Town of East Gwillimbury

Our town, Our future

ZONING by-law 2018-043

OUR TOWN. OUR FUTURE

2025 04 29

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THE CORPORATION OF THE TOWN OF EAST GWILLIMBURY

ZONING BY-LAW NO. 2018-043

Council Approval May 15, 2018

Office Consolidation – July 2024

This is an office consolidation prepared for the purposes of convenience only. For accuracy, reference should be made to the original approved comprehensive by-law and amending by-laws.

How to Use This By-law

In order to use this Zoning By-law, one should follow each of the steps listed below to determine the Zone(s) and permissions that apply to a particular property.

STEP 1 - Locate the Property on a Map

Maps in a Zoning By-law are called 'Schedules'. The first step is to refer to the Schedules that are contained at the back of the By-law to determine the Zone(s) that apply to your property. The Zone will be indicated on the Schedules by a symbol or abbreviation. For example, you may see a symbol such as "C1" that applies to your property. This would indicate that your property is within the 'Village Core Commercial (C1) Zone'. The Zone symbols or abbreviations are identified on the first page of Part 2.0 (Classification of Zones) of the By-law.

Part 2.0 (Classification of Zones) also provides assistance to help you identify the Zone boundaries on the Schedules. For example, if your property appears close to a Zone boundary and you are not sure how to determine exactly where that boundary is located, refer to Section 2.4 (Determining Zone Boundaries) of the By-law.

STEP 2 - By-law Amendments, Minor Variances and Exceptions

A Zoning By-law is amended over time as demands and policies governing land use change. By-laws are commonly amended to change the zoning of a property to permit or prohibit a use or uses. In some cases, special provisions are applied to a property to change the Zone provisions for that property. This type of variance is called an exception and exceptions to the By-law are contained within Part 16.0 (Exceptions). You should also verify if your property is the subject of a Holding By-law or Temporary Use By-law. Part 14.0 (Holding Provisions) contains specific requirements that describe what conditions need to be met in order to develop/establish permitted uses on a property. Part 15.0 (Temporary Uses) identifies those properties that are subject to use permissions that only last for a specified period of time.

Also note that more recent amendments may not be included in the version of the By-law you are using. Staff in the Town's Development Services Department will be able to assist you to confirm if your property has been subject to a more recent By-law Amendment or Minor Variance.

STEP 3 - Permitted Uses and Zone Standards

The next step is to determine what uses are permitted on your property. Parts 6.0 through 13.0 of the By-law identify the permitted uses for each Zone. The definitions in Part 3.0 (Definitions) can assist you if you are not sure of the nature of a use or how it has been defined for the purposes of this By-law. Words that are defined in Part 3.0 are **bolded** throughout the By-law. If a word is not **bolded**, it is not specifically defined. Uses that are not identified as permitted uses within a particular Zone are not permitted in that specific Zone.

Next, you can determine what standards apply to the uses on your property. Parts 6.0 through 13.0 of the By-law also identify the standards for each Zone including minimum lot area, minimum frontage, minimum yards, maximum lot coverage for buildings, and the maximum permitted height of buildings.

STEP 4 - General Provisions

After determining what uses are permitted and the specific standards that apply to those uses, you should refer to Part 4.0 (General Provisions) of this By-law. Part 4.0 contains a more generic set of standards known as 'General Provisions' that apply to all properties in all Zones throughout the Town.

STEP 5 - Parking and Loading

There is one final section of the By-law that you should review when determining what permissions apply. Part 5.0 (Parking and Loading) provides the parking and loading requirements for all permitted uses in the Town.

Part 1.0 - Interpretation And Administration

1.1 Title

This By-law may be referred to as the "Town of East Gwillimbury Zoning By-law" and applies to all lands within the Town of East Gwillimbury, as shown on Schedules "A" to "D" of this By-law.

1.2 Conformity and Compliance With By-Law

No person shall change the **use** of any **building**, **structure** or land or erect or **use** any **building** or **structure** or occupy any land or **building** except in accordance with the provisions of this By-law.

Without limiting the generality of the foregoing, this shall include those matters defined as applicable law under Section 1.4.1.3 of Ontario Regulation 350/06 (the *Building* Code).

1.3 Interpretation

Nothing in this By-law shall serve to relieve any person from any obligation to comply with the requirements of any other By-law of the **Town** or any other requirement of the **Region** of York, the Province of Ontario or the Government of Canada that may affect the **use** of lands, **buildings** or **structures** in the Town of East Gwillimbury.

Conservation Authority Regulated Areas, shown on Appendix "A", constitutes an information schedule showing lands subject to the Lake Simcoe Region Conservation Authority regulations. Notwithstanding any other provision of this By-law, written approval of the Conservation Authority shall be obtained and submitted with any **building** permit application and prior to the addition or removal of fill, whether originating on the site or elsewhere for any lands located within the regulated areas. All uses, **buildings** or **structures** shall meet all other provisions of this By-law.

1.4 Enforcement

Any person or director or officer of any corporation convicted of a violation of this By-law is liable to penalties in accordance with the provisions of Sections 67 and 67.1 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

1.5 Severability

A decision of a court that one or more of the provisions of this By-law are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts of the provisions of this By-law.

1.6 Repeal of Former By-Law and Effective Date

Zoning By-law 97-50 and all amendments thereto are hereby repealed. This By-law shall come into force the day it was passed if no appeals are received. If an appeal(s) is received, this By-law, or portions thereof, shall come into force upon the approval of the Ontario Municipal Board and in accordance with the provisions of the Planning Act, R.S.O. 1990, c.P.13, as amended.

1.7 References to Provincial Acts

Where this By-law refers to a Provincial Act, the latest in-effect version of that Act and any relevant section shall be relied upon as necessary.

1.8 Expansions to Legal Non-Conforming Uses

Where the Committee of Adjustment or the Ontario Municipal Board has authorized the expansion of a legal **non-conforming use**, **building** or **structure** and such a decision has become final and binding after May 20, 1997 and prior to the effective date of this By-law, the provisions of this By-law (as they apply to such **use**, **building** or **structure**) are deemed to be modified to the extent necessary to give effect to the decision.

1.9 Site Plan Agreements and Site Plan Approvals

Where a site plan agreement has been entered into prior to the effective date of this By-law, or where site plan approval has been granted by the **Town** and a **building** permit for the project in either circumstance has not been issued, the provisions of this By-law, as they apply to such land, **building** or **structure**, are deemed to be modified to the extent necessary to give effect to such site plan agreement or site plan approval, provided that the **building** permit is issued within two (2) years of the effective date of this By-law.

1.10 Minor Variances

Where the Committee of Adjustment or the Ontario Municipal Board has authorized a minor variance in accordance with Section 45(1) of the Planning Act R.S.O. 1990 c.P.13 as amended, in respect of any land, **building** or **structure** and the decision of the Committee of Adjustment or the Ontario Municipal Board authorizing such minor variance has become final and binding prior to the effective date of this By-law, the provisions of

this By-law, as they apply to such land, **building** or **structure**, are deemed to be modified to the extent necessary to give effect to such minor variance. This provision shall apply only to minor variances that have been granted since April 1, 2017.

This Section shall lapse and is deemed to be deleted two (2) years of the effective date of this By-law. For clarity, this provision shall not require an amendment to this By-law to take effect.

1.11 Illustrations

All illustrations or photos in this By-law are deemed to not be part of this By-law and are included only to assist with the interpretation of the By-law.

1.12 Technical Revisions to the Zoning By-law

Provided that the purpose, effect, intent, meaning and substance of this By-law are in no way affected, the following technical revisions to this By-law are permitted without a zoning by-law amendment:

a) Changes to the numbering, cross-referencing, format and arrangement of the text, tables, schedules and maps;

b) Additions to and revisions of technical information on maps and schedules including, but not limited to: **infrastructure** and topographic information, notes, legends, shading and title blocks;

c) Alterations of punctuation;

d) Correction of grammatical, dimensional, boundary, mathematical or typographic errors;

e) Changes to the illustrations or the Preamble, which are not considered to form part of this By-law;

f) Changes to the Environmental Protection (EP) Zone limits based on an approved Natural Heritage Evaluation; and

g) Changes to the Lake Simcoe Region Conservation Authority regulated areas and Flood Hazard Lands as shown in Appendix A.

Part 2.0 - Classification Of Zones

2.1 Zones

The provisions of this By-law apply to all lands within the limits of the **Town** of East Gwillimbury. All lands in the **Town** are contained within one or more of the following zones:

Mixed Use Zones
- Mixed Use One (MU1)
- Mixed Use Two (MU2)
- Mixed Use Three (MU3)
- Mixed Use Four (MU4)
- Mixed Use Five (MU5)
- Mixed Use Six (MU6)
- Mixed Use Seven (MU7)

Residential Zones
- Residential Private Services (RPS)
- Residential One (R1)
- Residential Two (R2)
- Residential Three (R3)
- Residential Four (R4)
- Residential Five (R5)
- Residential Six (R6)
- Estate Residential (ER)
- Hamlet Residential (HR)

Commercial Zones
- Commercial Corridor (C1)
- Commercial Marine (C2)
- Community Commercial (C3)
- Neighbourhood Commercial (C4)

Employment Zones
- Employment Prestige (M1)
- Employment General (M2)

Institutional Zones
- Institutional One (I1)
- Institutional Two (I2)

Rural and Aggregate Resource Zones

- Rural (RU)
- Aggregate Extraction / Resource (AER)

Environmental and Open Space Zones

- Environmental Protection (EP)
- Open Space One (OS1)
- Open Space Two (OS2)

Oak Ridges Moraine Zones

- Oak Ridges Moraine Core (ORMC)
- Oak Ridges Moraine Core Linkage (ORMCL)
- Oak Ridges Moraine Countryside (ORMCS)
- Oak Ridges Moraine Industrial Extractive (ORMIE)

2.2 Abbreviations

All of the **Zones** identified in Section 2.1 of this By-law are abbreviated in the remainder of this By-law, and the full name of the **Zone** is as per Section 2.1.

2.3 Zone Schedules

The **Zones** and **Zone** boundaries are shown on Schedule "A" (which includes Maps 1 through 15), which form part of this By-law.

2.4 Determining Zone Boundaries

When determining the boundary of any **Zone** as shown on any Schedule forming part of this By-law, the following provisions apply:

a) A boundary indicated as following a **street**, **lane**, railway right-of-way, **utility** corridor or watercourse is the **centre-line** of such **street**, **lane**, railway right-of-way, **utility** corridor or watercourse;

b) A boundary indicated as substantially following **lot line**s shown on a registered plan of subdivision follows such **lot line**s;

c) Where a boundary is indicated as running substantially parallel to the boundary of a **street** and the distance from the **street** is not indicated, the boundary is deemed to be parallel to such a **street** and the distance from the street is to be determined according to the scale shown on the schedule(s);

d) A boundary indicated as following a shoreline follows such shoreline and in the event of a natural change in the shoreline, the boundary will move with the actual shoreline;

e) A boundary indicated as following the limit of an environmental feature and/or its associated buffer shall follow the limit of that feature and/or buffer as determined through a site specific Natural Heritage Evaluation;

f) Where a **lot** falls into two or more **Zones**, each portion of the **lot** is to be used in accordance with the provisions of this By-law for the applicable **Zone**; and,

g) Where none of the above provisions apply, the **Zone** boundary is to be scaled from the Schedule(s).

In no case is a **Zone** boundary dividing a **lot** into two or more **Zone** categories intended to function as a property boundary for the purposes of calculating **yards**, **setbacks** and **coverage**. In all cases, the property line must be used for the purposes of calculating **setbacks**, unless otherwise specified by this By-law.

2.5 Exception Zones

Where a number within a set of brackets follows a **Zone** symbol on the attached Schedules to this By-law, the number refers to a site-specific exception that applies to the lands noted. Site-specific exceptions are listed in Part 16.0 of this By-law. Unless specifically amended by the **Zone** exception, all other provisions of this By-law apply.

2.5.1 Oak Ridges Moraine

Where a Zone symbol is followed by the letters "ORM" (for example HR ORM) the lands so noted are subject to all the provisions of the Main Zone represented at the beginning of such symbol except as otherwise provided by the policies of Section 4.20.

2.6 Holding Zones

Notwithstanding any other provision in this By-law, where a **Zone** symbol is followed by the letter (H), no person can **use** the land to which the letter (H) applies for any **use** other than the **use** which legally existed on the date the by-law applying the Holding provision came into effect, or expand or replace an **existing building** or **structure**, as the case may be until the (H) is removed in accordance with the policies of the Official Plan.

Notwithstanding the above, this provision does not apply to the following **uses**, which are permitted without the need to remove the Holding provision:

a) Temporary construction and sales **uses** in accordance with Section 4.29 of this By-law;

b) Sales offices and **model homes** in accordance with Section 4.29 of this By-law;

c) **agricultural uses** where permitted by this By-law; and,

d) Permitted **uses** outlined in Part 14.0 for lands subject to an associated holding provision.

In addition, the existence of the Holding provision does not prevent the issuance of a **building** permit to make structural repairs, carry out façade improvements, improve and/or replace plumbing and electrical systems and/or replace openings. Site-specific or area-specific holding zones are detailed in Part 14.0 of this By-law.

2.7 Definitions

For the convenience of the reader, all words that are **bolded** are defined in Part 3.0 of this By-law.

2.8 Land Ownership

The **Town** makes no representation or implication, nor should any inference be drawn from the Schedules attached to this By-law as to the ownership of any land and/or rights of access to such land. Ownership and access rights are legal matters that fall solely within the purview of a Court of competent jurisdiction.

Part 3.0 - Definitions

ABATTOIR (otherwise known as a slaughter plant): an establishment where food animals are slaughtered and may include any part of the establishment where,

a) Food animals are received, kept or handled before they are slaughtered;

b) Carcasses derived from food animals are dressed;

c) Carcasses, parts of carcasses or meat products derived from food animals are produced, processed, packaged, labelled, handled, stored, distributed or sold;

d) Inedible materials are processed, packaged, labelled, handled, stored; distributed or sold; or

(d.1) Slaughtered carcasses are skinned or farm slaughtered carcasses and products are processed, handled, stored, packaged and labelled.

ACCESSORY APARTMENT: a separate **dwelling unit** that is subsidiary to and contained within a **single-detached**, **semi-detached**, **duplex**, **townhouse, back-to-back townhouse**, or **stacked townhouse dwelling unit**.

ACCESSORY BUILDING OR STRUCTURE: a detached **building** or **structure**, the **use** of which is naturally and normally incidental to, subordinate to, or exclusively devoted to the **main use** or **building**, and located on the same **lot**.

ACCESSORY FARM EMPLOYEE ACCOMMODATION: **buildings** or **structures** on a farm that are designed to be used for the accommodation of employees of the farm on a temporary or permanent basis.

ACCESSORY USE: a **use** naturally and normally incidental to, subordinate to or exclusively devoted to a **main use** and located on the same **lot**.

ACCESS RAMP: a **structure** that is designed to provide access to a **parking garage** or a **parking area** by **motor vehicles.**

ADULT ENTERTAINMENT PARLOUR: an establishment or part thereof in which there is provided, in pursuance of a trade, calling, business or occupation, goods or services appealing to, or designed to appeal to, erotic or sexual appetites or inclinations, which includes:

a) Goods or services of which a principal feature or characteristic is the nudity or partial nudity of any person; and

b) Goods or services in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “sexy”, or any other word, picture, symbol or representation having like meaning or implication is used in any advertisement.

In the context of **adult entertainment uses,** goods include books, magazines, pictures, slides, films, disks, phonograph records, pre-recorded magnetic tape and any other viewing or listening matter, clothing and accessories

ADULT ENTERTAINMENT USE: includes an **adult entertainment parlour**, **adult specialty store** and **body rub parlour**, whether any such **use** is a primary land **use** or an **accessory use**.

ADULT SPECIALTY STORE: an establishment specializing in the sale or rental of goods or materials appealing to, or designed to appeal to, erotic or sexual appetites or inclinations, which includes,

a) Goods or services of which a principal feature or characteristic is the nudity or partial nudity of any person; and

b) Goods or services in respect of which the word "nude", "naked", "topless", "bottomless", "sexy", or any other word, picture, symbol or representation having like meaning or implication is used in any advertisement.

In the context of **adult entertainment uses**, goods may include, but are not limited to, books, magazines, pictures, slides, films, disks, phonograph records, pre-recorded magnetic tape and any other viewing or listening matter, clothing and accessories

ADVERSE EFFECT: Means one or more of:

I. Impairment of the quality of the natural environment for any use that can be made of it;
II. Injury or damage to property, plant or animal life;
III. Harm or material discomfort to any person;
IV. An adverse effect on the health of any person;
V. Impairment of the safety of any person;
VI. Rendering any property or plant or animal life unfit for human use;
VII. Loss of enjoyment of normal use of property; and,
VIII. Interference with normal conduct of business.

AGRICULTURAL USE: the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; beekeeping; agro-forestry; maple syrup production; **equestrian uses**; and associated on-farm **buildings** and **structures**, including, but not limited to livestock facilities, manure storages, value-retaining facilities. An **accessory farm employee accommodation** may be permitted subject to a zoning by-law amendment, when the size and nature of the operation requires additional employment.

AGRICULTURAL-RELATED USE: those farm-related commercial and farm-related **industrial uses** that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity and may include a **brewery/winery/distillery** as an **accessory use**.

AGRI-TOURISM USES: farm-related tourism **uses** that promote the enjoyment, education or activities related to the farm operation such as farm machinery and equipment exhibitions (on a temporary basis), farm tours, petting zoos, hay rides

and sleigh rides, processing demonstrations, pick-your-own produce establishments, small-scale farm theme playgrounds and small-scale educational establishments that focus on farming instruction, including **day camps**. Overnight camping, amusement parks and recreational **uses** are not permitted under this definition.

AISLE: the area used by **motor vehicles** for access to and from all off-**street parking spaces**, but does not include an access **driveway**.

AMENITY AREA: indoor or outdoor common areas used for recreational **uses** or social activities and which may include, but are not limited to **patios** and landscaped areas, **balconies**, **decks**, **swimming pools**, rooftop **patios**, and communal lounges.

ANCILLARY USE: small scale supportive **use** to permitted uses that primarily serve the business function on employment lands.

ANIMAL CLINIC: an establishment used by a veterinarian or group of veterinarians where animals are evaluated and/or treated for medical conditions and which may include the overnight care of animals (indoors) supervised by a licensed veterinarian.

ANIMAL DAYCARE CENTRE: an establishment where the caring, grooming, or training of household pets occurs on a short-term basis (less than 12 hours within a 24-hour period) during daytime hours, but does not include a **kennel** or an **animal clinic.**

APARTMENT BUILDING: a **building** containing four or more **dwelling units** that share access to the outdoors through a common vestibule and/or a common corridor system. A **dwelling** in any other type of **building** is not an **apartment building.**

ART GALLERY: an establishment used for the preservation, exhibition and/or sale of paintings, sculptures, photographs or other works of art.

ASPHALT PLANT: an establishment that produces and/or recycles asphalt or similar coated road stone and has equipment designed to heat and dry aggregate and to mix **mineral aggregate** with bitumen and/or tar, and includes:

a) Facilities for the administration or management of the business;

b) The stockpiling and storage of bulk materials used in the process or finished product(s) manufactured on the premises; and/or

c) The storage and maintenance of equipment.

BALCONY: a horizontal platform that is attached to a **building** above the **first storey**, may be partially enclosed with at least one face open to the movement of air and is only directly accessible from within the **building**.

BANQUET HALL: an establishment used for catering to banquets, weddings, receptions or similar functions for which food and beverages may be prepared and/or served, but does not include a **restaurant** or a **trade and convention centre**.

BARRIER-FREE: a **building** and its facilities, which can be approached, entered and used by persons with physical or sensory disabilities.

BASEMENT: the portion of a **building** between the first floor and any floor below the level of the first floor.

BAY, **BOX OR BOW WINDOW**: a window with a projection from the outer wall of a **building**, which may or may not be supported by a foundation wall.

BED AND BREAKFAST ESTABLISHMENT: an establishment within a **single detached dwelling** that provides sleeping accommodation (including breakfast and other meals, services, facilities and amenities for the exclusive **use** of guests) for the travelling or vacationing public in up to three guest rooms within a single dwelling that is the principle residence of the proprietor of the establishment.

BOARDING, LODGING OR ROOMING HOUSE: a **building** in which lodging is provided for more than four persons other than the lessee, tenant, or owner of said **building** in return for remuneration or for the provision of services or for both, and in which the **lodging rooms** do not have both bathrooms and kitchen facilities for the exclusive **use** of individual occupants, but does not include a **hotel/motel**, **hospital**, **long term care facility** or any other **dwelling** defined herein.

BODY RUB: includes the kneading, manipulating, rubbing, massaging, touching or stimulating, by any means, of a person's body or thereof but does not include medical or therapeutic treatment giving by a person duly qualified, licensed or registered to do so under the laws of the Province of Ontario

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 **body rubs** are performed for the purpose of medical or therapeutic treatment and are performed by persons duly qualified, licensed or registered to do so under the laws of the Province of Ontario.

BREWERY/WINERY/DISTILLERY: an establishment where the **main use** is the manufacturing, processing and distribution of beer, spirits, cider or wine. **Nanobreweries** or the incidental brewing, distilling and making of wine or spirits in a **restaurant** are not considered a **brewery/winery/distillery**.

BUILDING:

a) a **structure,** temporary or permanent, consisting of a wall, roof and floor or any combination thereof, or a structural system serving the function thereof, including all plumbing, works, fixtures and service systems appurtenant thereto; or

b) structures designated in the Ontario Building Code; or
c) a tent as specified in the Ontario Building Code Act and Regulations.

BULK STORAGE TANK: a tank or container for the bulk storage of petroleum, gasoline, diesel or other fuels, oil, gas, propane, or flammable liquid or fluid, but does not include a container for flammable liquid, gas or fluid legally and properly kept in a **retail store** or a tank for storage incidental to some other **use** of any premises where such tank or container is located.

BUSINESS OFFICE: an establishment used by an agency, business or organization for the transaction of administrative, clerical or management business, the practice of a profession and/or the provision of government or social services and other similar services, but which does not include a **medical office.**

CAMPGROUND: an establishment used for the parking of **recreational vehicles** or tents on a temporary or seasonal basis.

CANNABIS PRODUCTION FACILIY: a wholly enclosed facility, licensed by Health Canada for the growing, producing, processing, storing, testing, destroying or distributing of cannabis, cannabis products, or cannabis oil in accordance with all applicable federal regulations. A cannabis production facility may also include indoor cannabis cultivation within a non-translucent greenhouse. For clarification, no part of this operation is permitted outdoors.

CANOPY: a roof-like **structure** projecting from the exterior face of the **building**.

CARPORT: a **building** or **structure** that is not wholly enclosed, is supported by the **main building** and is used for the parking or storage of one or more **motor vehicles**.

CATERER'S ESTABLISHMENT: an establishment in which food and beverages are prepared for consumption off the **premises**.

CEMETERY:

a) Land that has been established as a **cemetery** under the Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, Chapter 33, a private Act or a predecessor of one of them that related to cemeteries, or

b) Land that was recognized by the registrar as a **cemetery** under a predecessor of the Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, Chapter 33, that related to cemeteries,

c) And includes, land that, in the prescribed circumstances, has been otherwise set aside for the interment of human remains, and

d) A mausoleum or columbarium intended for the interment of human remains.

CENTRE-LINE: a line drawn parallel to and an equal distance from the limits of the **street** or from the edges of the paved surface of a **street**.

CHILD CARE CENTRE: an establishment providing temporary care or guidance for children as regulated in accordance with the Child Care and Early Years Act, as amended.

COACH HOUSE: a separate, self-contained **dwelling unit** that is accessory to and located on the same **lot** as an associated principal **dwelling unit**, but is contained in its own **building** that may also contain uses accessory to the principal dwelling (such as a detached **private garage**), but does not include a **garden suite**.

COMMERCIAL FITNESS CENTRE: an establishment where physical fitness and recreation equipment and/or instruction is provided for use by the general public for compensation.

COMMERCIAL MOTOR VEHICLE: a **motor vehicle** having permanently attached thereto a truck or delivery body and includes ambulances, hearses, fire apparatus, buses and tractors used for hauling purposes.

COMMERCIAL RECREATION USE: a privately owned sports or recreation establishment operated for use by private members and/or the general public for compensation and includes **uses** such as, but not limited to a swimming pool, tennis courts, squash courts, curling club, and volleyball courts, as well as a **commercial fitness centre**.

COMMERCIAL SELF-STORAGE FACILITY: an establishment used for the temporary storage of items, which contains secured storage areas or lockers that are generally accessible by individual loading doors for each storage unit or locker.

COMMUNITY CENTRE: a facility owned and operated by the **Town** or a non-profit community service group that provides social, recreational or other similar facilities for use by the general public. Examples of facilities include cultural facilities, libraries, and sports/fitness facilities (such as arenas, indoor **swimming pools**, gymnasiums, tennis courts, and playing fields).

COMMUNITY GARDEN: an area of land, rooftop, or other space managed and maintained by individuals and/or non-profit organizations, to grow and harvest:

a) food crops; and/or

a) non-food, ornamental crops, such as flowers for personal or group use, consumption or donation. **Community gardens** may be divided into separate plots or may be farmed collectively and may include common areas maintained and used by **community garden** members.

CONCRETE BATCHING PLANT: an establishment where concrete or concrete products used in **building** or construction is produced, and includes facilities for the:

a) Administration or management of the business;

b) Stockpiling of bulk materials used in the production process or of finished products manufactured on the premises; and/or

c) Storage and maintenance of required equipment, but does not include the retail sale of finished concrete products.

CONSERVATION USE: an area of land that is generally left in its natural state and which is used for any combination of preservation, protection, or improvement of components of the natural heritage system and which may include, as an **accessory use**, passive recreational **uses** (such as hiking trails and cross country ski trails), and **buildings** and **structures** (such as nature interpretation centres, outdoor education centres and public information centres).

CONTRACTOR YARD: a **lot** used by any general contractor or builder to offer a trade or service within a **building or structure**. **Accessory uses** may include the storage of equipment and materials or where a contractor and/or builder performs shop and assembly work, and/or offers a trade or service, which is not generally open to the public, and includes, but is not limited to, landscaping services, excavators, roofing, industrial electricians, general construction services, and welding services, or other similar services but does not include any other **use** as defined by this By-law.

DAY CAMP: a facility that admits persons for a continuous period not exceeding 24 hours for recreation, educational or institutional purposes.

DAYLIGHTING OR SIGHT TRIANGLE: an unobstructed triangular area on a **corner lot** as determined by measuring from the point of intersection of **street lines**, the distance required by the Town's Engineering Design Standards and Region of York requirements, whichever is greater, along each such **street line** and joining such points with a straight line. In the case of a **corner lot** with a **daylighting triangle,** the **exterior side lot line** is deemed to extend to its hypothetical point of intersection with the extension of the front **lot line** and/or **rear lot line** for the purposes of calculating the **lot frontage**, **front, rear** and **exterior side yard setbacks,** but at no point may a **building** or legal encroachment extend into the **daylighting triangle**.

DECK: a **structure** without a roof that rests upon the ground or is supported by a foundation that extends from the ground, which may be intended for **use** as an outdoor **amenity area** and may include a pergola or **canopy**, but does not include a **balcony**, **patio** or **porch**.

DENSE NON AQUEOUS PHASE LIQUID (DNAPL): chemicals that are both denser than water and do not dissolve readily in water. Because of these traits, DNAPLs tend to sink below the water table and only stop when they reach impenetrable bedrock. This makes them difficult to locate and clean up. DNAPLs of concern may include but are not limited to: 1, 4-Dioxane, Tetrachloroethylene/Perchloroethylene (PCE), Trichloroethylene (TCE), Vinyl Chloride (VC) and Polycyclic Aromatic Hydrocarbons (PAHs).

DEVELOPMENT: the creation of a new **lot**, a change in land **use**, or the construction or enlargement of **buildings** or **structures**, any of which require approval under the Planning Act, the Environmental Assessment Act, or the Drainage Act, but does not include,

a) The construction of facilities for transportation, **infrastructure** or **utilities** by a public authority;

d) Activities or works under the Drainage Act; or

e) The carrying out of agricultural practices on land that was being used for **agricultural uses** on the date the By-law came into effect.

DISTRICT ENERGY SYSTEM: a system of **infrastructure** providing thermal energy (heating and/or cooling) through a piped system, from a central plant, or network of plants to **buildings** for which such **infrastructure** is owned, operated and managed either by the **Town** or by the **Town** in partnership with private parties subject to the approval of Council. Such system may include electricity generation and distribution through the process of co-generation or combined heat and power (CHP).

DRIVE-IN THEATRE: an outdoor place of public assembly intended for the screening and viewing of motion pictures, consisting of a larger outdoor movie screen, projection booth, concession stand and large **parking area**.

DRIVE-THROUGH SERVICE FACILITY: the **use** of land, **buildings** or **structures**, or parts thereof including **stacking lanes**, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in **motor vehicles**.

DRIVEWAY: a defined area providing access for **motor vehicles** from a **street** or a **lane** to a **parking area**, **parking lot**, **loading space**, **private garage**, **carport**, **building** or **structure**.

DWELLING, BACK-TO-BACK TOWNHOUSE: a **building** containing four or more **dwelling units** divided vertically above grade by common walls, including a common rear wall without a **rear yard** and whereby each unit has an independent entrance to the unit from the outside accessed through the **front yard** or **exterior side yard**. A **dwelling** in any other type of **building** is not a **back-to-back townhouse dwelling.** This may also include an **accessory apartment** where permitted by the By-law.

DWELLING, DUPLEX: a **building** that is divided horizontally into two **dwelling units**, each of which has an independent entrance either directly to the outside or through a common vestibule or a combination of both, as well as independent heating, cooling and electrical systems. A **dwelling unit** in any other type of **building** is not a **duplex dwelling.** This may also include an **accessory apartment** where permitted by the By-law.

DWELLING, MULTIPLE: a **building** containing three or more **dwelling units** divided vertically and horizontally, or horizontally, each of which has an independent entrance either directly to the outside or through a common vestibule or a combination of both. A **dwelling unit** in any other type of **building** is not a **multiple dwelling.**

DWELLING, SEMI-DETACHED: a **building** that is divided vertically into two **dwelling units** that share a common wall above or below grade. A **dwelling unit** in any other type of **building** is not a **semi-detached dwelling.** This may also include an **accessory apartment** where permitted by the By-law.

DWELLING, SINGLE-DETACHED: a **building** containing only one **dwelling unit**. This may also include an **accessory apartment** where permitted by the By-law.

DWELLING, STACKED TOWNHOUSE: a **building** that is divided vertically and horizontally into four or more **dwelling units**, each of which has an independent entrance to the outside. A **dwelling unit** in any other type of **building** is not a **stacked townhouse dwelling.** This may also include an **accessory apartment** where permitted by the By-law.

DWELLING, TOWNHOUSE: a **building** that is vertically divided into a minimum of three **dwelling units**, each of which has an independent entrance to the outside at the front, rear, and/or side of the **building**. A **dwelling unit** in any other type of **building** is not a **townhouse dwelling.** This may also include an **accessory apartment** where permitted by the By-law.

DWELLING UNIT: one or more habitable rooms, occupied or capable of being occupied as an independent and separate housekeeping establishment, in which separate kitchen and sanitary facilities are provided for the exclusive use of the occupants.

DWELLING UNIT, ASSISTED LIVING: one or more habitable rooms, occupied or capable of being occupied as an independent and separate housekeeping establishment, in which separate sanitary facilities are provided for the exclusive use of the occupants. Separate kitchen facilities may or may not be provided for the exclusive use of the occupants.

EQUESTRIAN USES: the **use** of land or **buildings** for the boarding of horses, the training of horses and riders and the staging of equestrian events.

EQUIPMENT RENTAL ESTABLISHMENT: an establishment where residential, industrial and/or commercial equipment is kept for rental to the general public or contractors and includes, but is not limited to, such things as lawn and garden tools, floor cleaning equipment, masonry tools, painting and decorating equipment, moving tools, plumbing tools and power tools.

ESTABLISHED GRADE: the average level of the proposed or finished level of the ground adjacent and parallel to the front wall of a **building** or **structure**, excluding

grades artificially adjusted through the placement of retaining walls adjacent to the front wall.

EXISTING USES, BUILDINGS AND STRUCTURES (applies to ORM zones only): the **use** of any land, **building** or **structure** for a purpose, if the land, **building** or **structure** was legally used for that purpose on November 15, 2001 and continues to be used for that purpose.

FARM IMPLEMENT SALES AND SUPPLY ESTABLISHMENT: an establishment used for the purpose of the sale, maintenance, rental or repair of farm implements and related equipment, parts and supplies. An **outdoor display and sales area** is considered a permitted **accessory use**, subject to the provisions in Section 4.22.

FARM PRODUCE OUTLET: a **retail store** accessory to an **agricultural use** where the products sold are produced or grown on the farm on the same **lot** or as part of the farm operation.

FINANCIAL INSTITUTION: an establishment such as a bank, credit union, trust company or similar institution for monetary transactions, excluding other businesses that offer financing for financial products sold or purchased at that business.

FIRST STOREY: the **storey** that has its floor level closest to **established grade** and its ceiling or underside of the roof more than 1.8 m above **established grade**.

FLOOR AREA, GROSS: the aggregate of the areas of each floor of a **building** or **structure** above or below **established grade**, measured between the exterior faces of the exterior walls of the **building** or **structure**, or where there are common walls between uses or **buildings** or **structures**; measured to the centre-line of a common wall.

FLOOR AREA, GROUND: the floor area of the **first storey** of a **building** approximately at or above the finished grade level excluding any **basement**, which area is measured between the exterior faces of the exterior wall at the floor level of such **storey**.

FLOOR AREA, GROSS LEASABLE: the aggregate of the floor areas of a **building** containing a number of retail and similar **uses** that are leased to tenants for their exclusive use, above or below **established grade**. For the purposes of this definition, common areas and parking areas that are not designed nor leased for the exclusive use of a tenant are not included in the calculation of **gross leasable floor area**.

FLOOR AREA, NET: the aggregate of the floor areas of a **building** above or below **established grade**, but excluding:

a) **Motor vehicle parking areas** within the **building**;

b) Stairways;
c) Elevator shafts and other service and mechanical shafts;
d) Service/mechanical rooms and penthouses;
e) Washrooms;
f) Waste/recycling rooms;
g) Staff locker and lunch rooms;
h) Bicycle lockers;
i) Loading areas;
j) Any space with a floor to ceiling **height** of less than 1.8 metres; and,
k) Any part of a **basement** that is unfinished.

FLOOR SPACE INDEX (FSI): the **gross floor area** of all **buildings** on a **lot** divided by the **lot area**.

FOREST MANAGEMENT: the management of woodlands, including **accessory uses** such as the construction and maintenance of forest access roads and maple syrup production facilities,

a) For the production of wood and wood products, including maple syrup;
b) To provide outdoor recreation opportunities;
c) To maintain, and where possible improve or restore, conditions for wildlife, and
d) To protect water supplies.

FUNERAL HOME: an establishment used for the temporary placement of human remains which may include a funeral parlour, undertaking establishment, funeral establishment, or similar **use** used for furnishing funeral supplies and services to the public and may include facilities intended for the care and preparation of the human body for internment or cremation and facilities for the coordination of rites and ceremonies with respect to interment or cremation.

GARAGE, PRIVATE: an enclosed **building** that is detached or part of the **main building**, and is designed and/or used primarily for the storage of one or more **motor vehicles**.

GARDEN CENTRE: an establishment used primarily for the display and sales of plants, gardening and landscaping supplies and equipment. An **outdoor display and sales area** is considered a permitted **accessory use**, subject to the provisions in Section 4.22.

GARDEN SUITE: a detached residential **structure** containing bathroom and kitchen facilities that is accessory to an existing residential **structure** and that is designed to be temporary.

GOLF COURSE: an area of land laid out for the purpose of playing golf with a series of holes and may include, as an **accessory use**, a **golf driving range**, a **miniature golf course,** a club house, a **banquet hall,** a **commercial fitness centre**, a **retail store** selling golf equipment and accessories, and other **buildings** and **structures** devoted to the maintenance and operation of the **golf course**.

GOLF COURSE, MINIATURE: an area operated for the playing of miniature golf on a course constructed for that purpose and includes accessory **structure**s devoted to the maintenance, administration and operation of the facility.

GOLF DRIVING RANGE: an area operated for the purpose of the practice of golf by the hitting of golf balls on a large open area. This may include **accessory uses** including a practice putting/chipping area, sales of golf equipment and accessories and refreshment shop.

GREENHOUSE: a structure used to cultivate or grow floral, vegetable or other horticultural produce in a climatically controlled environment. Greenhouses can either be translucent or non-translucent but a Cannabis Production Facility or any cannabis growing **is not** permitted in a translucent Greenhouse.

GROUP HOME: residential accommodation in a **single detached dwelling** for up to 10 people (exclusive of staff) with special needs beyond economic requirements, including physical, social and mental needs, which require support functions for daily living.

HEIGHT: with reference to a **building** or **structure**, the vertical distance measured from the **established grade** of such **building** or **structure** to:

a) The highest point of the roof surface or the parapet, whichever is the greater, of a flat roof. Any roof having a flat portion that is greater than 15% of the total roof area is deemed to be a flat roof;

b) The deckline of a mansard roof;

c) The mean level between eaves and the highest ridge of a gabled, hip or gambrel roof or any other type of pitched roof;

d) In case of a **structure** with no roof, the highest point of the said **structure**.

Notwithstanding the above, the following is not to be included in the calculation of **height** for the purposes of this definition: any ornamental features including towers, steeples, cupolas, ornamental domes and other roof **structures** which are used only as an ornament and all stairways, solar panels and all heating, ventilation and air conditioning equipment (HVAC) that is not enclosed with walls.

HOME BUSINESS: an occupation that,

a) Involves providing personal or professional services or producing custom or artisanal products, and

b) Is carried on as a small-scale **accessory use** within a **dwelling unit** or,

where permitted, a **structure** accessory to the **dwelling unit**.

HOME CHILD CARE: the caring of children as an **accessory use** in a **dwelling unit** as regulated by the Child Care and Early Years Act, as amended and which is not a **child care centre.**

HOSPITAL: a facility established for the purpose of the treatment of persons, and that is approved and regulated as a **hospital** under The Public Hospitals Act, R.S.O. 1990, Chapter P40, as amended, or any successor legislation.

HOTEL / MOTEL: an establishment containing **lodging rooms** for the travelling public and may include accessory meeting facilities, recreation facilities, a **restaurant**, public hall, and **retail stores** which are incidental and subordinate to the primary lodging function and located in the same **building**.

IMPERVIOUS SURFACE: a surface that does not permit the infiltration of water, such as a rooftop, sidewalk, paved roadway, **driveway** or **parking lot**.

INDUSTRIAL MALL: a **building** or group of **buildings** held in single ownership or by participants in a condominium corporation or cooperative and divided into more than one unit for separate occupancy by different **industrial uses** and **ancillary uses** for which common loading and parking facilities and other common services may or may not be provided.

INDUSTRIAL USE: an establishment used for the indoor warehousing of goods and materials, the assembly of manufactured goods, the manufacturing of goods, the repair and servicing of goods, data processing, and similar **uses**, research laboratories, and printing establishments, but does not include uses such as, a **motor vehicle repair garage**, a **motor vehicle body shop** or a **motor vehicle gas bar**.

INFRASTRUCTURE: physical **structures** (facilities and corridors) that form the foundation for **development. Infrastructure** includes: sewage and water systems, septic treatment systems, stormwater management systems, **waste** management systems, electricity generation facilities, electricity transmission and distribution systems, **renewable energy systems**, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities, and may include a **district energy system**.

KENNEL: an establishment where household pets are boarded overnight (7:00 pm to 7:00 am), trained, bred or cared for in return for remuneration or kept for the purposes of sale, and may include the operation of an **animal daycare centre,** but does not include an **animal clinic**.

LANDING: a raised platform that forms part of a set of stairs or a slab on grade and provides access to a principal **building**, but does not include a **deck**. A **landing** shall be permitted to a maximum width of 120% of the width of the stairs.

LANE: a right of way, which may be public or private, that is not intended for general traffic circulation and which provides **motor vehicle** access to an abutting property, but does not include an **aisle**.

LIBRARY: a community facility used for the collection of printed, digital and audio-visual material for **public use** for the purposes of study, reference, and recreation, and which may include space for community **use**, activity areas, cafeteria, and space for recreational **uses**.

LOADING SPACE: an unobstructed area of land that is used for temporary parking while merchandise or materials are being loaded or unloaded from such **motor vehicle**.

LODGING ROOM: a room provided for rent or hire, which is used or designed to be used for temporary sleeping accommodation.

LONG TERM CARE FACILITY: a facility consisting of **assisted living dwelling units**, where a broad range of personal care, support and health services are provided for elderly, disabled or chronically ill occupants in a supervised setting as regulated by Provincial legislation, and may include one or more **accessory uses**, such as common dining, lounging, kitchen, recreational or **medical offices,** but does not include a **retirement home**.

LOT: a parcel of land that is registered as a legally conveyable parcel of land in the Land Titles Registry Office.

LOT AREA: the total horizontal area within the **lot lines** of a **lot**. In the case of a **corner lot** having **street lines** rounding at one or more corners with a radius of 6.0 metres or less, the **lot** area of such lot is to be calculated as if the **lot lines** were projected to intersection points of these lines. In the case of a **corner lot** with a **daylighting triangle**, the **daylighting triangle** is excluded from these **lot** area calculations.

LOT, CORNER: a **lot** at the intersection of two or more **streets** or a 0.3 metre **reserve** abutting said **street**(s), or upon two parts of the same **street** with such **street** or **streets** containing an angle of less than or equal to 135 degrees.

LOT COVERAGE: the total horizontal area of a **lot** covered by the **first storey** of all roofed **buildings** and **structures** on the **lot**, but not including unenclosed **swimming pools, decks** or **porches**.

LOT DEPTH: the horizontal distance between the mid-point of the **front lot line** and the mid-point of the **rear lot line**.

LOT FRONTAGE: the horizontal distance between two **interior side lot lines** or between an **interior side** and **exterior side lot line** or between two **exterior side lot lines** with such distance being measured perpendicularly to the line joining the mid-point of the **front lot line** with the mid-point of the **rear lot line** at a point on that line that is 7.5 metres from the **front lot line**.

In the case of a **lot** with no rear **lot line**, the point where two side **lot line**s intersect is deemed to be the point from which a line is drawn to the mid-point of the front **lot line**. In the case of a **corner lot** with a **daylighting triangle**, the **exterior side lot line** is deemed to extend to its hypothetical point of intersection with the extension of the front **lot line** for the purposes of calculating **lot frontage**.

LOT, INTERIOR: a **lot** situated between adjacent **lots** and having access to one **street**.

LOT LINE: a line delineating any boundary of a **lot**.

LOT LINE, EXTERIOR SIDE: the **lot line** of a **corner lot**, other than the **front lot line**, which divides the **lot** from a **street** or a 0.3 metre **reserve** abutting said **street**.

LOT LINE, FRONT: the **lot line** that divides the **lot** from the **street** or a 0.3 metre **reserve** abutting said **street(s).**In the case of a **corner lot**, the shorter **lot line** that abuts a **street** is deemed to be the **front lot line** and the longer **lot line** that abuts a **street** is deemed to be an **exterior side lot line**. In the case of a **through lot**, only one **lot line** shall be considered the **front lot line**. In the case of a **through lot** or a **corner lot** with **street lines** of equal length, the Town may designate the **front lot line**.

LOT LINE, INTERIOR SIDE: a **lot line**, other than a **rear lot line** that does not abut a **street**.

LOT LINE, REAR: the **lot line** opposite to, and most distant from the **front lot line**. For the purpose of this definition, a point where 2 **interior side** or 2 **exterior side** or 1 **exterior side** and 1 **interior side lot line**s intersect shall be deemed as a **rear lot line**.

LOT, THROUGH: a **lot** that is not a **corner lot** but has frontage on more than one **streets** or a 0.3 metre **reserve** abutting said **street(s)**.

LOW INTENSITY ACCESSORY USES: includes, but not limited to, trails, boardwalks, footbridges, fences, docks and picnic facilities.

LOW INTENSITY USES: recreational **uses** that have minimal impact on the natural environment, and require very little terrain or vegetation modification and few, if any, **buildings** or **structures**, including, but not limited to, the following:

a) Non-motorized trail **uses**;

b) Natural Heritage appreciation;

c) Unserviced camping on public and institutional land;

d) **Accessory uses**.

MAIN BUILDING: the **building** from which the **main use** of a **lot** is conducted.

MAIN FACE: the exterior front wall of the **first storey** of a **building** as measured by the average **setback** of the **building** or **porch** from the **front lot line**, exclusive of an attached **private garage**.

MAIN USE: the principal **use** of the **lot**.

MAIN WALL: the exterior front, side and/or rear wall of a **building** and all structural components essential to the support of a fully enclosed space.

MARINA: an establishment where a boat house, boat storage, boat repair facility, boat rental, pier, dock, or jetty facility or any combination of the foregoing are available for all types of marine pleasure craft and may include a gasoline pump for the fueling of marine craft and a **building** or **structure** for the sale of marine craft, accessories, and/or refreshments.

MECHANICAL PENTHOUSE: a room or enclosure on the roof of a **building** exclusively used for mechanical equipment, a stair or elevator tower, elevator equipment, or any combination thereof.

MEDICAL OFFICE: an establishment used for the medical, dental, surgical and/or therapeutic treatment of human beings including clinics operated by a number and/or variety of medical professionals, but does not include a **hospital**.

MINERAL AGGREGATE: gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act, but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, talc, wollastonite, or other material prescribed under that Act.

MINERAL AGGREGATE OPERATION: means,

a) An operation, other than a **wayside pit**, conducted under a licence or permit under the Aggregate Resources Act; and

b) Associated facilities used in the extraction, transportation, beneficiation, processing or recycling of **mineral aggregate** or the production of related by-products.

MOBILE HOME: a **dwelling unit** designed to be mobile and constructed or manufactured to provide a permanent residence for one or more persons in accordance with the applicable Canadian Standards Association standard.

MODEL HOME: a **building** which is used on a temporary basis as a sales office or as an example of the type of dwelling that is for sale in a related **development** and which is not occupied or used as a residential **dwelling** prior to the date of registration of the subdivision, condominium, or similar **development** agreement.

MOTOR VEHICLE: an automobile, a motorcycle, a motor-assisted bicycle, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a street car or other **motor vehicle** running only upon rails, a power-

assisted bicycle, a motorized snow vehicle, a traction engine, a farm tractor, or a road-building machine, as defined in the Highway Traffic Act.

MOTOR VEHICLE BODY SHOP: an establishment used for the painting and/or repairing of the exterior and/or the undercarriage of **motor vehicle** bodies.

MOTOR VEHICLE GAS BAR: an establishment used for the sale of **motor vehicle** fuels and **motor vehicle** accessories, and may also include **accessory retail** sales of convenience foods and beverages, car washes, propane filling station, but does not include a **motor vehicle repair garage**.

MOTOR VEHICLE REPAIR GARAGE: an establishment where services are performed on **motor vehicles** for compensation and may include the installation of exhaust systems, repair of the electrical systems, transmission repair, brake repair, radiator repair, tire repair and installation, rustproofing, **motor vehicle** diagnostic centre, major and minor mechanical repairs, oil changes or similar use.

MOTOR VEHICLE SALES / RENTAL ESTABLISHMENT: an establishment where new and/or used **motor vehicles** are kept for sale, lease or rent and may include a **motor vehicle repair garage** as accessory thereto. **Outdoor display and sales area** is considered a permitted **accessory use**.

MOTOR VEHICLE WASHING ESTABLISHMENT: an establishment in which the mechanical or hand washing of **motor vehicles** is carried out.

MUSEUM: an establishment used for the preservation of a collection of paintings and/or other works of art and/or objects of natural history and/or mechanical scientific and/or philosophical inventions, instruments, models and/or designs and which may also include libraries, reading rooms, laboratories and accessory offices.

NANOBREWERY: a **building** or part thereof used for the small-scale production of beer, wine, cider, and/or spirits in conjunction with and ancillary to a **restaurant**.

NET DEVELOPABLE AREA: the area of a site, less any area that is within a key natural heritage feature or hydrologically sensitive feature.

NOISE BARRIER: a **structure** designed to minimize the impact of noise pollution on inhabitants of the adjacent lot.

NON-COMPLYING: a **building**, **structure** or **lot** that does not comply with this By-law.

NON-CONFORMING: a **use** that is not a permitted **use** in the **zone** in which the said **use** is situated in accordance with this By-law.

NURSERY: land, **buildings or structures** used for the purpose of growing plants, bushes, trees, and other vegetation for commercial purposes, which may be sold either on-site or off-site and may include a **greenhouse**. An **outdoor display and**

sales area is considered a permitted **accessory use**, subject to the provisions in Section 4.22.

OAK RIDGES MORAINE: the designated area on Schedule "A", Zoning Maps, to this By-law.

ON-FARM DIVERSIFIED USE: uses that are secondary to the principal **agricultural uses** of the property, and are limited in area. **On-farm diversified uses** include, but are not limited to, **home businesses**, **agri-tourism uses**, and uses that produce value-added agricultural products.

ORGANIC SOLVENT: a substance, usually a liquid, capable of dissolving another liquid. **Organic solvents** include, but are not limited to carbon tetrachloride, chloroform, methylene chloride (dichloromethane) and pentachlorophenol.

OUTDOOR DISPLAY AND SALES AREA: an outdoor open space area, used in conjunction with and ancillary to a business within the **main building** on the same **lot**, for the accessory display and/or sale of produce, merchandise in association with the **main use** of the **lot** or supply of services, but does not include a **motor vehicle sales** / **rental establishment**. Such a display and/or sales area may be wholly or partially contained within a temporary **structure**.

OUTDOOR STORAGE: an area of land used for the **outdoor storage** of goods and materials in the open air or in portable objects, such as shipping containers, in association with the **main use** of **lot** and does not include an **outdoor display and sales area** or an **outdoor storage use**.

OUTDOOR STORAGE USE: an establishment where **outdoor storage** forms the **main use** of a **lot**, but does not include a **contractor yard** or **equipment rental establishment** as defined by this By-law.

PARK, PRIVATE: an open space or recreational area other than a **public park**, operated on a commercial and/or private member basis, and which includes one or more recreational **uses**.

PARK, PUBLIC: any area of land under the jurisdiction of a **public authority** that is designed and/or maintained for recreational purposes. Without limiting the generality of the foregoing, a park may include municipal parks and playgrounds, trails, **swimming pools**, trails, tennis courts, bowling greens, arenas, boating facilities and sports fields and ancillary retail **uses**.

PARKING AREA: an open area of land not located within a public **road** or **lane** that is intended for the use of parking of **motor vehicles** in marked **parking spaces**, but does not include a **driveway** or any area where **motor vehicles** for sale, rent or repair are kept or stored.

PARKING GARAGE: a **building**, or part thereof, intended to be used for the parking of **motor vehicles**.

PARKING LOT: an area of land used for the parking of **motor vehicles**.

PARKING SPACE: an unobstructed space for the parking of a **motor vehicle**.

PARKING SPACE, TANDEM: a **parking space** that is located behind another **parking space** and which, if used, prevents the other space from being accessed by a **motor vehicle**.

PARTIAL SERVICE: connections linking a **building** to,

a) a communal sewage or water service or a full municipal sewage or water service, and

b) an individual on-site sewage or water system.

PATIO: a **structure** with or without a roof not more than 0.3 metres above the lowest adjacent ground level to the finished top elevation of the **patio**. Vertical enclosure of the **patio** area is permitted up to 50 percent of the perimeter of the **patio**, excluding the **main wall** of the **building**.

PIT: an opening or excavation in or working of the ground for the purpose of searching for or removal of mineral, soil, rock, quartz, limestone, earth, clay, sand or gravel, and any smelting furnace, mill, work or place, used for or in connection with crushing, reducing, smelting, refining, or treating any of the substances listed in this definition and all ways, works, plant, **buildings** and premises either below or above the ground and belonging to or used in connection with any activities listed in this definition, and also includes a quarry.

PLACE OF AMUSEMENT: an establishment that contains facilities that offer games for the amusement of the public, such as a bowling alley, motion simulation rides, virtual reality games, video games, computer games, laser games and similar types of uses, and bingo halls but does not include casinos or any other establishment accommodating gambling or gaming activities, wagering or betting, video lottery or gaming machines or any other gambling use.

PLACE OF WORSHIP: a facility used for the practice of religion and faith-based spiritual purposes wherein people assemble for religious worship, faith-based teaching, fellowship and community social outreach, but does not include a **private school**.

PLANTING STRIP: an area of land that is used exclusively for landscaping and can be crossed by **driveways** and walkways accessing a **lot** from the **street**.

POOL, SWIMMING: any artificially enclosed body of water, including a hot tub, not less than 0.4 m deep, that is intended for recreational or competitive swimming, diving, or other bathing activities, but does not include a farm pond.

PORCH: a **structure** with a roof and at least one side that is open and unenclosed that may be accessed by stairs from grade.

PORTABLE ASPHALT PLANT: a temporary **building** or **structure**, to be dismantled at the completion of a construction project, where,

a) Equipment is used to heat and dry **mineral aggregate** and to mix it with bituminous asphalt to produce asphalt paving material, and

b) Bulk materials used in the process described in clause (a) are kept.

PORTABLE CONCRETE PLANT: a temporary **building** or **structure** to be dismantled at the completion of a construction project, where:

a) With equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and,

b) Which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

PRIVATE CLUB: an establishment used as a meeting place for community, social or cultural purposes, but is not a **place of worship**.

PUBLIC AUTHORITY: any commission, board, or authority or any quasi-public body that is controlled by the Federal and/or Provincial governments and/or any commission, board, or authority or any quasi-public body that is controlled by the **Region** of York and/or **Town** of East Gwillimbury, provided it is owned or operated by or for, or under the authority of, the **Region** of York or the **Town** of East Gwillimbury.

PUBLIC USE: any **use** of land, **buildings** or **structures** by or on behalf of a **public authority**.

RAPID INFILTRATION BASIN: a basin or system of basins at or below surface grade that is constructed on porous soil and punctures through a relatively impermeable layer to gain access to a more permeable sand or gravel layer, so as to rapidly infiltrate into the ground, at a single point or area of concentration, surface runoff collected from **impervious surfaces**.

RAPID INFILTRATION COLUMN: a column or system of columns at or below surface grade that is constructed in porous soil and punctures through a relatively impermeable layer to gain access to a more permeable sand or gravel layer, so as to rapidly infiltrate into the ground, at a single point or area of concentration, surface runoff collected from **impervious surfaces**.

RECONSTRUCTION:

a) The rebuilding or replacement of more than 50 percent of an **existing building** or **structure** above the footings or foundation walls;

b) The rebuilding or repair of an **existing building** or **structure** that has suffered damage by any cause whatsoever to at least 50 percent of the **building** or **structure**, to the extent that such damage has rendered that

portion unusable or unsafe; or

c) Making structural alterations or changes to more than 50 percent of an **existing building** or **structure**.

RECREATIONAL VEHICLE:

a) a **motor vehicle** that is primarily designed to provide temporary living quarters for recreational camping, travel or seasonal use, whether it has its own motor power or is mounted on or towed by another vehicle, and includes motorized homes, travel trailers, fifth wheel travel trailers, tent trailers and campers whether or not the camper is or is not attached to a truck or other **motor vehicle** and does not include a **mobile home** or a manufactured home; and/or,

b) Personal watercraft, snowmobiles, all-terrain vehicles and other similar vehicles used for recreational purposes.

REGION: the Regional Municipality of York.

RENEWABLE ENERGY SYSTEM: The production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, solar and geothermal energy, or as more specifically defined by the Green Energy Act.

REPAIR OR SERVICE SHOP: an establishment used for the servicing or repair of, but not limited to, radio and television receivers, vacuum cleaners, refrigerators, washing machines, sewing machines, and other domestic appliances; musical instruments, sound and public address systems, hosiery, shoes, cameras, toys, jewelry, watches, clocks, safes and locks, bicycles, wheel chairs and orthopedic appliances, as well as accessory retail.

RESERVE: a strip of land abutting a **street** and owned by a **public authority** having jurisdiction over such **street**.

RESTAURANT: an establishment in which the **main use** is the preparation and serving of food and beverages to the public for consumption within or outside the **building** and which may include the preparation of food in a ready-to-consume state for consumption off the premises.

RETAIL, ACCESSORY: an area of manufacturing or warehousing **use** which is devoted to the sale of goods to the general public which are either manufactured or warehoused on the site, provided that such area be no greater than 20 percent of the **gross floor area** of the **building** or unit in which the manufacturing **use** or **warehouse** is located.

RETAIL STORE: an establishment in which goods, wares, merchandise, substances, articles or things are displayed, rented or sold directly to the public

but does not include **adult specialty store** or any use otherwise defined by this By-law.

RETIREMENT HOME: a **building** in which,

a) Common kitchen and dining facilities are provided for the residents; and,

b) Common lounges, recreation rooms and health care facilities and services may also be provided for the residents; or

c) Accommodation may be provided through **assisted living dwelling units**.

SALVAGE YARD: an area outside of an enclosed **building** where scrap metal and **motor vehicles** are disassembled and dismantled, or where **motor vehicles** in an inoperable condition or used **motor vehicle** parts are stored or re-sold.

SCHOOL PORTABLE: a temporary **building** or **structure** designed to serve as a classroom on a **lot** that is also the site of a **public school**.

SCHOOL, POST-SECONDARY: a university or college of applied arts and technology, and may include a dormitory, **restaurant**, **financial institution**, and service commercial establishment as **accessory uses**.

SCHOOL, COMMERCIAL: an establishment where instruction, training, or certification in a specific trade, service, or skill is provided, including, but not limited to, a dance studio, an art school, a business or trade school and any other specialized school.

SCHOOL, PRIVATE: a **building** or part of a **building**, which may also include ancillary outdoor areas, used as an academic school. For the purposes of this definition, **school portables** are only permitted on the same **lot** as the **main building** used for the **private school.**

SCHOOL, PUBLIC: a **building** or part of a **building**, which may also include ancillary outdoor areas, used as an academic school under the jurisdiction of a Provincially approved educational institution. For the purposes of this definition, **school portables** are only permitted on the same **lot** as the **main building** used for the **public school.**

SENSITIVE LAND USE: buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

SERVICE COMMERCIAL USE: an establishment providing services related to the grooming and non-medical care of persons (such as, but not limited to, a barber or salon), or the maintenance of a residence or business (such as, but not limited to, private mail box, photocopying, or custodial services).

SETBACK: the distance between a **lot line** and the nearest point of any **building** or **structure** for which a **setback** is required. For a **corner lot** with a **daylighting triangle**, the **exterior side lot line** is deemed to extend to its hypothetical point of intersection with the extension of the **front lot line** and/or **rear lot line** for the purposes of calculating the **front, rear** and **exterior side yard setbacks,** but at no point may a **building** or legal encroachment extend into the **daylighting triangle**.

SHORT TERM RENTAL ACCOMMODATION: a **dwelling unit** or **structure** of any part thereof that operates or offers a place of temporary residence, lodging or occupancy by way of concession, permit, lease, license, rental agreement or similar commercial arrangement for any period less than thirty (30) consecutive calendar days, throughout all or any part of a calendar year. **Short term rental accommodation** shall not mean or include a **hotel/motel**, **bed and breakfast establishment**, tourist cabin or cottage, **hospital**, commercial resort unit or similar commercial or institutional use.

SIGNIFICANT THREAT AREA '1': the geographic location of the 100 metre pathogen zone within a **wellhead protection area** with a Vulnerability Score of 10 as identified in the Source Protection Plan for the purposes of describing a vulnerable area.

SIGNIFICANT THREAT AREA '2': the geographic location of the area containing portions of a **wellhead protection area** with a Vulnerability Score of 10 as identified in the Source Protection Plan for the purposes of describing a vulnerable area.

SIGNIFICANT THREAT AREA '3': the geographic location of the area containing portions of a **wellhead protection area** with a Vulnerability Score of 8 as identified in the Source Protection Plan for the purposes of describing a vulnerable area.

SIGNIFICANT THREAT AREA '4': the geographic location of the area around a wellhead described as **Wellhead Protection Area** C (WHPA-C) as identified in the Source Protection Plan for the purposes of describing a vulnerable area.

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** by a public authority, or

b) Activities or works under the Drainage Act; or

c) The carrying out of agricultural practices on land that was being used for **agricultural uses** on the date the By-law came into effect.

SITE RESTORATION: the treatment of land from which aggregate has been excavated so that the use or condition of the land is restored to its former use or condition.

STACKING LANE: a continuous on-site queuing **lane** that includes **stacking spaces** for **motor vehicles** that is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

STACKING SPACE: a rectangular space that may be provided in succession and is designed to be used for the temporary queuing of a **motor vehicle** in a **stacking lane**.

STOREY: a level of a **building**, other than a **basement**, located between any floor and the floor, ceiling or roof immediately above it.

STORMWATER MANAGEMENT FACILITY: an end-of-pipe, managed detention or retention basin, which may include a permanent pool, designed to temporarily store and treat collected stormwater runoff and release it at a controlled rate or direct it for an intended reuse.

STREET: a public thoroughfare available for use by vehicular and pedestrian traffic which is assumed or dedicated by/under the jurisdiction of the Town of East Gwillimbury, Region of York or Province of Ontario, but does not include an unopened road allowance. A private road in a registered plan of condominium is also a **street** for the purposes of this By-law, but does not include a **lane**.

STREET LINE: the boundary between a **street** and a **lot**.

STRUCTURE: anything that is erected, built or constructed of parts joined together and attached or fixed permanently to the ground or any other **structure**. For the purpose of this By-law, a fence, a light standard, transformers, an antenna and a sign are deemed to not be **structures.** For the purpose of **setback** calculations, natural gas or electricity meters, dog houses, freestanding mail boxes, **driveway**

entrance pillars, statues, storage lockers under 1m high, pool pumps and filters not inside **accessory buildings**, flag poles, free standing trellises, shopping cart enclosures, **waste** receptacles, school bus shelters, composters, planters, and barbeques are not considered **structures** for the determination of **setbacks**.

TEMPORARY FARMERS MARKET: an area of outdoor food stands using temporary **structures** to sell food products to the public.

TEMPORARY STRUCTURE: a **structure** that is not attached to or fixed permanently to the ground or any other **structure** and is only permitted for up to a maximum of 30 days per calendar year. For the purpose of this By-law items such as, storage containers, storage bins for refuse and temporary tents (less than 60 metres in area) may be considered **temporary structures**.

THEATRE: a place of public assembly intended for the production and viewing of the performing arts or the screening and viewing of motion pictures, and consisting of an auditorium with permanently fixed seats intended solely for a viewing audience.

TOWN: the Corporation of the **Town** of East Gwillimbury, and includes its Council and any tribunal, licensing officer or employee of the **Town** responsible for, or whose duties include, the administration or enforcement of this By-law, or the exercise of any duty or power to which this By-law relates.

TRADE AND CONVENTION CENTRE: an establishment where facilities are provided for the displaying of goods and/or services for the general public, such as an auto show or a computer trade show, or where groups of people meet for civic, educational, political, religious or social purposes, but is not a **place of worship**.

TRANSPORT TERMINAL: an establishment used for the purpose of storing, servicing, washing, repairing or loading of trucks or **transport trucks** with materials or goods that are not manufactured, assembled or processed on the same **lot** and may include a **warehouse**.

TRANSPORT TRUCK: a **motor vehicle** having attached thereto a delivery body and includes ambulances, hearses, casket wagons, fire apparatus, buses and tractors used for hauling purposes.

TRUCK REFUELING STATION: an establishment used only for the sale of **motor vehicle** fuels for **transport trucks** and **motor vehicle** accessories, and may also include **accessory retail** sales of convenience foods and beverages, but does not include a **motor vehicle repair garage**.

TRUCK RENTAL OR STORAGE FACILITY: an establishment where trucks or **transport trucks** are rented, leased, kept for hire, or stored or parked for remuneration, or from which trucks or **transport trucks**, stored or parked on the property, are dispatched for hire as common carriers, and which may include a **warehouse**.

USE: the purpose for which any land, **building** or **structure** is arranged, designed, intended, operated, occupied or maintained.

USE, DRY: those uses that do not use water for processing, cooling or washing and do not generate more than 4,500 litres per day of employee **waste**.

UTILITY(IES): An essential public service, such as electricity, gas, or communications/ telecommunications networks that is provided by a regulated company or government agency.

WAREHOUSE: a **building** or part thereof, which is used primarily for the housing, storage, adapting for sale, packaging or wholesale distribution of goods, wares, merchandise, food stuff substances and articles, but does not include a **transport terminal**, **commercial self-storage facility** or a fuel storage tank.

WASTE: a material licensed or included within an Environmental Compliance Approval issued by Federal, Provincial, or Regional Governments which is not hazardous and not needed by the generator of that material, that is destined for either final disposal or for reprocessing to create a usable product or material, but does not include a by-product of a manufacturing process that is used unaltered in another manufacturing process.

WASTE, HAZARDOUS: any substance or material licensed or included within an Environmental Compliance Approval issued by Federal, Provincial, or Regional Governments that, by reason of its toxic, caustic, corrosive or otherwise injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance.

WASTE PROCESSING STATION: a facility within an enclosed **building** whose primary purpose is the sorting and processing of **waste** to create a new product or raw material on site.

WASTE TRANSFER STATION: a facility within an enclosed **building** whose primary purpose is the collection and storage of **waste** or **hazardous waste** for shipment, and which may include limited sorting or preparation of that **waste** to facilitate its shipment for final disposal or to a **waste processing station**, but does not include **salvage yards** or scrap metal yard**s**.

WAYSIDE PIT: a temporary **pit** opened or used by or for a public authority solely for the purpose of a particular project of road construction and not located on the road right of way.

WELLHEAD PROTECTION AREA: the surface and subsurface area surrounding a water well or well field that supplies a municipal water system and through which contaminants are reasonably likely to move so as eventually to reach the water well or well field.

WHOLESALE ESTABLISHMENT: a **building or structure** used for the sale and distribution of goods or materials for resale purposes only and may include a **warehouse**.

WORSHIP AREA: means the **net floor areas** within the walls of sanctuary(s), hall(s) or meeting room(s) that a religious group uses for the practice of its religious rites, including any **balcony** or other area that, by the removal or opening of any walls or partitions, can expand the area of the sanctuary, hall or meeting room(s), and any choir or musicians area. **Net floor areas** intended solely for the use of the worship group leader, such as altar or pulpit areas are not included in the **worship area.**

WORSHIP AREA CAPACITY: means the number of persons for whom the **worship area(s)** is designed, and is determined by adding the total of (i) and (ii) below: (i) Where there are fixed seats in the **worship area(s):** The number of fixed seats in the **worship area(s),** (where fixed seating is provided in the form of open benches each 0.5 metres bench width shall be considered as one seat); and (ii) Where there are no fixed seats in the **worship area(s):** The number of square metres of **worship area floor area(s)** divided by 0.75.

YARD: an open, uncovered space on a **lot** pertaining to a **building** and unoccupied by **buildings** or **structures** except as specifically permitted in this By-law.

YARD, EXTERIOR SIDE: the **yard** of a **corner lot** extending from the **front yard** to the **rear yard** between the **exterior side lot line** and the nearest **main walls** of the **main building** or **structure** on the **lot**.

YARD, FRONT: a **yard** extending across the full width of the **lot** between the **front lot line** and the nearest **main walls** of the **main building** or **structure** on the **lot**.

YARD, INTERIOR SIDE: a **yard** other than an **exterior side yard** that extends from the **front yard** to the **rear yard** between the **interior side lot line** and the nearest **main walls** of the **main building** or **structure** on the **lot**.

YARD, MAXIMUM: the maximum distance of a **yard** from a **lot line**. In calculating the **maximum yard**, the minimum horizontal distance from the respective **lot line** is to be used.

YARD, MINIMUM: the minimum distance of a **yard** required from a **lot line**. In calculating **minimum yards**, the minimum horizontal distance from the respective **lot lines** is to be used.

YARD, REAR: a **yard** extending across the full width of the **lot** between the **rear lot line** and the nearest **main walls** of the **main building** or **structure** on the **lot**.

ZONE: a designated area of land **use** shown on the Schedules of this By-law.

Part 4.0 - General Provisions

4.1 Accessory Apartments

Where permitted in a **single detached, semi-detached** or **townhouse dwelling**, a maximum of one **accessory apartment** is permitted per **dwelling unit** provided that:

a) Notwithstanding any provision to the contrary, no more than one entrance is permitted into the **front yard**, including below grade walkouts.

b) An **accessory apartment** is not permitted on a **lot** where there is a **garden suite** or **coach house** also situated; and,

c) Notwithstanding the above, an **accessory apartment** is not permitted in the Environmental Protection (EP), Oak Ridges Moraine Core (ORMC), Oak Ridges Moraine Core Linkage (ORMCL), or the Oak Ridges Moraine Countryside (ORMCS) **Zones**.

4.2 Accessory Uses, Buildings and Structures

4.2.1 Accessory Uses

Unless otherwise specified, **accessory uses** are permitted in all **zones.**

4.2.2 Accessory Buildings and Structures

Unless otherwise specified, **accessory buildings and structures** are permitted in all **zones.** All **accessory buildings** and **structures** are subject to the following provisions:

a) No **accessory building or structure** can be erected on a **lot** prior to the erection of the **main building** on the **lot**.

b) No **accessory building or structure** can be used for human habitation or as a **home business**, unless expressly permitted by this By-law.

c) **Coach houses** are regulated by Section 4.2.3, and not this Section.

d) No **accessory building or structure** or part thereof can be located:

i) Within an easement;

ii) Any closer to the **front** or **exterior side lot line** than the **main building**, except on any **lot** in a Rural (RU), Oak Ridges Moraine Core (ORMC), Oak Ridges Moraine Core Linkage (ORMCL) or Oak Ridges Moraine Countryside (ORMCS) **Zone** that is 0.4 hectares or greater in size;

iii) Within any **daylighting or sight triangle**;

iv) Within the **minimum front** and **exterior side yards**; or

v) Within 1.0 metre from any **building or structure** on the **lot** or as permitted by the Ontario Building Code.

e) **Accessory buildings** and **structures** must be located no closer than 1.0 metre from the **rear lot line** and **interior side lot line**.

f) The maximum **height** of **accessory buildings** or **structures** in all **zones** except the Rural (RU), Oak Ridges Moraine Core (ORMC), Oak Ridges Moraine Core Linkage (ORMCL) or Oak Ridges Moraine Countryside (ORMCS) **Zones** is 4.5 metres.

g) The maximum **height** of **accessory buildings** or **structures** in a Rural (RU), Oak Ridges Moraine Core (ORMC), Oak Ridges Moraine Core Linkage (ORMCL) or Oak Ridges Moraine Countryside (ORMCS) **Zones** is 11.0 metres.

h) The maximum **lot coverage** of all **accessory building and structures** (including a detached **private garage**) on a **lot** is 10 percent and is included as part of the total **lot coverage** permitted in the **zone**. Notwithstanding the above, the total maximum **ground floor area** of all detached **private garages** on a **lot** shall not exceed 120 square metres.

i) A **structure** is not considered an **accessory structure** if attached to the **main building** in any way. For the purposes of this Section, where a breezeway connects a **private garage** to the **main building** on the **lot**, forming part of the **main building**, the following criteria must be met:

   a. The breezeway is structurally connected to both **buildings**;

   b. The breezeway is a roofed **structure** with more than 60% of the total perimeter of the breezeway enclosed by walls, doors or windows;

   c. The breezeway is at least 1.8 metres in width to a maximum of 2.5 metres in width, and no more than 9 metres in length**.**

j) No more than three detached **accessory buildings** or **structures** are permitted on a **lot** in any Residential **Zone**, unless otherwise permitted by this By-law.

k) A boathouse, dock or wharf may be located in a **yard** adjoining a body of water provided that the approval of any other governmental authority having jurisdiction has been obtained and provided that the boathouse, dock or wharf is located no closer than 3.0 metres to the **interior or exterior side lot line** and will not encroach into the area underwater that would be in front of an abutting **lot** when the **lot lines** are extended into the waterbody.

4.2.3 Coach Houses

Where permitted, **coach houses** are subject to the following provisions:

a) The living area of a **coach house** is located entirely on the second storey above a detached **private garage** on a **townhouse dwelling lot** with rear **lane** access**.**

b) **Coach houses** must be located no closer than 1.0 metre from the **rear lot line** and access**.**

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157	M1	Limited to: • **Brewery/winery/ distillery** • **Business office** • **Commercial self-storage facility** • **Hotel/motel** • **Industrial mall** • **Industrial use** • **Trade and convention centre** • **Warehouse** Ancillary uses may only be permitted in accordance with the special provisions of this exception and shall be limited to the following uses: • **Service commercial uses** • **Restaurants** and **restaurants with drive-thru service facility** • **Financial institutions** • **Commercial schools** • **Commercial**		Ancillary uses may also be permitted in single-storey standalone buildings provided that any individual ancillary use or unit does not exceed a maximum gross floor area of 1,000m². Ancillary uses shall only be permitted once a building permit has been obtained for the 5,900m² industrial mall. The total gross floor uses shall not exceed 2,300m². An additional 3,750m² of single-storey standalone ancillary uses may be permitted upon completion of the industrial mall with a floor area not less than 5,900 m². For the purposes of this By-law, the west property line abutting Woodbine Avenue shall	Pt. Lot 1, Conc. 4 (Map 13) 17611 Woodbine Avenue	

		fitness centres • **Child care centres** • **Retail stores**		be deemed the Front Lot Line. The arrangement of buildings, parking, landscaping and phasing shall be in general conformity with the site plan included as Appendix 1 of this By-law.		
Exception No.	**Zone**	**Permitted Uses**	**Uses Prohibited**	**Special Provisions**	**Location**	**By-Law No.**
158	C1	Limited to: **i. Single detached dwelling** ii. **Golf driving range** iii. **Miniature golf course**	ii. **Outdoor display and sales area** associated with additional permitted uses	Maximum **gross floor area** for **retail stores**: 1,000 m^2	Pt. Lot 35, Conc. 8 (Map 7C) 22625 Highway 48	
					Pt. Lot 11, Conc. 2 (Map 4)	

		iv. **Garden centre** v. **Commercial recreation use** vi. **Equipment rental establishment** vii. **Retail store** viii. **Wholesale establishment** which conduct retail sales on the same **lot**	(vii) through (viii).		947 Mount Albert Rd	
Exception No.	**Zone**	**Permitted Uses**	**Uses Prohibited**	**Special Provisions**	**Location**	**By-Law No.**
159	C1	Limited to: i. **Golf driving range** ii. **Miniature golf course** iii. **Garden centre** iv. **Commercial recreation use**			Pt. Lot 18, Conc. 4 (Map 11) 20091 Woodbine Ave	2018-065

		v. **Equipment rental establishment** vi. **Retail store** vii. **Wholesale establishment** which conduct retail sales on the same **lot** viii. **Financial institution** ix. **Business office** x. **Commercial school** xi. **Farm implement sales and supply establishment** xii. **Medical office** xiii. **Private club** xiv. **Service commercial use** xv. Taxi service depot				
Exception No.	**Zone**	**Permitted Uses**	**Uses Prohibited**	**Special Provisions**	**Location**	**By-Law No.**
160	M1 and M2			Notwithstanding Table 5B, the minimum required number of parking spaces for the Operations Centre with a ground floor area of 5,320 m^2 is 110 spaces.	Pt. Lot 16, Conc. 3 (Map 5) 19850 Woodbine Ave	2018-071

161	C1	• All **uses** in the C1 **zone** • **Medical Office** • **Business Office**		• Minimum **interior side yard**: 0m • Minimum number of required **parking spaces** is inclusive of the required accessible **parking spaces**. • Minimum width of **access ramp(s)** and **driveway(s)** accessing a **parking area** or **parking garage**: 6.0m for two-way traffic.	Pt. Lot 80, Judge's Plan 402 (Map 5) 20415 Leslie Street	0
Exception No.	**Zone**	**Permitted Uses**	**Uses Prohibited**	**Special Provisions**	**Location**	**By-Law No.**
162	R6-162, R6-162(H1)	i. All uses permitted in the R6 Zone ii. Dwelling, Townhouse iii. Dwelling, Stacked Townhouse		i. Notwithstanding Section 5.2.9(a), the minimum width of a **driveway** accessing a **parking area** shall be 6.0 metres for two-way traffic. ii. Notwithstanding Section 4.7(a)(ii), **decks** are permitted within a	Pt. Lot 12, Concession 2 (Map 4)	2019-077

				rear yard to a point no closer than 1.5 metres from the **rear lot line**. iii. Notwithstanding section 4.8, a **porch** may encroach to a point no closer than 0.60 metres from an **interior side yard** abutting an **end unit**. Townhouse: iv. Minimum **Front Yard** setback to the face of an attached private garage: 5.8 metres v. Minimum **Rear Yard**: 4.2 metres Townhouse with rear lane access: i. For the purposes of this By-law, the **front lot line** of a **through lot** shall be that lot line which is not traversed by a driveway.		

				ii. Minimum **Lot Frontage**: 5.7 metres per unit iii. Minimum **Front Yard**: 2.4 metres iv. Minimum **Rear Yard** to a building with an integral garage: 1.0 metres v. Minimum **Exterior Side Yard**: 1.40 metres Stacked Townhouse: i. **Stacked Townhouse Dwellings** shall only be permitted on lands to a point not more than 60 metres north of the Mount Albert Road property line. ii. Minimum **Lot Frontage**: 6.0 metres iii. Minimum **Front Yard**: 3.0 metres iv. Minimum **Rear Yard**: 1.0 metres v. Minimum **Interior Side Yard**: 1.2 metres		

				vi. Minimum **Exterior Side Yard**: 1.2 metres vii. Maximum **Height**: 14.0 metres viii. Minimum setback to a building with an attached private garage: 1.0 metres ix. Minimum separation distance between buildings: 2.4 metres x. The **Multiple Dwelling** parking requirements of Table 5A shall apply to this use. Retirement Home: i. For the purposes of this By-law, the **front lot line** shall be the lot line abutting Regional Road 13. ii. Maximum number of **assisted living dwelling units**: 204 iii. Minimum **Front Yard**: 1.5 metres iv. Minimum **Front Yard** setback to a		

				canopy: 0.0 metres v. Minimum **Front Yard** setback to a Patio Wall Enclosure: 0.0 metres vi. Minimum **Rear Yard**: 6.0 metres vii. Minimum **Interior Side Yard**: 3.0 metres viii. Notwithstanding the requirements of Section 5.9, a total parking supply of 90 **parking spaces** shall be provided on the subject property, inclusive of 4 **accessible parking spaces** ix. A minimum of 4 bicycle parking shall be required x. Notwithstanding Section 5.13, the minimum dimensions of a loading space shall be 3.5 metres by 10.1 metres		

Exception No.	Zone	Permitted Uses	Uses Prohibited	Special Provisions	Location	By-Law No.
163	**R4**			Minimum **frontage**: 6 metres Minimum rear yard setback to the garage: 0.6 metres Maximum building **height**: 13.0 metres		**2019-125**
164	**C4**	i. All uses permitted in the C4 Zone ii. **Motor vehicle gas bar**			19659 Leslie Street	**2020-095**
165	**MU1**	i. All uses permitted in the MU1 Zone ii.		Permitted uses must be constructed in a mixed use format. The mixed use building must include a minimum gross floor area of 1,860 square metres, comprised of: • A maximum of ten (10) commercial/retail units located on the first storey with a minimum gross floor area of 930 square metres; and,	19267 Centre Street	**OLT: PL110659**

				• A maximum of ten (10) residential dwelling units located on the second storey with a minimum gross floor area of 930 square metres The minimum parking space requirement shall be: • Non-residential: 1 space / 25 m2 of net floor area (i) • Dwelling unit in a non-residential building: 1 space per dwelling unit • Notwithstanding Section 5.12(h), the minimum required accessible parking spaces shall be inclusive of the total required parking spaces		

				(i) The minimum required parking spaces provided above for non-residential uses may be reduced by 25% of what is required. Notwithstanding Section 4.32(a)(ii) (Waste Storage Area), where the stationary receptacle designed for the purpose of waste storage is partly underground, subsection (ii) shall not apply. Notwithstanding anything in the By-law to the contrary, Section 5.2.7 (Parking Area Setback from Buildings) shall not apply. Notwithstanding Section 5.2.9 (Width of Access Ramps and Driveways to a Parking Area or Parking Garage), the width of a driveway accessing a parking area shall be a minimum of 6.0 metres in width.		

				Notwithstanding anything in the By-law to the contrary, Section 5.6(a) (Landscaping in Parking Areas) shall not apply.		
Exception No.	**Zone**	i. **Permitted Uses**	**Uses Prohibited**	**Special Provisions**	**Location**	**By-Law No.**
166	**R4**	ii. All uses permitted in the R4 Zone iii. **Semi-detached dwelling**		Notwithstanding the definition of "Lot" in Section 3.0, the provisions of Zoning By-law 2018-043, as amended, shall continue to apply to each Block as shown on Schedule C to this By-law. Notwithstanding Section 5.4(e)(i) (Parking in Residential Zones), the maximum width of an attached private garage that faces the front lot line or exterior lot line is: No more than 60% of the width of a lot; Notwithstanding Table 7E "minimum lot frontage" – the minimum lot frontage per dwelling unit shall	19267 Centre Street	**OLT: PL110659**

				be 5.4 m for each townhouse dwelling block and 5.6 m for each semidetached dwelling block. Notwithstanding Table 7E “minimum rear yard” – the minimum rear yard shall be 6.75 m. Notwithstanding Table 7E “minimum exterior side yard” – the minimum exterior side yard shall be 1.6 m.		
167	**MU3**	i. All uses permitted in the MU3 zone ii. **Motor vehicle repair garage** (i) (i) Per Table 6B, the provisions related to maximum front yard and maximum exterior side yard for buildings that have a net floor area that is 500m² or less, shall not apply.			18265-18401 Yonge Street Part of Lot 101, Concession 1 EYS	**2020-094**
168	**RU**	i. All uses permitted in the RU Zone		Minimum Interior Side Yard Setback shall be 3.6m	Part of Lot 31, Concession 8 (Map 10)	**2023-049**

		ii. A **Monestary** and **Accessory Place of Worship**		The maximum gross floor area of the Monastery shall be 275 square metres The maximum gross floor area of the Accessory Place of Worship shall be 110 square metres An existing accessory structure with a gross floor area of 66.5 square metres shall be permitted to remain and shall be used for no other purpose than storage **Accessory Place of Worship** shall be defined as “a facility, accessory to a **Monastery**, which is used for the practice of religion and faith-based spiritual purposes, religious worship, faith-based teaching, meditation, fellowship and community social outreach. An Accessory Place of Worship shall not include a parish	22093 Highway 48	

				hall, monastery, convent or private school". A **Monastery** shall be defined as "a facility offering residential accommodation for up to three resident and two visiting Monks." The required parking for the **Monastery** and **Accessory Place of Worship** shall be 1/30m² of gross floor area Limited minor additions to the existing structures related to the permitted uses are permitted, provided they are consistent with the applicable policies and zone provisions New stand-alone Places of Worship and large-scale expansions are not permitted		

Exception No.	Zone	Permitted Uses	Uses Prohibited	Special Provisions	Location	By-Law No.
169	**M2**	i. All uses permitted in the M2 Zone ii. **Cold Storage Distribution** iii. **Distribution** The following Ancillary Uses: **iv. Truck refueling station** **v. Truck repair garage**		Definitions: **Cold Storage Distribution**: means a premise, or part thereof, where bulk chilled or frozen foodstuffs, such as meats, poultry, fish, and vegetables are stored and distributed. **Distribution Centre:** means a premise used for the storage and/or distribution of goods, wares, merchandise, substances, articles or things, within a building and may include a commercial storage facility or facilities for an accessory wholesale or retail outlet, but does not include a transportation depot. It may include the parking and storage of trucks and vehicles directly associated with the transportation of the	18574 & 18818 Woodbine Ave, [Part of Lots 7 & 8, Concession 3 and Part of lots 8, 9 & 10, Concession 3]	**2022-053**

				goods and materials to and from the site. **Truck Repair Garage**: means an establishment where services are performed on Transport Trucks and may include the installation of exhaust systems, repair of the electrical systems, transmission repair, brake repair, radiator repair, tire repair and installation, rustproofing, transportation truck diagnostic centre, major and minor mechanical repairs, oil changes or similar use. Parking Requirements iv) For Warehouse, Cold Storage Warehouse, Warehouse Distribution Centre, and Wholesale establishment uses, the minimum parking requirement is 1/185m² of net floor area.		

				Truck and trailer parking spaces count towards the minimum parking requirements The required number of accessible spaces shall only be calculated based on the number of provided parking spaces for cars, excluding parking for trucks and/or trailers Loading Spaces vii) Loading spaces are permitted in the front yard abutting the building Minimum landscaping area 5% including retaining boundary buffers and retaining walls Landscaping requirement in Parking Areas shall only apply based on the net parking areas and facilities dedicated to parking cars, excluding parking areas for trucks and/or trailers		

				industrial mezzanines are permitted within the building, and not considered a floor or ceiling Maximum Building Height: 30 metres		
Exception No.	**Zone**	**Permitted Uses**	**Uses Prohibited**	**Special Provisions**	**Location**	**By-Law No.**
170	**M1**	i. All uses permitted in the M1 Zone **ii. Cold Storage Distribution** **iii. Distribution Centre** **iv. Transport Terminal** **v. Stormwater Management Facility** **vi. Pumping Station** The following Ancillary Uses: **vii. Truck Refueling Station** **viii. Truck Repair Garage**		Definitions: **Cold Storage Distribution**: means a premise, or part thereof, where bulk chilled or frozen foodstuffs, such as meats, poultry, fish, and vegetables are stored and distributed. **Distribution Centre**: Means a premise used for the storage and/or distribution of goods, wares, merchandise, substances, articles or things, within a building and may include a commercial storage facility or facilities for an accessory wholesale or retail outlet, but does not include a	Portions of both 18818 & 18948 Woodbine Ave	**2022-054**

				transportation depot. It may include the parking and storage of trucks and vehicles directly associated with the transportation of the goods and materials to and from the site. **Truck Repair Garage:** means an establishment where services are performed on Transport Trucks and may include the installation of exhaust systems, repair of the electrical systems, transmission repair, brake repair, radiator repair, tire repair and installation, rustproofing, transportation truck diagnostic centre, major and minor mechanical repairs, oil changes or similar use. **Truck Refueling Station:** means an establishment used for the sale and Transportation Truck fuels and		

				Transportation Truck accessories and may also include accessory sales retail sales of convenience food and beverages, car washes, propane filling station, but does not include a truck repair garage. **Storey**: means a level of a building other than a basement, located between any floor and the ceiling or roof immediately above it. Industrial mezzanines are permitted within the building, and not considered a floor or ceiling. Parking Requirements: i. For Warehouse, Cold Storage Warehouse, Warehouse Distribution Centre, and Wholesale establishment uses, the minimum parking requirement is 1/185m² of net		

				floor area. ii. Truck and trailer parking spaces count towards the minimum parking requirements iii. The required number of accessible spaces shall only be calculated based on the number of provided parking spaces for cars, excluding parking for trucks and/or trailers Loading Spaces iv. Loading spaces are permitted in the front yard abutting the building Special Provisions: • Part 9.0 Special Provisions (1) and (4) shall not apply. Accessory Uses, and		

				Ancillary uses are permitted as individual uses. All individual ancillary uses will not exceed 600 sq m in total floor area within the Prestige Employment designation. The total ancillary use space on individual sites designated Prestige Employment will not exceed 2,500 sq m in total floor area. • Outdoor Display and Sales Area, are subject to requirements of Part 4.0 Section 4.22 of Zoning By-law 2018043, as amended. • Minimum landscaping area 5% including retaining boundary buffers and retaining walls		

				• Maximum building height: 30 metres • Landscaping requirement in parking areas shall only apply based on the net parking areas and facilities dedicated to parking cars, excluding parking areas for trucks and/or trailers		
Exception No.	**Zone**	**Permitted Uses**	**Uses Prohibited**	**Special Provisions**	**Location**	**By-Law No.**
171	**EP**	i. Stormwater management facility ii. Private Parkette			18818 Woodbine Avenue and part of 2187 Mount Albert Road	**2022-054**
172	**MU5**	All uses permitted in the MU5 Zone		• The minimum first storey height provision shall not apply. The maximum exterior side yard provision shall not apply.	Part of Lot 5, 6, and 7, and, Part of Road Allowance between Lots 5 and 6 (as Closed up & Stopped by Bylaw Reg as YR76048) Concession 8 Geographic Township of East Gwillimbury	**2024-023**

Exception No.	Zone	Permitted Uses	Uses Prohibited	Special Provisions	Location	By-Law No.
173	C4	• All Uses Permitted in the C4 Zone • Financial Institution with a drive through service facility; • Restaurant with a drive through service facility. Special Provision (3) of Table 8(A) shall not apply.		The maximum individual size of a retail store used for grocery store/ supermarket purposes is 4,700 m²	Part of Lot 5, 6, and 7, and, Part of Road Allowance between Lots 5 and 6 (as Closed up & Stopped by Bylaw Reg as YR76048) Concession 8 Geographic Township of East Gwillimbury	2024-023
174	R2-3	• All uses permitted in the R2-3 zone		Notwithstanding any other provision of this by-law: i. minimum required front yard shall be 3.0 metres; ii. minimum required rear yard shall be 6.0 metres;	Part of Lots 16 and 17, Concession 2	2023-064

Exception No.	Zone	Permitted Uses	Uses Prohibited	Special Provisions	Location	By-Law No.
175	**MU2**	• All uses permitted in the MU2 Zone • **Live Work Dwelling**		19851, 19879 and 19935 2nd Concession Road	[Part of Lot 101, Concession 1, Geographic Township of East Gwillimbury, Region of York] 574 Green lane East	**2024-049**
176	**R1**	• All uses permitted in the R1 Zone		• The minimum lot frontage shall be 11.0 m. • The minimum lot area shall be 300 m2.	[Part of Lot 101, Concession 1, Geographic Township of East Gwillimbury, Region of York] 574 Green lane East	**2024-049**
177	**ORMC**	• All uses permitted in the ORMC Zone • **Health and Strength Training Facility (As an On Farm Diversified Use)**		• Exception #177 shall only apply to the hatched area shown on Schedule “A” to this by-law with an area of 1 hectare.	17743 McCowan Rd, [Part of Lot 2, Concession 7]	**2024-055 –**

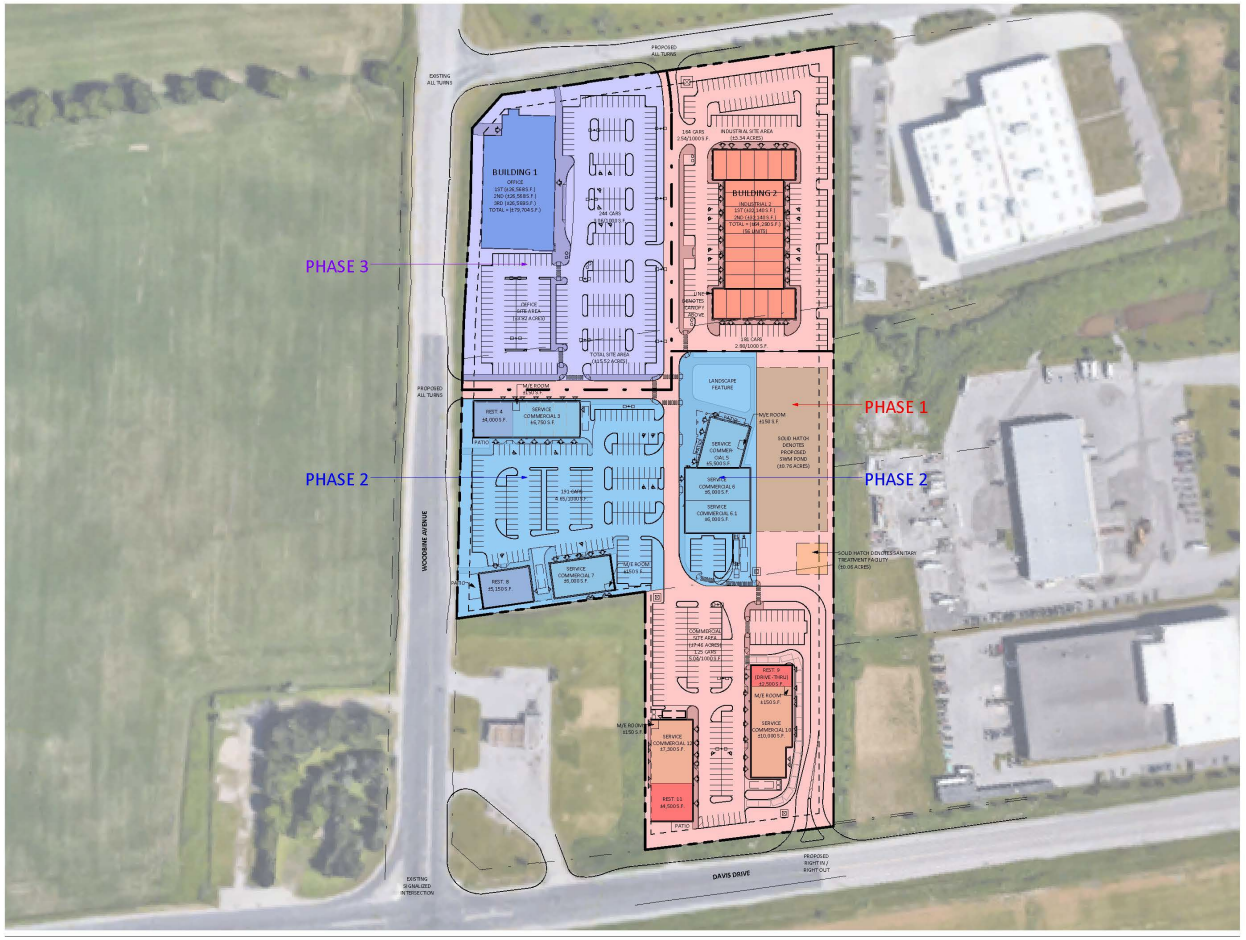
Exception No.	Zone	Permitted Uses	Uses Prohibited	Special Provisions	Location	By-Law No.
178	**MU5**	• All uses permitted in the MU5 Zone		• Maximum permitted height shall be 22.0m • Minimum parking space per residential unit 1.02 spaces, plus 0.20 visitor • Minimum parking space for retail/commercial uses shall be 1 space per 39m² • Minimum number of visitor parking spaces shall be 10 • Minimum setback for below grade parking garage and ventilation shaft shall be 0.45m • Section 5.6 of this by-law shall not apply to any underground parking areas	Part of Lot 11, Concession 2	**2024-045**

Exception No.	Zone	Permitted Uses	Uses Prohibited	Special Provisions	Location	By-Law No.
179	**ER**	All uses permitted in the ER Zone		• Minimum **front yard** is 13.74 metres • Maximum **lot coverage** is 71.4% of the area zoned ER	22314 McCowan Road Part of Lots 32 and 33, Concession 6 (Map 9)	**2025-014**
180	**R4**	• All uses permitted in the R4 Zone • Dwelling, Stacked Townhouse, • Art Gallery, • Business Office • Child Care Centre, • Financial Institution, • Library, • Medical Office, and, • Retail Store		• For the purposes of this by-law, a Stacked Townhouse Dwelling is defined as a building that is divided vertically and horizontally into four or more dwelling units, each of which has an independent entrance to the outside. A dwelling unit in any other type of building is not a stacked townhouse dwelling.		

				Stacked Townhouse Provisions: i. Minimum **Front Yard**: 1.22m ii. Minimum **Rear Yard**: 3.0m iii. Minimum **Interior Side Yard** – **Apartment:** 3.00m iv. Maximum **Height** for apartment with commercial at grade: 18:00m v. Maximum **Height** for Stacked Townhouse Dwellings: 12.75m vi. Minimum Retail Commercial GFA (in apartment): 140m² vii. Minimum **first storey height** (for apartment): 4.25m viii. Notwithstanding the requirements of Section 5.9 of this by-law, a total parking		

				supply of 133 parking spaces shall be provided on the subject property, inclusive of 5 accessible spaces ix. Notwithstanding any provisions to the contrary, Section 5.6 (landscaping requirements in parking area) of this by-law, as amended, shall not apply to any underground parking areas x. Notwithstanding any provisions to the contrary, Section 5.13(b) of this by-law, shall not apply to any provided at grade loading spaces.		

Appendix 1
Part of Lot 1, Concession 4
Town of East Gwillimbury, Regional Municipality of York
As it relates to Section 16, Exception No, 157



TURNER FLEISCHER

PHASING LEGEND

PHASE 1

PHASE 2

PHASE 3

17611 WOODBINE AVENUE

EAST GWILLIMBURY, ONTARIO
17.222
PHASING PLAN

PRELIMINARY

DWG #: A1-20.1
2019-03-06
SCALE = As indicated