camping.

**Stacked Townhouse Dwelling**

One of a group of three or more dwelling units which are separated vertically and/or horizontally, provided that each dwelling unit has a separate entrance.

**Stationary Refreshment Vehicle**

A vehicle *used* exclusively for the sale of food and beverages, which may contain cooking facilities; must be parked or placed in a specific location in order to operate; and although it may be moved at the end of the work day, or various different locations on a daily basis, it cannot close down and relocate on short notice.

**Storey**

The portion of a *building*, other than an *attic*, *basement* or *cellar*, included between any floor level and the floor, ceiling or roof next above it. A mezzanine shall be deemed to be a *storey*.

**Stormwater Management facility**

Means a detention basin that temporarily stores or treats collected stormwater runoff and releases it at a controlled rate.

**Street**

A road or public *highway* under the jurisdiction of the *Municipality*, the *Region*, or the *Province* that is maintained so as to allow normal *use* by *motor vehicles* throughout all seasons of the year, or a road or a public *highway* located within a registered plan of subdivision that has not yet been assumed by a *public authority*. The term *street* shall not include a *lane*.

**Street Line**

A limit of a street, private street or lane adjacent to a property line.

**Street Townhouse Dwelling**

A townhouse dwelling which fronts onto a street, is separated vertically from the other dwellings in the townhouse building, and has a separate entrance.

**Structure**

A man-made construction that is fixed, or placed to the earth or *attached* to another *building* or *structure* on a temporary or permanent basis. The term *structure* shall include a free-standing fence or wall, but shall not include a *motor vehicle*, a truck *trailer*, a *recreational vehicle*, pavement, curbs, walkways or other open air surfaced areas.

**Studio Apartment Dwelling**

An *apartment dwelling* consisting of a maximum of two *habitable rooms* for living, dining, sleeping and kitchen accommodation in appropriate combination, and not more than one washroom.

**Swimming Pool**

An artificial body of water contained within a *structure* constructed of cement, plastic, metal, fibreglass or similar material that is 61 centimeters (24 inches) in depth or more and intended primarily for swimming and/or diving.

**Take-Out Restaurant**

A *restaurant* where tables and/or counters for the *use* of customers are not provided.

**Temporary Sales Office**

A *mobile home* or a permanent *building*, including a *model home*, used exclusively by a realtor, builder, developer or contractor on a temporary basis for the sale, lease, display and marketing of residential units, *lots* and *dwellings* within a draft approved subdivision, *condominium* plan or site plan.

**Tent**

A portable and temporary shelter with or without side panels that is not permanently fixed to the ground, that is supported by poles, and that is made of canvas, plastic or similar materials.

**Theatre**

An *establishment* devoted to showing motion pictures or live performances, and may include *secondary uses* such as a snack bar.

**Through Lot**

A *lot* bounded on two opposite *lot lines* by *streets*, *lanes* and/or *private streets*. A *lot* that qualifies as both an *exterior lot* and a *through lot* shall be deemed to be an *exterior lot*. Where a *through lot* that is not an *exterior lot* has frontage on more than one *street*, the *front yard setback* provisions of the zone in which the *lot* is located shall apply to the *lot line* to which *principal* access to the *lot* is gained.

**Townhouse Building**

A *building* divided vertically or horizontally into a minimum of three separate *dwellings*, with each *dwelling* having a direct access from *finished grade*.

**Townhouse Dwelling**

A dwelling located within a townhouse building.

**Trailer**

A vehicle designed to be attached to a *motor vehicle* for the purposes of being drawn or propelled. The term *trailer* shall not include a *trailer* that is designed to be attached to a *commercial motor vehicle*.

**Transport Depot**

An *establishment* where *commercial motor vehicles* are kept for rent or lease, or are parked for a fee, or from which *commercial motor vehicles* are dispatched, and may

include facilities for servicing and repairing the *commercial motor vehicles* stored at the site as a *secondary use*.

### **Transportation, Infrastructure and Utilities**

Public *highways*, transit lines, railways and related facilities, gas and oil pipelines, sewage and water service systems and lines and stormwater management facilities, power transmission lines, telecommunications lines and facilities, including broadcasting towers, bridges, interchanges, stations, and other *structures* above and below ground, that are required for the construction, operation of these *uses* and any rights of way required for these facilities.

### **Triplex Building**

A *building* divided horizontally into three separate *dwellings*, with access to each *dwelling* being provided through a common vestibule.

### **Triplex Dwelling**

A building that is divided horizontally into three separate dwellings each of which has an independent entrance either directly from the outside or through a common vestibule.

### **Use**

When *used* as a noun, the term *use* shall mean the purpose or function for which a *lot*, *building* or *structure* or any combination, is designed, arranged, occupied or maintained. When *used* as a verb, *use* and *used* shall have corresponding meanings.

### **Utility Substation**

A *building* or *structure* used in connection with the transmission and delivery of electricity or telephone service, but does not include a telecommunications tower. An *outdoor storage area* is not permitted in association with this *use*.

### **Utility Trailer**

A *trailer* designed and *used* for the transport of materials and that is capable of being towed by a *motor vehicle*. The term utility *trailer* shall not include a *trailer* designed to be towed as part of tractor-*trailer* that is a *commercial motor vehicle*.

### **Veterinary Clinic**

An *establishment* where a veterinarian administers care for the cure, prevention, and treatment of disease and injury to animals, and that may also contain a shelter for animals during the treatment period.

### **Visibility Triangle**

A triangular-shaped area of land abutting a *street*, *lane*, or *private street* that is required to be kept free of obstructions that could impede the vision of a pedestrian or the driver of a *motor vehicle* exiting onto or driving on the *street*, *lane* or *private street*.

**Warehouse**

An *establishment* used for the storage and distribution of goods, wares, merchandise, substances, or articles, and includes facilities for the loading and unloading of *commercial motor vehicles*.

**Waste**

Includes domestic *waste*, industrial *waste*, commercial *waste*, institutional *waste*, and any other material defined as *waste* by applicable provincial legislation.

**Waste Disposal Site**

Land, *buildings* and/or *structures* where domestic and/or industrial, commercial or institutional *waste* is permanently stored or disposed of. The term *waste disposal site* includes a landfill site and an incinerator, but shall not include any facility for the disposal of liquid or *hazardous wastes*.

**Water Park**

A commercial *establishment* in which water-based recreational activities such as *swimming pools* and water slides are provided.

**Water Supply System**

A water distribution system of underground piping and related storage, including pumping and purification appurtenances.

**Watercourse**

Any bay, lake, natural channel, other than a drainage or irrigation channel.

**Wayside Pit**

A temporary *pit* opened and *used* by or for a *public authority* solely for the purpose of a particular road construction project or contract and not located on a road allowance.

**Wayside Quarry**

A temporary *quarry* opened and *used* by or for a *public authority* solely for the purpose of a particular road construction project or contract and not located on a road allowance.

**Yard**

An area of land on the same *lot* as a *building* or *structure*, that is open, uncovered and unoccupied from the ground to the sky except for such *accessory buildings, structures* or *uses* or projections that are specifically permitted in this By-law.

**Yard Setback**

The shortest distance required by the By-law between a *lot line* and the nearest part of any wall of any *building, structure* or *use* on the *lot*.

**Zoo**

An *establishment* open to the public in which animals are confined and displayed within appropriate enclosures, and which may include facilities for the training of animals, and concession stands for the sale of food and souvenirs.

Draft