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**THE CORPORATION OF THE  
TOWN OF GEORGINA  
BY-LAW NUMBER \_\_\_\_**

**A BY-LAW TO REGULATE THE USE OF LANDS AND THE CHARACTER,  
LOCATION AND USE OF BUILDINGS AND STRUCTURES WITHIN THE TOWN OF  
GEORGINA.**

Pursuant to the Planning Act, R.S.O. 1990, as amended, the Council of the Town of Georgina hereby **ENACTS AS FOLLOWS:**

**SECTION 1 – TITLE, AREA COVERED AND APPLICATION**

**1.1 TITLE OF BY-LAW**

This By-law may be cited as "The Countryside Zoning By-law" of the Town of Georgina.

**1.2 AREA COVERED BY THIS BY-LAW**

The provisions of this By-law shall apply to Countryside Area as identified on Schedule 'A'.

**1.3 APPLICATION OF BY-LAW**

No land shall be used, and no building or structure shall be erected or used except for such purposes as may be set out herein and no building or structure shall be altered nor shall the use of any land, building or structure be changed in whole or part except in conformity with the provisions of, and as specifically permitted in, this By-law.

Notwithstanding the above or any provision in this By-law to the contrary, where a minor variance has been granted to Zoning By-law 911 or Zoning By-law 500, nothing in this By-law shall prevent the use of land or the erection and use of a building or structure in accordance with the said minor variance.

Further, any existing building, structure or use which complied with the provisions of Zoning By-law 911 or Zoning By-law 500, as applicable, and all other applicable laws, is a permitted building, structure or use under this By-law to the extent only of its physical existence and so long as it continues to exist, uninterrupted at the date of coming into force of this By-law.

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In this By-law, the following definitions shall apply:

**2.1. ADULT ENTERTAINMENT PARLOUR:**

means any premises or part thereof, which in pursuance of a trade, calling, business, or occupation, a live performance of an adult nature is provided. For purposes of this section, a "live performance of an adult nature" means any performance, exhibition, or activity designed to appeal to erotic or sexual appetites or inclinations, of which a principal feature or characteristic is nudity or partial nudity of any person. "Partial nudity" shall mean less than completely and opaquely covered:

- human genitals or human pubic region;
- human buttocks; or
- the female breast below the point immediately above the top of the areola.

**2.2. ADDITIONAL DWELLING UNIT IN A SINGLE DETACHED DWELLING:**

means an additional self-contained dwelling unit located within a single detached dwelling for a total of two dwelling units.

**2.3. ADDITIONAL DWELLING UNIT IN A DETACHED BUILDING:**

means a detached building containing a self-contained dwelling unit located on a lot containing a single detached dwelling.

**2.4. ADULT ENTERTAINMENT STORE:**

means any premises or part thereof in which the business carried on is the provision of adult books, adult magazines or adult video tapes or of such books magazines or video tapes or any other goods or services appealing to or designed appeal to sexual or erotic appetites or inclinations provided that the floor area needed for the provision of adult books, adult magazines, or adult videos tapes is larger than three square metres.

**2.5. ADVENTURE GAME:**

means a sport or recreation in which:

- (a) participants attempt to capture a flag or some other object and return it to their home base,
  - and -
- (b) participants carry or use one or more of the following items of equipment, namely, paint pellet pistols with a CO2 cartridge, paint pellets, safety goggles to prevent pellets from striking participants' eyes, armbands identifying team participants.

- 2.6. AERODROME:**  
means land used for the arrival, departure, movement, servicing and storing of aircraft and includes any buildings connected therewith. This use may be the primary function or accessory to another use, and includes an airport.
- 2.7. AGGREGATE CRUSHING ESTABLISHMENT:**  
means a site where gravel or stone is crushed.
- 2.8. AGGREGATE RECYCLING ESTABLISHMENT:**  
means a site where used pavement and concrete is stored and then crushed and recycled.
- 2.9. AGGREGATE SCREENING ESTABLISHMENT:**  
means a site where sand is separated from gravel or different grades of gravel are separated or where various size aggregates are separated, with the use of conveyor belts.
- 2.10. AGGREGATE WASHING ESTABLISHMENT:**  
means a site where gravel, sand or stone is washed and where the wash water is then directed to a settling pond.
- 2.11. AIRPORT:**  
means an Aerodrome as defined herein, for which an Airport Certificate has been issued under Part III of the Canadian Aviation Regulations Regulations,( SOR/96-433)
- 2.12. AIR TREATMENT CONTROL:**  
means an industrial multi-stage carbon filtration system, or similar technology, which reduces and/or treats the emission of pollen, dust and odours expelled from a facility, and which filtration system is operated at all times in accordance with the specifications as set out within a report prepared by a qualified person and approved by the Town.
- 2.13. AISLE:**  
means with reference to a parking or loading space area, the space used to access parking spaces which is adjacent to the spaces.
- 2.14. ALTER:**  
means any alteration in a bearing wall, partition, column, beam, girder, or other supporting member of a building or structure or any increase in the area or cubic contents of a building or structure.
- 2.15. AMBULANCE SERVICE CENTRE:**  
means a building, structure, and/or premises used for the operation of an ambulance service and may include an accessory residential dwelling unit.

**2.16. AMUSEMENT MACHINE:**

means any mechanical, electronic or computerized machine or device, or any combination thereof, intended for use as a game, entertainment or amusement which is offered for use to the public by any person for profit or gain and shall include a pinball machine, television game, shooting gallery, vending machine, billiard or pool tables, video game, or other similar devices, but shall not include games of chance as defined by The Criminal Code, or any machine used only for playing recorded music.

**2.17. ANTIQUE SHOP:**

means a building used for the sale of any old and authentic objects of personal property which was made, fabricated or manufactured sixty or more years earlier and which has a unique appeal and enhanced value mainly because of its age, and, in addition, may include the sale of any article of personal property which was made, fabricated or manufactured twenty or more years earlier and because of public demand has attained value in a recognized commercial market which is in excess of its original value.

**2.18. APIARY:**

means a building or structure used for the keeping of bees.

**2.19. ART GALLERY:**

means a building, structure or outdoor area used for the preservation, exhibition, collection and/or sale of paintings, sculpture or other works of art.

**2.20. AUDITORIUM:**

means a building or part of a church, theatre or other public building to be occupied by an audience and to be used for athletic, civic, education, political, religious or social events.

**2.21. AVIARY:**

means a building or structure used for the keeping of birds.

**2.22. BAKERY OR BAKESHOP:**

means a building where bread and pastry products are prepared on the premises and sold or offered for sale.

**2.23. BANK:**

means a building wherein the primary use is the provision of financial services to customers, including the custody of the customers' money.

**2.24. BASEMENT:**

means that portion of a building which is partly underground, but which has at least one-half of its height from finished floor to finished ceiling above the average finished grade level adjacent to the exterior walls of the building.

- 2.25. BATCHING PLANT:**  
means a building or structure used for the manufacture of asphalt or concrete.
- 2.26. BATHROOM:**  
means a room with a toilet, sink and shower or bathtub.
- 2.27. BLOCK RESIDENTIAL DEVELOPMENT:**  
means a lot which has been planned and developed such that more than one dwelling is contained on a single lot.
- 2.28. BLOCK RESIDENTIAL DEVELOPMENT – SITE:**  
means a portion of land within a block development, which is used exclusively by the occupant of the dwelling upon which the dwelling is located. Such sites may be defined on a plan of condominium, deposited plan of reference, site plan, leasehold agreement or other similar methods. For purposes of this by-law, all provisions respecting density, lot coverage, set backs, and frontage in this by-law relating to a residential lot, apply to a residential site.
- 2.29. BOARDER OR ROOMER:**  
means a person other than the lessee, tenant, or owner to whom lodging and/or meals are provided for monetary compensation.
- 2.30. BOATHOUSE:**  
means a building used for the storage of leisure vehicles and equipment accessory thereto but shall not include habitable living space, a residential garage, the commercial storage of leisure vehicles, or the sale of fuel or marine products.
- 2.31. BOWLING ALLEY:**  
means a building containing bowling lanes and may include a billiard hall which is operated in conjunction with the bowling alley provided the ratio of bowling lanes to billiard and/or pool tables does not exceed 2:1 to a maximum of five billiard and/or pool tables.
- 2.32. BUILDING:**  
means a structure consisting of a wall, roof and floor or any of them or a structural system serving the function thereof, but excluding automobile, truck, bus and coach bodies and trailers.

**2.33. BUILDING OR STRUCTURE, ACCESSORY:**

means a detached, subordinate building or structure on the same lot as the main building devoted exclusively to an accessory use. Notwithstanding any other provision of this By-law, an Outdoor Solid-Fuel Combustion Appliance shall not be considered to be an accessory building or structure under this By-law, and shall only be permitted and installed in compliance with By-law Number 2014-0062 (or such by-law as may be passed in substitution therefore).

**2.34. BUILDING, MAIN:**

means a building in which the primary use of the property is conducted.

**2.35. BUILDING SUPPLY AND EQUIPMENT ESTABLISHMENT:**

means a building and premises in which building or construction and home improvement materials or equipment are offered or kept for sale and may include the fabrication of certain materials related to home construction or improvements but does not include any use or activity otherwise defined or classified herein.

**2.36. BULK FUEL STORAGE ESTABLISHMENT:**

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

**2.37. BUS, SCHOOL:**

means a motor vehicle operated either for or by the York Region Separate School Board or York Region Public School Board, designed to carry passengers.

**2.38. BUSINESS OR PROFESSIONAL OFFICE:**

means a building in which one or more persons are employed in the management, direction or conducting of a business or where professionally qualified persons and their staff serve clients or patients who seek advice, consultation or treatment.

**2.39. BY-LAW ENFORCEMENT OFFICER:**

means an employee of the Town of Georgina from time to time charged by the Corporation with the duty of administering the provisions of this by-law.

**2.40. CAMP, PRIVATE:**

means a building or a group of buildings, including sleeping, eating and recreational uses which is operated by a non-profit organization for its members or as a public service.

**2.41. CANNABIS PRODUCTION FACILITY, DESIGNATED:**

means the use of land, buildings or structures for cultivating, propagating, harvesting, drying, storing, packaging and distribution of cannabis which is authorized by a valid registration certificate and document for designated person issued by the Federal Minister of Health, pursuant to the Cannabis Regulations, SOR/2018-144, as amended, under the Cannabis Act, S.C. 2018, c. 16, as amended, or its successor.

**2.42. CANNABIS PRODUCTION FACILITY, LICENSED:**

means the use of land, buildings or structures for cultivating, propagating, producing, harvesting, drying, storing, processing, research, analytical testing, destroying, packaging, sale, and distribution of cannabis which is authorized by a valid license issued by the Federal Minister of Health, pursuant to the Cannabis Regulations, SOR/2018-144, as amended, and the Industrial Hemp Regulations, SOR/2018-145, under the Cannabis Act, S.C. 2018, c. 16, as amended, or its successor.

**2.43. CARPORT:**

means a building or structure attached to a residential building in which at least forty (40%) per cent of the perimeter walls are open and unobstructed by any wall or door, and used for the parking or storage of a private automobile and wherein neither servicing nor repairing of motor vehicles is carried on for remuneration. For purposes of this by-law perimeter includes the wall of the building to which the carport is attached and forms part of the carport enclosure. Notwithstanding the above, a leisure vehicle and equipment accessory thereto may be stored in a carport, provided at least one parking space for a private motor vehicle is maintained within the carport.

**2.44. CATERING ESTABLISHMENT:**

means an establishment where food and beverages are prepared for consumption off-site, but are not served on the premises for immediate takeout consumption. Such use does not include the retail sale of individual food products from the premises.

**2.45. CELLAR:**

means that portion of a building which is partly or entirely underground and has more than one half of its height from finished floor to finished ceiling below the average finished grade level adjacent to the exterior walls of the building.

**2.46. CEMETERY:**

means a cemetery or columbarium within the meaning of The Cemeteries Act of Ontario.

**2.47. CHILD:**

means a minor described in the Age of Majority and Accountability Act as any person who has not attained the age of eighteen years.

- 2.48. CHURCH:**  
means a building dedicated to religious worship and considered to be a church for exemption of taxes under the Assessment Act and which may include a synagogue, a church hall, a parish hall, Sunday school, convent, or monastery.
- 2.49. CLINIC – HEALTH CARE:**  
means a building used by medical practitioners, dentists, or drugless practitioners, and having treatment rooms and facilities for two or more practitioners, except when accessory to a hospital.
- 2.50. CLINIC – VETERINARY (ANIMAL HOSPITAL):**  
means the premises of a veterinary surgeon, where animals, birds, or other livestock are treated or kept temporarily for the term of their treatment.
- 2.51. CLUB, COMMERCIAL:**  
means an athletic, recreational or social club, operated for gain or profit, but shall exclude a place of amusement or adult entertainment parlour.
- 2.52. CLUB, PRIVATE:**  
means an athletic, recreational or social club which is not operated for a profit. This includes an association, fraternity or sorority house, legion or union hall, but excludes a place of amusement or adult entertainment parlour.
- 2.53. COMMITTEE OF ADJUSTMENT:**  
means the Committee of Adjustment for the Town.
- 2.54. COMMUNICATIONS FACILITY:**  
means a building or structure, or part thereof, for the broadcasting and production of information through various media, and shall include but not be limited to print, television, radio and electronic media.
- 2.55. COMMUNITY FACILITY:**  
means public parks, open space linkages, and passive recreational uses.
- 2.56. CONDOMINIUM:**  
means a condominium as defined under the Condominium Act.
- 2.57. CONFERENCE CENTRE:**  
means a building containing a meeting area composed of meeting rooms and eating and sleeping accommodation for delegates or members to a conference.

- 2.58. CONSENT:**  
means a consent as set forth in Sections 50 and 53 of the Planning Act, 1983 or its predecessor, but excluding consent for plans of subdivision or condominium. Where such consent results in the division of land into separate lots, all such lots shall be deemed to have been created by consent for purposes of this by-law.
- 2.59. CONTRACTOR OR TRADESMAN'S SHOP:**  
means a building and/or premises used to conduct a trade and/or perform shop or assembly work and/or to store equipment and materials used by the contractor or tradesman.
- 2.60. CONVENTION CENTRE:**  
means a building, or part of a building, which is designed to accommodate gatherings for specific events such as conferences, meetings, social gatherings, sports, recreation, place of amusement, gaming and place of entertainment, and other similar activities including exhibition facility, and which may include assembly halls, areas for food preparation, liquor and dining areas, all for the exclusive use of the conference or convention participants.
- 2.61. CRAFT SHOP:**  
means a building or part thereof in which a handicraft is conducted for gain or profit and may include sales of such handicraft.
- 2.62. CREMATORIUM:**  
means an establishment or facility in which the cremation of human remains is undertaken, but shall not include a columbarium.
- 2.63. DAY CARE – PRIVATE HOME:**  
means a “Private Home Day Care” as defined in the Child Care and Early Years Act but only if carried on in a single family or linked dwelling provided:
- a) such use shall service a maximum of five children; and,
  - b) no person, other than a person resident in the said dwelling shall operate the day care.
- 2.64. DAY NURSERY:**  
means a building, other than a private home, used for the supervision of children within the meaning of the Child Care and Early Years Act.
- 2.65. DEPOSITED REFERENCE PLAN:**  
means a reference plan deposited pursuant to the Land Titles Act or Registry Act.



- 2.66. DOCK:**  
means a marine structure providing a platform to be used for access to a body of water or a boat within the body of water but shall not include a boathouse.
- 2.67. DRIVEWAY:**  
means a vehicular access way from a street or lane to a building or property, a loading space area, a parking area or garage, or carport.
- 2.68. DRY CLEANING ESTABLISHMENT:**  
means a building or structure where clothing or materials are received, and where dry cleaning, dry dyeing, cleaning or pressing of articles or goods of fabric is carried on by means of machines or cleaning units which (1) use only non-flammable solvents, (2) use primary or secondary chemical recovery devices, (3) emit no odours or fumes, and (4) emit no noise or vibration which causes a nuisance or inconvenience.
- 2.69. DRY CLEANING OUTLET:**  
means a building used for the purpose of receiving articles to be subjected elsewhere to a process of cleaning or dyeing. Such establishment may include pressing and distributing of these articles.
- 2.70. DRY CLEANING PLANT:**  
means a building where dry cleaning, dry dyeing, cleaning or processing of articles is performed, in which only non-flammable solvents are used and no obnoxious odour, noise or vibrations are emitted.
- 2.71. DWELLING:**  
means a building constructed in accordance with the Ontario Building Code containing one or more dwelling units.
- 2.72. DWELLING UNIT:**  
means a self-contained suite of two or more rooms, including a bathroom and a kitchen, with an independent entrance either directly from outside the building or through a common hall, designed for exclusive residential use by a single housekeeping unit. The definition shall not include a recreational vehicle, hotel, or motel.
- 2.73. DWELLING OR DWELLING UNIT, ACCESSORY:**  
means a single detached dwelling or one dwelling unit in a non-residential building which is used or occupied by persons which have the administrative or custodial responsibility of the property upon which the accessory dwelling or dwelling unit is erected. An accessory dwelling or dwelling unit occupied by persons who perform functions related to an Institutional Use on the same lot, is permitted.

**2.74. DWELLING, APARTMENT:**

means a dwelling containing four or more dwelling units in which the occupants have the right to use the common halls, stairs, elevators and yards.

**2.75. DWELLINGS, LINKED:**

means two or more single family dwellings which are completely detached except that they are attached below grade by foundation walls, floor and/or footings.

**2.76. DWELLING, MANUFACTURED:**

means a single family dwelling that is designed to be made mobile for purposes of transportation from the place of manufacture to the site, and which is affixed to a permanent foundation and used as a permanent residence.

**2.77. DWELLING, PRE-REGISTRATION:**

means a dwelling erected on a parcel of land prior to the registration of a plan of subdivision proposed on the said parcel. The dwelling shall not be erected unless it is erected on a proposed lot or block within a draft approved plan pursuant to Section 50 of the Planning Act and not before a subdivision agreement has been executed. Occupancy of these homes shall not be permitted until the Plan of Subdivision has been registered and the terms of the subdivision agreement fulfilled. At such time as a plan of subdivision is registered for all or part of the parcel of land any pre-registration dwellings within the registered parcel shall cease to be defined as pre-registration homes.

**2.78. DWELLING, SINGLE DETACHED:**

means one completely detached dwelling containing one dwelling unit and may contain an additional dwelling unit and/or a short-term rental accommodation, provided the additional dwelling unit and/or short-term rental accommodation complies with Section 5.46 or 5.30 A), respectively, of this By-law.

**2.79. EQUIPMENT SALES ESTABLISHMENT:**

means a building and premises used for the sale and display of farm, landscaping and/or construction equipment, including mechanical repairs, and the sale of parts and fuel.

**2.80. ERECT:**

means to build, reconstruct, alter or relocate, and without limiting the generality of the foregoing, shall be taken to include any preliminary physical operations, such as excavating, berming, grading, piling, cribbing, filling, or draining, structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

- 2.81. EXISTING:**  
means a building, structure or use existing as of the date of passing of this by-law and which has continued to exist to present.
- 2.82. FLOOD PLAIN:**  
means the area along either side of any watercourse or body of water which would be flooded in the event of the occurrence of a Regional Storm as defined in the Conservation Authorities Act.
- 2.83. FLOOD PLAIN, LAKE:**  
means the area adjacent to Lake Simcoe which would be flooded by high water levels and/or water build up caused by wave run up.
- 2.84. FLOOR AREA:**  
means the area of a floor within a building measured between the exterior faces of the exterior walls or from the centre line of a common or party wall.
- 2.85. FLOOR AREA, GROUND:**  
means the total floor area of the lowest storey of a building approximately at or above the average finished grade level.
- 2.86. FLOOR AREA, NON-RESIDENTIAL:**  
means the total floor area of a non-residential building, including any basement or cellar area designed or used for non-residential purposes, but excluding:
- any furnace or utility room, laundry room, washroom, stairwell or elevator shaft, up to a maximum of ten percent (10%) of the ground floor area; and,
  - any area within a basement or cellar, which is designed for permanent use as stock room or storage space, up to a maximum of twenty percent (20%) of the ground floor area.
- 2.87. FLOOR AREA, RESIDENTIAL:**  
means the total floor area of a dwelling unit including a maximum of 25 percent of the basement area, provided that such area is finished to the required minimum standards of the Ontario Building Code for the proposed use of such area. A cellar or part of the dwelling used for an accessory use shall be excluded from the calculation of residential floor area.
- 2.88. FLORIST SHOP:**  
means a retail store where flowers and plants are sold or offered for sale.
- 2.89. FUNERAL HOME:**  
means a building with facilities for the preparation of dead persons for burial or cremation, for the viewing of the body and for funeral services.

- 2.90. GARAGE, AUTOBODY:**  
means a building or premises used for auto body repairs, spray painting and associated repairs and service to motor vehicles.
- 2.91. GARAGE, BUS OR TRUCK:**  
means a building or premises used for the storage or parking of operative trucks or buses, where minor maintenance and cleaning of vehicles may be carried on.
- 2.92. GARAGE, MECHANICAL:**  
means a building or premises used for the mechanical repair or equipping of motor vehicles where the washing and cleaning of motor vehicles may be carried on, but does not include an auto body garage, motor vehicle fuel bar, motor vehicle washing establishment, or motor vehicle sales and/or rental establishment.
- 2.93. GARAGE, RESIDENTIAL:**  
means an accessory building other than a carport or an accessory use within the main building, used for the storage of passenger motor vehicles and wherein neither servicing nor repair of motor vehicles is carried on for remuneration.
- Notwithstanding the above, a leisure vehicle and equipment accessory thereto may be stored in a residential garage, provided at least one parking space for a private motor vehicle is maintained within the residential garage.
- 2.94. GARDEN CENTRE:**  
means a building, structure or premises used for the growing or displaying of trees and other plants which may be sold for transplanting and may also include the sale of lawn, garden, and landscaping equipment, furniture, and supplies, excluding farm implements or large machinery or equipment.
- 2.95. GARDEN SUITE:**  
means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.
- 2.96. GATEHOUSE:**  
means a building or structure located near the entrance of a property used to house personnel and/or equipment for the purpose of monitoring and securing the premises of the property and its buildings and structures and restricting unauthorized access.
- 2.97. GOLF BALL DRIVING RANGE:**  
means premises operated for the purpose of developing golfing techniques, but excluding a golf course or miniature golf course.

**2.98. GOLF COURSE:**

means an area operated for the purpose of playing golf and includes a par three or larger golf course, but does not include golf ball driving ranges, miniature golf course and similar uses except as accessory uses thereto.

**2.99. GOLF COURSE, MINIATURE:**

means a building, structure or premises operated for profit or gain in which facilities are provided to simulate the game of golf or any aspect of the game, on a small scale but does not include a golf ball driving range.

**2.100. GRADE, AVERAGE FINISHED:**

means the average elevation of the finished surface of the ground adjacent to the exterior walls of a building or structure. Average Finished Grade shall be calculated as follows: (1) by summing the elevations of all “outermost corners” of a building’s foundation and any “intermediate grades”; and, (2) dividing the sum by the number of “outermost corners” and “intermediate grades” measured. Open decks supported on posts and cantilevered projections are not considered part of a building’s foundation for the purpose of this calculation. To be included as an “outermost corner” a foundation projection must be both larger than 0.4 metres in depth and 2.5 metres in width. Any separation of more than 10 metres between “outermost corner” grades must have an “intermediate grade” provided which shall be an elevation measured halfway between each “outermost corner” grade. Further illustration as to how to calculate “average finished grade” is shown on Schedule ‘B-48’.

**2.101. GREENHOUSE, COMMERCIAL:**

means a building or structure used for the housing of plants, shrubs, and trees which have been transplanted into, and/or are grown in, containers, until such time as the plants, shrubs, or trees are sold. The use of a commercial greenhouse and premises for display, sale and rental of accessory products and materials which are required for the growth and maintenance of plants, shrubs and trees, including fertilizer, filter cloth, gardening tools and books, mulch, peat moss, pesticides, plant seeds, planters, top soil and other similar products and materials, is permitted.

However, the display, sale or rental of lawn and patio ornaments, furniture and equipment or landscaping materials, and equipment not required to support the growth and maintenance of plants, shrubs and trees, are not permitted accessory products and materials.

**2.102. HABITABLE ROOM:**

means any room in a dwelling or dwelling unit, excluding a stairwell or attached residential garage.

**2.103. HAWKER OR PEDLAR:**

means any person who goes from place to place or to a particular place with goods, wares or merchandise for sale or who carries or exposes samples, patterns or specimens of any goods, wares or merchandise that are to be delivered in the Town of Georgina afterward but shall not include any person who is hawking, peddling or selling goods, wares or merchandise:

- a) to wholesale or retail dealers in similar goods, wares or merchandise;
- b) if the goods, wares or merchandise are grown, produced or manufactured in Ontario and are hawked, peddled or sold by the grower, producer or manufacturer or an agent or employee of them having written authority so to do, in the municipality in which the grower, producer or manufacturer resides;
- c) if goods, wares, or merchandise are grown or produced by a farmer resident in Ontario who offers for sale or sells only the produce of the farmer's own farm;
- d) if the goods, wares or merchandise are hawked, peddled or sold by a person who pays business tax in the municipality, or by that person's agent or employee;
- e) if the goods, wares or merchandise are hawked, peddled or sold by an agent of the grower, producer or manufacturer, acting on behalf of a dealer who pays business tax in the municipality in respect of premises used for the sale of such goods, wares or merchandise; or,
- f) by persons who sell milk or cream or fluid milk products to the consumer or to any person for resale.

**2.104. HAWKER OR PEDLAR USE:**

means the use of or establishment of a sales area on, premises for the sale of goods, wares and merchandise to the general public, by a hawker or pedlar.

**2.105. HEIGHT:**

means the vertical distance of a building or structure measured between the average finished grade and the highest point of the roof surface.

**2.106. HOME INDUSTRY:**

means a small scale industrial use in a non-residential building, which is operated as a secondary use to a single detached dwelling on the same lot. A home industry use may include a tradesman's shop, carpentry shop, a metal working shop, a plumbing shop, an electrical shop, a small engine repair shop, a welding shop, a storage building for school buses, boats, snowmobiles a similar industrial use. The retail sale of any goods or wares shall not be permitted as a primary home industry use.

- 2.107. HOME OCCUPATION:**  
means an occupation conducted for gain or profit as an accessory use within a dwelling as permitted herein. A clinic, day nursery, nursing home, tea room and an animal hospital are deemed not to be home occupation uses. The retail sale of any goods or wares shall not be permitted as a primary home occupation use.
- 2.108. HOSPITAL, PRIVATE:**  
means an institution as defined by the Private Hospitals Act.
- 2.109. HOSPITAL, PUBLIC:**  
means an institution as defined by The Public Hospitals Act.
- 2.110. HOTEL, MOTEL OR MOTOR HOTEL:**  
means a building in which rooms are provided for rent to the travelling public by furnishing sleeping accommodation with or without meals, and may include meeting rooms, banquet halls, common dining room, facilities for the temporary exhibition and sale of goods on an intermittent basis, and any premises licensed under the Liquor License Act but shall not include an adult entertainment parlour, apartment dwelling, or boarding or lodging house. Rooms used as places for sleeping accommodation shall not include cooking or laundry facilities except as specifically permitted herein.
- 2.111. KENNEL:**  
means a kennel as defined by the Town of Georgina Kennel Licensing By-law, as amended, revised or replaced.
- 2.112. KITCHEN:**  
means a room or a clearly defined part of a room with the normal facilities required for the preparation and storage of food, which includes cupboards, a counter, a sink with hot and cold running water taps, a cooking appliance and a refrigerator.
- 2.113. LANDSCAPED OPEN SPACE:**  
means an area of land comprised of trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, paving, screening or other architectural elements designed to enhance the visual amenity of a property, but does not include display areas, parking or loading areas, or areas covered by driveways.
- 2.114. LANE:**  
means a publicly owned thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation. A lane is not a street as defined herein.

**2.115. LAUNDROMAT:**

means a laundry or dry cleaning outlet, where washers, dryers, ironing and incidental equipment is provided to be rented to the general public or where such services are undertaken for the general public.

**2.116. LEISURE VEHICLE:**

means:

- a) A vehicle designed to be towed or propelled by commonly known as travel trailers, motorized homes, slide-in campers, chassis-mounted campers, (i.e. recreational vehicles) or other similar travel vehicles which provide sleeping and other facilities for persons while travelling or vacationing but does not include a park model trailer or manufactured home;
- b) Boats, personal watercraft, snowmobiles, all-terrain vehicles and other similar vehicles used for recreational purposes; and,
- c) A trailer designed or used for the purposes of carrying a leisure vehicle(s).

**2.117. LEISURE VEHICLE SALES ESTABLISHMENT:**

means a building and premises used for the sale and/or leasing of leisure vehicles, equipment and parts.

**2.118. LIVESTOCK OPERATION:**

means the use of a building or premises for the raising or breeding of animals for the purpose of food, hides, wool or fur, show or racing and includes cattle, pigs, sheep, horses, goats, and rabbits or other such animals.

**2.119. LOADING SPACE:**

means an area which is provided and maintained upon the same lot or lots upon which the principal use is located and which area:

- a) is suitable for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicle, and such parking shall not be for the purpose of sale or display;
- b) is not upon or partly upon any street or lane; and,
- c) has adequate access to permit ingress and egress of a commercial motor vehicle from a public street by means of driveways, aisles, manoeuvring areas or similar areas, no part of which shall be used for parking or storage of motor vehicles.



**2.120. LONG-TERM CARE HOME**

means a nursing home within the meaning of the Long-Term Care Homes Act, 2007 Act.

**2.121. LOT:**

means a parcel or tract of land which is legally in separate and distinct ownership or which is shown on a registered plan of subdivision. A registered plan of subdivision for purposes of this paragraph does not include a plan which is deemed not to be a registered plan of subdivision by a by-law passed under The Planning Act.

**2.122. LOT, CORNER:**

means a lot situated at the intersection of two or more streets provided that the angle of intersection of such street is not more than 135 degrees.

**2.123. LOT, INTERIOR:**

means a lot which has street access, other than a corner lot.

**2.124. LOT, THROUGH:**

means a lot which is not a corner lot but has frontage on more than one street.

**2.125. LOT AREA:**

means the total area within the lot lines of a lot and in the case of a corner lot having street lines rounding the corner with a radius of 6 metres or less or a sight triangle of 6 metres or less, the lot area of such lot is to be calculated as if the lot lines were projected to the intersection.

**2.126. LOT COVERAGE:**

means that percentage of the lot area, within the respective zone, covered by all buildings above ground level, including enclosed swimming pools.

**2.127. LOT DEPTH:**

means the distance between the front and rear lot lines. Where these lot lines are not parallel, the lot depth shall be the length of a line joining the mid-points of the front and rear lot lines, or in the case of a triangular shaped lot the mid-point of the front lot line and the intersection of the two side lot lines.

**2.128. LOT FRONTAGE:**

means the horizontal distance between the side lot lines at either end of an unbroken front lot line. The lot frontage of a broken front line shall be the longest unbroken segment of the front lot line. Where the side lot lines are not parallel, or where a part of the front lot line is convex or concave, the lot frontage shall be measured on a line 6 metres back from and parallel to a straight line joining the two points where the side lot lines intersect the front lot line. In the case of a corner lot, where a sight triangle or sight curve forms part of the street, the lot frontage shall be measured to the point of intersection of the two streets, which shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street line.

**2.129. LOT LINE:**

means any boundary of a lot.

**2.130. LOT LINE, FRONT:**

means the lot line that divides the lot from the street or a reserve adjoining a street; however, in the case of a corner lot, the shorter lot line abutting a street shall be deemed the front lot line and the longer an exterior side lot line. In the case of a through lot in a residential zone, where one lot line abuts a reserve adjoining a street, the lot line abutting the reserve shall be deemed to be the rear lot line.

**2.131. LOT LINE, REAR:**

means the lot line opposite the front lot line. In the case of a triangular shaped lot, the rear lot line shall be that point created at the point of intersection of the two side lot lines. In the case of a through lot in residential zone, where one lot line abuts a reserve adjoining a street, the lot line abutting the reserve shall be deemed to be the rear lot line.

**2.132. LOT LINE, SIDE:**

means a lot line other than a front or rear lot line. A lot line, which is not a front lot line and abuts a street is called an exterior side lot line. A lot line, which is not a rear lot line, and divides two properties is called an interior lot line.

**2.133. MAJOR DEVELOPMENT:**

means:

- a) the creation of four or more lots;
- b) the construction of a building or buildings with a ground floor area of 500 square metres or more; the establishment of a major recreational use; and,
- c) the establishment of a major recreational use.

- 2.134. MANUFACTURED DWELLING PARK:**  
means a lot or part thereof which contains sites described as parts on a deposited reference plan, to be used for the erection primarily of manufactured dwellings or other dwellings and buildings and structures as specifically permitted herein, all as parts of a self-contained recreational, residential, retirement community.
- 2.135. MANUFACTURED DWELLING SITE:**  
means land described as a part on a deposited reference plan within a manufactured dwelling park to be leased primarily for the erection of one manufactured dwelling or other dwellings as specifically permitted herein.
- 2.136. MARINA:**  
means a commercial establishment located on or abutting a navigable waterway, where facilities are provided for, and where boats and other marine pleasure craft may be berthed, stored, serviced, repaired, rented, fuelled or kept for sale.
- 2.137. MARINE PASSENGER SERVICE TERMINAL:**  
means a building or premises used for the purpose of departure or arrival of boat passengers.
- 2.138. MOTOR VEHICLE, COMMERCIAL:**  
means a commercial motor vehicle as defined by the “Highway Traffic Act”.
- 2.139. MOTOR VEHICLE, COMMERCIAL – HEIGHT:**  
means the height of the vehicle measured from the ground to the top of the cab or the body of a motor vehicle or trailer, whichever is greater.
- 2.140. MOTOR VEHICLE, COMMERCIAL – LENGTH:**  
means the length of the vehicle measured from the outer edges of the front and rear bumpers on a commercial motor vehicle and the outer edges of a commercial trailer.
- 2.141. MOTOR VEHICLE, COMMERCIAL – WIDTH:**  
means the width of the vehicle measured at the rear wheelslip of a commercial motor vehicle or the widest portion of a commercial trailer.
- 2.142. MOTOR VEHICLE CLEANING ESTABLISHMENT:**  
means a building or premises used for the cleaning of motor vehicles.
- 2.143. MOTOR VEHICLE FUEL BAR:**  
means a building, together with one or more fuel pumps, where gasoline or other motor fuels and oil are kept for sale and for delivery directly into a motor vehicle and may include the sale of motor vehicle accessories but does not include a mechanical garage or motor vehicle cleaning establishment.

- 2.144. MOTOR VEHICLE SALES AND/OR RENTAL ESTABLISHMENT – AUTOMOBILE:**  
means a building and premises used for the sale and/or rental, including display, of automobiles, or commercial motor vehicles or commercial trailers not exceeding 7 metres in length, 2.5 metres in width or 2.2 metres in height, and including mechanical repairs and the sale of automotive parts.
- 2.145. MOTOR VEHICLE SALES AND/OR RENTAL ESTABLISHMENT – COMMERCIAL AND RECREATIONAL VEHICLES:**  
means a building and premises used for the sale and/or rental, including display of, trucks, buses and recreational vehicles and including mechanical repairs and the sale of parts.
- 2.146. MULTI-UNIT COMMERCIAL CENTRE:**  
means two or more commercial buildings/units which have been planned, developed, owned and/or managed as a unit.
- 2.147. NAVIGABLE WATERWAY:**  
means any waterway, including lakes, rivers or canals having the capability of use by the public for purposes of transportation or commerce.
- 2.148. NURSERY:**  
means a building or premises where trees or plants are grown for transplantation and which are sold on a wholesale basis, but does not include any retail sales of trees, plants or other landscape, lawn and garden products or equipment.
- 2.149. OUTDOOR SOLID-FUEL COMBUSTION APPLIANCE:**  
means an outdoor wood burning appliance or a solid-fuel burning appliance which is used for the space heating of buildings, the heating of water, or any other such purpose, and which is located in a separate building or on the exterior of the building which it serves.
- 2.150. PARK:**  
means an area consisting largely of open space, which may include a recreational area, playground, playfield or similar use, but shall not include a manufactured dwelling park or a recreational vehicle park.
- 2.151. PARKING AREA:**  
means an area or structure provided for the parking of motor vehicles and includes any related aisles, parking spaces, ingress and egress driveways within the lot.
- A parking area for private residential parking may also be used for the storage of a leisure vehicle as set forth in Section 5.21. However, the storage of a leisure vehicle, in a front or exterior side yard, shall only be permitted in a parking area consisting of a hard-surfaced driveway (gravel, paved, concrete, interlock or similar hard surface).

**2.152. PARKING LOT, COMMERCIAL:**

means any parking area other than a parking area accessory to a permitted use on the same lot, operated for profit but excluding a parking lot for school buses, and commercial vehicles or trailers exceeding 7.0m in length, 2.5 metres in width, or 2.2 metres in height.

**2.153. PARKING SPACE:**

means an area within a building or parking area for the parking of one motor vehicle.

**2.154. PARKING SPACE, ACCESSIBLE:**

means a parking space designed and provided exclusively for the parking of vehicles used to transport persons with a disability.

**2.155. PERSON:**

means an individual, association, firm partnership, corporation, incorporated company, trustee or agent, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

**2.156. PIT:**

means a pit as defined in the Aggregate Resources Act.

**2.157. PIT, WAYSIDE:**

means a temporary pit, not located on Crown land, and opened and used by a public authority, or a person who has a contract with a public authority, solely for the purpose of a particular project of road construction or road maintenance, from outside the limits of the road right-of-way; or an urgent project of a public authority for which no alternative source of aggregate under licence or permit is readily available in the vicinity.

**2.158. PLACE OF AMUSEMENT:**

means a building or part thereof containing three or more amusement machines which are operated for gain and made available for the entertainment or amusement of the general public. This definition shall not include premises which are licensed under the Liquor License Act, establishments which sell amusement machines, provided that such machines are not made available on the premises for use by the general public, and premises with amusements that are contrary to the Criminal Code of Canada.

- 2.159. PLACE OF WORSHIP:**  
means a building or part of a building used by a charitable religious organization(s) for religious worship, services, ceremonies, rites or functions, and may include accessory uses which may include but not be limited to an assembly hall, auditorium, convent, monastery, rectory, day nursery. Intermittent non-academic community oriented instruction may also be permitted within the place of worship, and which may include but not limited to such uses as arts and crafts, music, educational or recreational community based programs or uses. These uses must be accessory and subordinate to the primary use of the place of worship.
- 2.160. POLICE STATION:**  
means a building or premises used for the purpose of providing Law Enforcement Services to the community. Law Enforcement Services may be operated by a Municipal, Regional, Provincial or Federal government or other Public Authority.
- 2.161. POULTRY OPERATION:**  
means the use of a building, structure or premises for the raising and/or breeding of birds including chickens, turkeys, geese, ducks, pheasants and other such birds, for food or feathers.
- 2.162. PRACTITIONER, DRUGLESS:**  
means a drugless practitioner within the meaning of the Drugless Practitioners Act.
- 2.163. PRINTING SHOP:**  
means a building in which books, newspapers, periodicals, tickets, and other printed items are produced and reproduced by mechanical means.
- 2.164. PUBLIC STORAGE BUILDING:**  
means a building, used for the purpose of storing dry goods and materials on a rental basis, which is divided into individual storage units such that a person renting a unit would have exclusive access to the rented unit.
- 2.165. PUBLIC AUTHORITY:**  
means Federal, Provincial, Regional or Town government and includes any agency, commission, board, corporation, authority or department established by such government, by by-law or statute, as applicable.
- 2.166. QUARRY:**  
means a quarry as defined in the Aggregate Resources Act.

- 2.167. QUARRY, WAYSIDE:**  
means a temporary quarry, not located on Crown land, and opened and used by a public authority, or a person who has a contract with a public authority, solely for the purpose of a particular project of road construction or road maintenance, from outside the limits of the road right-of-way; or an urgent project of a public authority for which no alternative source of aggregate under licence or permit is readily available in the vicinity.
- 2.168. RECREATIONAL VEHICLE:**  
means a portable structure intended as a temporary accommodation for travel, vacation or recreational use. Such structure shall include park model trailers, travel trailers, motorized homes, slide-in campers, chassis-mounted campers, and tent trailers.
- 2.169. RECREATIONAL VEHICLE PARK:**  
means land either commercial or private, used on an overnight or short term basis by providing two or more sites for recreational vehicles.
- 2.170. RECREATIONAL VEHICLE SITE:**  
means a parcel of land within a recreational vehicle park, marked out for the use of one recreational vehicle.
- 2.171. RECYCLING FACILITY:**  
means a lot and/or premises for the storage and/or handling and/or processing of recyclable material, which without limiting the generality of the foregoing, shall include metal, aluminium, glass, plastic, cardboard, paper or wood but shall exclude the salvage or storage of motor vehicles, tires, rags, soil, compost material and hazardous waste.
- 2.172. RECYCLING FACILITY - MOTOR VEHICLES:**  
means a recycling facility used for the purpose of the recycling of motor vehicles.
- 2.173. REFRESHMENT BICYCLE UNIT:**  
means a refreshment unit propelled totally by muscular power or a bicycle without motorized assistance used only for the selling of fruit, candy, peanuts, ice cream, popsicles, yogurt, popcorn, or potato chips.
- 2.174. REFRESHMENT BOOTH:**  
means a building, having a floor area of 20 square metres or less used for the preparation and/or sale of refreshments. In addition, the consumption of the food or drink is not permitted within the building.
- 2.175. REFRESHMENT CART:**  
means a device, other than a motor vehicle or a refreshment bicycle unit or a refreshment booth, which is used or is to be used for the sale of refreshments.

- 2.176. REFRESHMENT VEHICLE:**  
means a motor vehicle which is used or is to be used for the sale of refreshments.
- 2.177. REFRESHMENTS:**  
means food or drink.
- 2.178. REGISTERED PERSON:**  
means an individual who is authorized to cultivate, propagate and harvest cannabis in accordance with a registration certificate issued under by the Federal Minister of Health, pursuant to the Cannabis Regulations, SOR/2018-144, as amended, under the Cannabis Act, S.C. 2018, c. 16, as amended, or its successor.
- 2.179. RESEARCH AND DEVELOPMENT FACILITY:**  
means a building or group of buildings, or part thereof, used for the purpose of conducting scientific research, analysis, investigation, testing or experimentation in any field of science, medicine, technology and manufacturing, and shall include but not be limited to facilities such as lecture rooms, administrative offices, laboratories, training facilities, display rooms, pilot plants, prototypical manufacturing, simulating equipment and the like, and service and machine shops to serve the establishment, but does not include facilities for the manufacture or sale of products.
- 2.180. RESERVE:**  
means a strip of land abutting a public highway used to restrict access to the adjacent property.
- 2.181. RESTAURANT:**  
means a building where food, beverages or refreshments are prepared and offered for sale to the public for consumption.
- 2.182. RETAIL STORE:**  
means a building in which goods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public at retail.
- 2.183. RETAIL STORE, CONVENIENCE:**  
means a retail store not exceeding 190 square metres in floor area.
- 2.184. RETAIL STORE, MARINE:**  
means a retail store which primarily sells marine related goods, merchandise, substances, articles or things, including fishing equipment and boat rentals and services.



- 2.185. RETAIL STORE, SUPERMARKET:**  
means a self-service retail store selling groceries, staples such as tea, coffee, spices, and other products such as pharmacy items, magazines, paper products, soft drinks, health and beauty aids, housewares, flowers, plants and other non-food articles.
- 2.186. SATELLITE RECEIVING DISH:**  
means a parabolic device used or intended to be used to receive audio and video signals and any supporting structures.
- 2.187. SCHOOL, COMMERCIAL:**  
means a school conducted for gain, such as a secretarial school, language school or driving school.
- 2.188. SCHOOL, PRIVATE:**  
means a school, other than a public school, operated by a non-profit organization and supported by private means.
- 2.189. SCHOOL, PUBLIC:**  
means elementary, secondary and post-secondary schools established and maintained at public expense.
- 2.190. SERVICE BUILDING:**  
means those permanent buildings in a recreational vehicle park that are necessary for the users of the park, such as toilets, laundry, cooking facilities and the maintenance of the park.
- 2.191. SERVICE SHOP, HEAVY:**  
means an establishment for servicing or repairing any of the following: tires, including vulcanizing or retreading; batteries, brakes or radiators; automotive ignitions, exhaust or electrical systems; snowmobiles; outboard motors; furnaces or oil burners; water or air coolers or domestic water heaters; fixtures or equipment pertaining to any of the above or any other like articles. Service shop, heavy, also includes an establishment for the renting of light construction equipment or lawn care equipment or any other like article.
- 2.192. SERVICE SHOP, LIGHT:**  
means an establishment wherein articles, such as household appliances or furniture may be serviced or repaired.
- 2.193. SERVICE SHOP, PERSONAL:**  
means a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, such as a barber's shop, a dry cleaning outlet, a ladies' hairdressing establishment or a shoeshine shop.

- 2.194. SETBACK:**  
means the shortest distance between two points specified in the phrase in which the term "setback" is used.
- 2.195. SEWAGE TREATMENT FACILITY:**  
means a facility, owned and operated by a public authority, used for the treatment and disposal of sewage.
- 2.196. SEWER, PUBLIC SANITARY:**  
means a system of underground piping or conduits operated by the Town, the Regional Municipality of York and/or the Province of Ontario, which carries sewage to an approved place of treatment.
- 2.197. SEWER, STORM OR DRAINAGE:**  
means a system of underground conduits, detention ponds or open ditches operated and/or maintained by the Town and/or the Regional Municipality of York and/or the Lake Simcoe Region Conservation Authority, or Province, which carries run off or ground water, but excludes sewage and household or industrial wastes.
- 2.198. SHOPPING CENTRE:**  
means a commercial building or buildings which have been planned, developed, owned and/or managed as a unit and which collectively exceeds 4,600 square metres of non-residential floor area.
- 2.199. SHORT-TERM RENTAL ACCOMMODATION:**  
means Short-term Rental Accommodation as defined by the Town of Georgina Short-term Rental Accommodation Licencing By-law, as amended, revised or replaced.
- 2.200. SIGHT TRIANGLE:**  
means the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, each such point being the distance required by this by-law from the point of intersection of the street lines. Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

- 2.201. SIGN:**  
means any structure, device, light or natural object including the ground itself, or any part thereof, or any device attached thereto, or painted or represented thereon, which shall be used to identify, advertise, or attract attention to any object, product, place, activity, person, institution, organization, firm, group, commodity, profession, enterprise, industry or business, or which shall display or include any letter, word, model, number, banner, flag, pennant, insignia, device or representation used as an announcement, direction or advertisement, and which is intended to be seen from off the premises or from a parking lot. The word "sign" shall include signs which are affixed to the inside of windows and glass doors and are intended to be seen from roadways or parking lots. No other indoor sign shall be deemed a sign within this By-law.
- 2.202. STORAGE DEPOT:**  
means a building or premises where goods, wares or material are stored on a temporary basis until such items are to be used or recycled, but excluding the storage of tires, rags and other combustible materials, soil and compost material.
- 2.203. STORAGE, OPEN:**  
means the leaving, placing or parking of goods, materials, machinery, equipment or vehicles on a lot which is not within an enclosed building but shall not include the display of motor vehicles accessory to a motor vehicle sales establishment or motor vehicle rental establishment.
- 2.204. STOREY:**  
means that portion of a building between any floor and the floors, ceiling or roof next above, provided that if a portion of the building between any floor and the floors, ceiling or roof next above exceeds 4 metres in height it shall be deemed to be a two storeys, and ii) any portion of a building partly below grade level shall not be deemed a storey unless its ceiling is at least 2 metres above average finished grade.
- 2.205. STREET:**  
means a thoroughfare which affords a primary means of motor vehicle access to one or more abutting lots and which is intended for general traffic circulation.
- 2.206. STREET OR ROAD, ACCESS:**  
means a privately owned street not dedicated and accepted as, or otherwise deemed at law to be, a public highway (the Road Access Act).
- 2.207. STREET OR ROAD, PUBLIC:**  
means an assumed public highway, but does not include a lane.

- 2.208. STREET OR ROAD, PUBLIC (UNASSUMED):**  
means a street or road allowance established for highway purposes which has not been assumed as a public highway but does not include a lane.
- 2.209. STRUCTURE:**  
means anything that is erected, built or constructed of parts joined together or any such erection fixed to or supported by the soil and/or any other structure. But, for the purposes of this by-law, a fence, not exceeding 2 metres in height, shall be deemed not to be a structure.
- 2.210. STUDIO:**  
means a building where an artist, musician, photographer, or cinematographer work and may include therein, the display and sale of such works.
- 2.211. SWIMMING POOL:**  
means a body of water contained in part or in whole by artificial means used or capable of being used for swimming, the depth of which exceeds 0.6m in depth.
- 2.212. TAXI STAND:**  
means the premises used for the dispatching of taxi service, including the parking of taxis on the same lot.
- 2.213. TEACHING CLASSROOM:**  
means a classroom in a school facility which receives a pupil/student loading as mandated by the Ministry of Education and Training. Classrooms receiving a Ministry of Education and Training loading, include regular classrooms, science, art, instrumental music, vocal music and special education classrooms and technology-related program spaces. Where a special education program operates in a space equivalent to half the size of a regular classroom, this space shall be classified as one-half of a teaching space.
- 2.214. TEMPORARY STRUCTURE/USE, COMMERCIAL:**  
means a building, structure or use which is accessory to an on site commercial building in a commercial zone for a period not exceeding four months during any calendar year. Such building, structure or use must be removed from the site at the expiration of the time period.
- 2.215. TEMPORARY ACCOMMODATIONS FOR SEASONAL FARM WORKERS:**  
means a separate building or structure used or intended to be used for seasonal accommodation for workers of the owner or operator of a farm provided such seasonal employees perform their duties on such farm, and in which lodging with or without meals is supplied or intended to be supplied to such employees.

- 2.216. TENT CAMPGROUND:**  
means a parcel of land used by campers for the erection of tents or tent trailers but shall not include a recreational vehicle park.
- 2.217. TERMINAL, BUS OR TRUCK:**  
means a building or premises where trucks or buses are rented, leased, kept for hire or stored or parked for remuneration, or from which trucks or buses are dispatched for hire, or which is a bonded or sufferance warehouse.
- 2.218. THEATRE:**  
means a building or outdoor area for dramatic presentations including an outdoor cinema but does not include an adult entertainment parlour or adult entertainment store.
- 2.219. TOURIST INFORMATION CENTRE:**  
means a building or premises used for the dispensing of promotional literature or the providing of information to the travelling public.
- 2.220. TOW TRUCK:**  
means a commercial motor vehicle designed to haul or transport operative or inoperative vehicles and commonly referred to as a tow truck.
- 2.221. TOWN:**  
means the Corporation of the Town of Georgina.
- 2.222. TRAILER, COMMERCIAL:**  
means a trailer as defined by the "Highway Traffic Act".
- 2.223. TRUCK DRIVING CENTRE:**  
means land used for the purpose of training persons to drive and operate commercial vehicles as defined herein.
- 2.224. ULTRA-LIGHT AIRCRAFT:**  
means any machine designed to carry a human being and capable of deriving support in the atmosphere from the reaction of the air and which does not weigh more than 182 kg. and which does not have an engine in excess of 100 horsepower.
- 2.225. UNENCLOSED PORCH OR STAIRS:**  
means a porch or stairs which may have a roof but is not enclosed by walls.

**2.226. USE, ACCESSORY:**

means a use naturally and normally incidental, subordinate in purpose and floor area, and exclusively devoted to a main use of land, building or structure located on the same lot. Notwithstanding any other provision of this By-law, an Outdoor Solid-Fuel Combustion Appliance shall not be considered to be an accessory use under this By-law, and shall only be used in compliance with By-law Number 2014-0062 (or such by-law as may be passed in substitution therefore).

**2.227. USE, AGRICULTURAL:**

means 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; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour where the size and nature of the operation requires additional employment. Peat extraction is not considered an agricultural use.

**2.228. USE, AGRICULTURE-RELATED:**

means those farm-related and commercial and farm-related industrial uses that directly relate 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.

**2.229. USE, AGRI-TOURISM:**

means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education, or activities related to the farm operation.

**2.230. USE, COMMERCIAL:**

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

**2.231. USE, CONSERVATION:**

means the preservation, protection maintenance and enhancement of components of the natural environment through a comprehensive ecosystem based management and maintenance program.

**2.232. USE, FORESTRY:**

means the use of land in conjunction with ecosystem based management for the protection and restoration of forest communities, production of forest products, provision of proper environmental conditions for wildlife, protection against floods and erosion, recreation and protection and production of water supplies.

**2.233. USE, INDUSTRIAL:**

means the use of land, building or structure for the warehousing, manufacturing, processing or assembly of materials, technology and information to finished products or by-products, including the storage of such materials and products as permitted herein and may include telecommunication\radio communication uses.

**2.234. USE, INDUSTRIAL (DRY):**

means an industrial use which does not require the use of water for the manufacture, processing, cleaning or cooling of materials, products or equipment.

**2.235. USE, INSTITUTIONAL:**

means the use of land, building or structure for a use which is complementary to or serves the community in which it is located. Such uses are normally operated by the government, or a charitable, non-profit or religious group or society, but may include a commercial use which provides supervision counselling, training, education counselling, or medical or dental care.

**2.236. USE, NON-CONFORMING:**

means the non-conforming use of land, building or structure within the meaning of Section 34(9) of the Planning Act.

**2.237. USE, OBNOXIOUS:**

means an offensive use or trade within the meaning of The Environmental Protection Act or The Health Protection and Promotion Act or any use which is a nuisance by reason of emission or creation of odours, gas, dirt, smoke, noise, vibration, soot, waste, or depositing unsightly objects or chattels on land.

**2.238. USE, ON-FARM DIVERSIFIED:**

means uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.

**2.239. USE, PROHIBITED:**

means a use set forth in Section 5.42 herein.

**2.240. USE, RESIDENTIAL:**

means the use of a building for human habitation and in conjunction therewith, the use of land and structures.

**2.241. WAREHOUSE:**

means a building where goods, wares or produce are stored but shall not include a retail store.

- 2.242. WASTE DISPOSAL SITE:**  
means a waste disposal site as defined in the Environmental Protection Act.
- 2.243. WATER SUPPLY:**  
means a water distribution system of piping and related storage, including pumping and purification appurtenances.
- 2.244. WATER SUPPLY, PRIVATE:**  
means a water supply system owned and operated by an individual or corporation for private use and, where permitted by the Province, Region and Town, may include a communal system.
- 2.245. WATER SUPPLY, PUBLIC:**  
means a water supply system operated by the Town, Regional Municipality of York or Province of Ontario.
- 2.246. WATERBODY OR WATERCOURSE:**  
means lakes, shorelines, wetlands or the natural channel for a perennial or intermittent stream of water.
- 2.247. WHOLESALE ESTABLISHMENT:**  
means a building used for the purpose of selling goods, wares or merchandise to retailers or other business users, including other wholesalers, or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or businesses, but excluding the provision of these services on a retail basis.
- 2.248. WILDLIFE REHABILITATION CENTRE:**  
means the premises of a wildlife custodian, as approved by the Ministry of Natural Resources, where injured, sick, or immature wildlife are kept in captivity on a temporary basis to restore, effectively condition, or medically treat the wildlife so it can be successfully returned to the wild.
- 2.249. YARD:**  
means space appurtenant to a building or structure located on the same lot as the building or structure and which space is open, uncovered and unoccupied except for such accessory buildings, structures or uses as are specifically permitted elsewhere in this by-law.
- 2.250. YARD, FRONT:**  
means a yard extending across the full width of a lot between the front lot line and the nearest wall of any main building or structure on the lot.



**2.251. YARD, MINIMUM:**

means the minimum depth of a front or rear yard, or minimum width of a side yard as required by this by-law. For purposes of this by-law, the following specific minimum yard definitions shall apply to the cases set forth below:

- BLOCK DEVELOPMENT: Where a dwelling, within a block development derives its access from an access street, the minimum yards shall be determined in relation to the access street, with the front yard being the yard between the access street and the closest wall of the dwelling.
- GO-CART ESTABLISHMENT: The minimum yards shall be determined as between the respective lot line and the go-cart track.

**2.252. YARD, REAR:**

means a yard extending across the full width of a lot between a rear lot line and the nearest wall of any main building or structure on the lot.

**2.253. YARD, SIDE:**

means a yard extending from the front yard to the rear yard of a lot between a side lot line, or site line in the case of a block residential development, and the nearest wall of main building or structure on the lot. Where a lot, which is not described on a plan of condominium or is not defined as a manufactured dwelling park, contains more than one single family dwelling, such dwellings shall be a minimum distance apart which shall be determined by multiplying the minimum side yard requirement for the zone in which the lot is located, times two.

- a) EXTERIOR SIDE YARD: means a side yard of a corner lot abutting a street or a reserve but which is not a front yard.
- b) INTERIOR SIDE YARD: means a side yard other than an exterior side yard.

**2.254. ZONE:**

means a designated area of land use shown in Schedule `A' of this By-law.

## SECTION 3 – ZONE CLASSIFICATION

### 3.1 ZONE CLASSIFICATION AND SCHEDULES

For the purpose of this By-law, the Countryside Area of the Town of Georgina is divided into the following zones, the boundaries of which are shown on the attached map composing Schedule 'B'.

<b><u>ZONES</u></b>	<b><u>SYMBOL</u></b>
<b>INSTITUTIONAL ZONE</b>	I
<b>RESIDENTIAL ZONE</b>	R
<b>COMMERCIAL ZONES</b>	RC
RURAL COMMERCIAL ZONE	
COMMERCIAL RECREATION ZONE	CR
<b>INDUSTRIAL ZONES</b>	
RESTRICTED INDUSTRIAL ZONE	M1
GENERAL INDUSTRIAL ZONE	M2
EXTRACTIVE INDUSTRIAL ZONE	M3
STORAGE INDUSTRIAL ZONE	M4
DISPOSAL INDUSTRIAL ZONE	M5
<b>AIRFIELD ZONE</b>	A
<b>OPEN SPACE ZONE</b>	OS
<b>RURAL – COUNTRYSIDE ZONE</b>	RU-C
<b>AGRICULTURAL PROTECTION ZONE</b>	AP
<b>ENVIRONMENTAL PROTECTION ZONE</b>	EP

### 3.2 SCHEDULE 'C' DETAILED ILLUSTRATIONS

In some circumstances, where more detailed illustration is required to allow the reader to better understand the by-law Schedule 'C' maps have been used to compliment Schedule 'B' maps.

### 3.2 SCHEDULE 'D' SOURCE WATER PROTECTION AREAS

Major Development involving handling and / or storage of 2,500 litres or more of bulk fuel or 500 litres of chemicals within Highly Vulnerable Aquifers as shown on Schedule 'C' shall only be permitted with a Contamination Management Plan approved by the Region of York Risk Management Office.

## **SECTION 4 – INTERPRETATION**

### **4.1 ZONE SYMBOLS**

The symbols used on the Schedules attached hereto, refer to the respective zones established by this By-law.

### **4.2 ZONES DEFINED**

The extent and boundaries of all zones are shown in Schedules attached hereto, and all such zones are hereby defined as areas to which the provisions of this By-law shall respectively apply.

### **4.3 INTERPRETATION OF ZONE BOUNDARIES**

Where the boundary of any zone, as shown on the attached schedules, is uncertain, the following provisions shall apply:

- where a zone boundary is shown as following:
  - a) the centre line of a street, lane, railway, public utilities right-of-way or watercourse, the boundary shall follow said centre line;
  - b) a lot line, the boundary shall follow said lot line; or,
  - c) the limit of the flood plain, the boundary shall follow said limit;
- where it is not possible to establish a zone limit by any of the provisions above, or by distance shown on the map from a line so established, the location shall be determined by scale from the schedule at the original scale.

### **4.4 MEASUREMENTS - CONVERSION FROM IMPERIAL TO METRIC**

An imperial measurement on a survey drawn to an imperial scale and prepared by an Ontario Land Surveyor, when converted to metric scale, shall be deemed to be equal to the metric measurement, closest to the second decimal point, for purposes of compliance with this By-law.

### **4.5 SPECIAL ZONES AND PROVISIONS**

Where a zone symbol is followed by a dash and a number (for example, 'M1-1'), the lands so designated shall be subject to all the provisions of the zone represented by such symbol, except as otherwise provided by the 'Special Provisions' of that zone.

#### **4.6 BOUNDARIES OF ENVIRONMENTAL PROTECTION (EP) ZONE**

The EP zone shown on Schedule 'A' incorporates a 30-metre vegetation protection zone from wetlands, lakes, permanent streams, intermittent streams, fish habitat, seepage areas, springs and significant woodlands in accordance with the Town of Georgina Official Plan, 2016.

The extent of these features is based upon information available from the Province of Ontario, York Region, the Lake Simcoe Region Conservation Authority, and other sources. Refinements and adjustments to the EP zone boundaries, including Key Natural Heritage Features and Key Hydrologic Features, are subject to a planning process based upon appropriate technical evidence such as a Natural Heritage Evaluation and/or Hydrological Evaluation accepted by the governmental authority having jurisdiction, as applicable.

#### **4.7 CERTAIN WORDS**

In this By-law, words used in the present include the future; words in the singular include the plural; words in the plural include the singular; and the words "used" and "occupied" shall include the words "intended or arranged" and "designed to be used or occupied"; the word "shall" is mandatory and not directory.

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## **5.1 ACCESSORY USES, BUILDINGS OR STRUCTURES**

### **a) LIMITATION**

No accessory building, structure or use shall be erected or established on any lot until the main building to which it is to be accessory has been erected, except as provided herein under "Construction Uses", or where such accessory building forms part of the main building.

An accessory building or structure shall not be used for human habitation except as provided for in Section 5.46.

### **b) LOCATION (RESIDENTIAL)**

In a Residential (R) zone, an accessory building or structure shall not be erected in any yard other than an interior side yard or rear yard.

In the case of a lot fronting on Lake Simcoe or a navigable river, or a through lot having frontage on a road which is adjacent to the lake or a navigable river, an accessory building may be erected in the area between the main building and the required front yard provided the accessory building complies with all applicable setbacks.

In the case of a through lot, accessory buildings and structures may be permitted in the established rear yard area. Furthermore, notwithstanding Section 5.36, a reduced setback of 3 metres from the front lot line abutting the established rear yard may be permitted for buildings and structures having a maximum ground floor area of 11.14 square metres as well as for swimming pools.

Further, the established rear yard area shall be the yard opposite the established front yard area.

An accessory building with a floor area of 10 sq. m. and greater shall be located a minimum of 2 metres from a dwelling, except in a Residential zone where the accessory building is less than 10 square metres in floor area, the setback between the accessory building and a dwelling may be reduced to nil. The location of free standing detached buildings containing additional dwelling units are subject to the provisions of Section 5.46.

### **c) LOT FRONTAGE AND AREA (RESIDENTIAL)**

An accessory building is permitted on all lots on which a single detached dwelling has been erected regardless of the lot area and frontage provisions of the respective zone.

**d) YARDS**

All accessory buildings and structures shall comply with the minimum yard requirements of the zone in which they are located, except:

- a satellite receiving dish shall be subject to the provisions set forth in Section 5.29 herein.

In a Residential zone the yards may be reduced to comply with the following:

- common semi-detached garages and carports which may be centred on the mutual lot line;
- an accessory building having a maximum height equal to or less than 3 metres measured from average grade to the highest point of the structure shall have a minimum setback of 0.6 metre to the exterior side lot line, interior side lot line, and rear lot line;
- an accessory building having a height greater than 3 metres and up to 4.5 metres measured from average grade to the highest point of the structure shall have a minimum setback of 1 metre to the exterior side lot line, interior side lot line, and rear lot line;
- an accessory building having a height greater than 4.5 metres measured from average grade to the highest point of the structure shall have a minimum setback of 1.2 metre to the interior side lot line and rear lot line, and shall maintain the minimum required exterior side yard setback for a main building in the Zone it is located in;
- notwithstanding the above, where an accessory building of any height has a driveway providing vehicular access to a street, it shall have a minimum setback of 6 metres to the lot line that it obtains vehicular access, or the minimum required setback as set out above, whichever is greater;
- an accessory building erected in a front yard as set forth in Section 5.1 (b), it shall not be located closer than 1 metre to a side lot line nor 6 metres to the front or exterior side lot lines;
- where the entrance to a private garage is from a lane or access street, such building shall be a minimum of 6 metres from the lane or access street;
- a parking attendant/security guard structure, on a lot zoned Institutional (I) may be permitted within the front yard but not closer than 3 metres to the front lot line.



In all other zones permitting a single detached dwelling, the yards may be reduced to comply with the following:

- an accessory building or structure, excluding a building or structure used for livestock purposes or a home industry use, shall be setback a minimum of 3 metres from an interior side lot line.

**e) LOT COVERAGE**

The total lot coverage of all accessory buildings shall not exceed ten percent of the lot.

**f) HEIGHT**

The maximum height of an accessory building or structure in a zone permitting a single detached dwelling shall be as follows:

Lots less than 8,000 sq. m:

- 7.5 metres measured from average finished grade to the highest point of the structure.
- an accessory building or structure with a peaked roof design shall not exceed 9.0 metres to the top of the peak nor 7.5 metres to the eaves, measured from average finished grade.

Lots 8,000 sq. m or greater:

- 11.0 metres measured from average finished grade to the highest point of the structure.

All Other Zones:

All accessory buildings and structures shall comply with the maximum height requirements for a main building in the Zone that it is located in.

An attached accessory building or structure shall be subject to the same height provisions as the main building or structure.

A satellite dish shall be subject to the height provisions set forth in Section 5.29.

**g) TEMPORARY ACCESSORY TENTS**

Notwithstanding 5.1 (a), (b), (c), (d), (e) and (f) as it applies to RU-C, AP or R zones, a 'Temporary Accessory Tent' used for a special occasion shall be permitted, subject to compliance with Town policy and the Town Building By-law.

## **5.2 RAILWAY SETBACK**

Notwithstanding the yard requirements of this By-law, all buildings and structures with the exception of accessory buildings not utilized for human habitation shall be setback from railway lines, in accordance with the minimum distances as set forth below:

- residential, institutional, commercial (excluding a mechanical garage, light service shop and heavy service shop) and
- recreational uses 120 metres

except where such use is separated from the railway property by a 2.5 metre high safety berm, as defined and approved by the railway authority or regulatory authority in which case the minimum setback shall be reduced to 30 metres.

- industrial uses (including a mechanical garage, light service shop and heavy service shop) 60 metres

except where such use is separated from the railway property by a 2.0 metre high safety berm, as defined and approved by the jurisdiction having authority, in which case the minimum setback shall be reduced to 15 metres.

- warehouse 15 metres

## **5.3 CHANGE OF USE**

A use of land, building or structure which, under the provisions hereof, is not permitted within the zone in which such land, building or structure is located, shall not be changed except to a use which is permissible within such zone or unless given planning approval by the Council or the Committee of Adjustment.

## **5.4 CONSTRUCTION USES**

A building or structure incidental to construction, including a housing sales office, is permitted in all zones, but only for as long as it is necessary for the work in progress and until the work or housing sales are completed or abandoned. "Abandoned" in this subsection means the failure to proceed expeditiously with the construction work or sales. Such buildings or structures, including trailers and shipping containers, shall comply with the minimum yard requirements of the respective zone and shall not be used for overnight accommodation, except that a trailer may be used for such purposes subject to the provisions set forth by agreement with the Town of Georgina.

## **5.5 DISPLAY OF VEHICLES**

For purposes of this By-law the display of vehicles shall be permitted as an accessory use to a permitted use. The display of vehicles shall be setback 3 metres from a lot line, except where a yard abuts a lot zoned Residential or Transitional in which case the minimum yard shall be the minimum for the main building.

## **5.6 EXISTING BUILDINGS – REPAIR, RESTORATION, RECONSTRUCTION, REPLACEMENT, OR ENLARGEMENT**

1. Nothing in this by-law shall prevent the repair, reconstruction or replacement to a safe condition of an existing building or structure containing a legal non-conforming use, provided there is no expansion of the legal non-conforming building, structure or use. In the case of replacement, such replacement must occur within one year of the demolition of the building or structure.

Prior to the expansion of any legal non-conforming use an approved minor variance or approved zoning amendment must be obtained.

2. Nothing in this By-law shall prevent the repair, reconstruction, replacement or enlargement of an existing building or structure containing a use permitted within that zone that does not comply with the yard, height, lot area, lot coverage provisions of this by-law for the zone in which it is located provided that:
  - (a) where an existing building or structure, either in whole or in part, is located within a minimum yard such repair, reconstruction, replacement or enlargement does not increase the vertical space beyond a maximum of 2.0 metres or horizontal space beyond a maximum of 3.75 metres. Notwithstanding the above, the height of a building or structure shall not exceed the maximum height provisions for the zone in which it is located or extend into a yard further than the point of existing encroachment;
  - (b) any replacement building or structure shall be replaced within one year from the date that it is demolished or destroyed by fire.
3. In an EP zone, the expansion, addition or reconstruction of a building legally existing on the effective date of this by-law as well as new accessory buildings shall only be permitted within 15 metres of the outer edge of the main building or structure on the lot.

## **5.7 FENCING REQUIREMENTS**

Fences not exceeding 2 metres in height are permitted in all yards subject to compliance with all other provisions of this by-law. Any fence exceeding 2 metres in height must be erected in compliance with the minimum yard requirements for the appropriate zone. Notwithstanding the above, a fence in a Commercial, Industrial or Institutional zone may be erected to a height of 3 metres.

## **5.8 FRONTAGE ON A ROAD OR STREET**

Subject to compliance with all other applicable provisions of this by-law, no person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected fronts upon a public street, except:

- (a) in a registered plan of subdivision for which there exists a valid subdivision agreement, but the streets have not yet been assumed; or,
- (b) in respect of a lot which does not front on a public street and which contains a legally existing building, in which case such building may be enlarged, reconstructed, repaired, renovated or replaced in accordance with Section 5.6 and accessory buildings may be erected; or,
- (c) in respect of a lot where a street has been constructed to a standard approved by the Town for assumption, but where the Town has not yet assumed the street.

## **5.9 FUEL PUMPS**

No person shall erect or use any pumps for dispensing motor fuels for sale, except in conjunction with one of the following:

- (a) an aerodrome or airport;
- (b) a marina, in which case it will be used only for dispensing fuels to marine craft or snowmobiles;
- (c) a motor vehicle gas bar; and,
- (d) a garage, mechanical or autobody.

**5.10 GREATER RESTRICTIONS – OTHER REGULATIONS AND BY-LAWS**

This By-law shall not be effective to reduce or mitigate any restrictions imposed by any government authority having jurisdiction to make such restrictions. This includes other Town by-laws and the requirement to obtain any permit, license, permission, authority or approval.

**5.11 HAWKER OR PEDLAR USE**

No use of land by a hawker or pedlar shall be permitted in any zone unless “hawker or pedlar use” is a permitted use and conforms with the following provisions:

- (a) Limitation: The total number of hawkers or pedlars uses per lot shall not exceed one. Further, a hawker or pedlar use shall not be permitted on a lot which does not contain a non-residential building.
- (b) Yard Setbacks: In accordance with the minimum yard requirements for the respective zone.
- (c) Parking: In accordance with the provisions of Section 5.23.
- (d) Licensing: In addition to complying with the above, all hawkers or pedlars must be licensed pursuant to the Town's applicable licensing by-law.

**5.12 HEIGHT EXCEPTIONS**

Despite any provisions of this by-law to the contrary, nothing in this By-law shall apply to prevent the erection, alteration, or use of the following: air conditioning duct, barn, silo, belfry, church spire, chimney, drive-in theatre screen, elevator enclosure, flag pole, grain elevator, penthouses, parapets and similar constructions enclosing equipment or stairs, playground equipment, radio or television tower or antenna, ventilator or skylight, water tank, windmill, or similar uses. A satellite dish shall be subject to height provisions in Section 5.29.

### **5.13**

#### **HOME INDUSTRY**

No home industry shall be permitted in any zone unless home industry is a permitted use and conforms to the following provisions:

- (a) not more than three persons, other than the residents of the dwelling shall be employed in such home industry;
- (b) there shall be no external display or advertising, other than a legal sign, to indicate to persons outside, that any part of the lot is being used for home industry purposes;
- (c) parking is provided in accordance with Section 5.23;
- (d) the floor area shall not exceed 250 square metres; and,
- (e) such home industry is clearly secondary to the main use of the property and does not create or become a public nuisance, particularly in regard to traffic, parking, noxious odours or emissions of smoke.

### **5.14**

#### **HOME OCCUPATION**

No home occupation shall be permitted in any zone unless home occupation is a permitted use and conforms to the following provisions:

- (a) residents in the dwelling unit operate the home occupation;
- (b) no person, other than a resident, is engaged in canvassing, delivering or as a go-between in distributing merchandise to customers;
- (c) no more than two persons not resident in the dwelling shall be employed;
- (d) there is no display visible from outside the premises, other than a legal sign, to indicate that any part of the dwelling house, unit or lot is being used for a purpose other than residential;
- (e) such home occupation is clearly secondary to the main residential use and does not change the residential character of the dwelling nor create or become a public nuisance, particularly in regard to traffic, parking, noise, noxious odours or emission of smoke;
- (f) such home occupation does not interfere with television or radio reception;
- (g) not more than 25% of the residential floor area of the dwelling is used for the purpose of home occupation uses; and,
- (i) the operation of a personal service shop shall be limited to one operator at any one time.

**5.15**

**KENNEL(S)**

Notwithstanding any other provision of this By-law, a kennel use shall only be established and operated in accordance with the provisions of the Town of Georgina Kennel Licensing By-law, as amended, revised, or replaced.

**5.16**

**LAND ABUTTING A NAVIGABLE WATERWAY**

Notwithstanding the permitted uses, yard, height, and lot coverage provisions of this By-law where land abuts a navigable waterway and is zoned EP, RU-C, AP, R or OS, a boathouse, dock or wharf shall be permitted provided such buildings or structures are used for non-commercial recreational purposes only. Such uses, buildings or structures shall be subject to the following requirements:

- (a) YARDS (MINIMUM)  
1 metre, except that where the lot line abuts a navigable body of water the yard may be reduced to nil.
- (b) HEIGHT (MAXIMUM)  
5 metres, except that within 30 metres of the centre line of a public road the maximum height shall be 1 metre above the said centre line of the road.

Notwithstanding the above, where the subject lot contains a dwelling or where the subject lot is of sufficient size that a dwelling can be erected thereon as set forth below, the maximum height for a boat house, dock or wharf shall be 5 metres in all cases.

- (c) LOT COVERAGE (MAXIMUM)  
Not Applicable.

**5.17**

**LAND SUITABILITY FOR USE**

Notwithstanding any other provisions of this By-law, no habitable building or structure shall be erected, altered or used on land which, by reason of its rocky, low lying, marshy or unstable character, is unsuitable for the provision of satisfactory foundation support, water supply, sewage disposal or drainage facilities.

**5.18 LIVESTOCK IN RESIDENTIAL AREAS (RAISING OR KEEPING OF ANIMALS, POULTRY, REPTILES OR INSECTS IN RESIDENTIAL AREAS – PROHIBITED)**

No person shall use any land, building or structure in any zone on a lot of less than 0.8 ha, for the keeping or raising of animals, poultry, reptiles or insects except as allowed by a specific municipal by-law which sets forth regulations for keeping of the same.

**5.19 LOADING SPACE REQUIREMENTS**

(a) **LOADING SPACE AREA**

For every building or structure hereafter erected for a Commercial, Industrial, or Institutional use involving the shipping, loading or unloading of persons, animals, goods or materials, there shall be provided and maintained loading facilities on land that is not part of a street, comprised of one or more loading spaces, at least 11 metres long, and 4 metres wide, and having a vertical clearance of at least 4.5 metres.

Non-Residential Floor Area of Building	Number of Loading Spaces Required	
	Commercial / Industrial	Institutional
185 sq m or under	Not required	Not required
exceeding 185 sq m and up to 550 sq m	1	1
exceeding 550 sq m and up to 2,300 sq m	2	1
exceeding 2,300 sq m and up to 7,400 sq m	3	2
exceeding 7,400 sq m	3 spaces plus one (1) additional space for each 9,200 sq m or fractional part thereof in excess of 7,400 sq m	

(b) **ACCESS**

Access to loading or unloading spaces shall be by means of a driveway or aisle at least 4 metres wide contained within the lot on which the spaces are located within the zone in which the use is located and leading to a street or a lane at least 6 metres wide.

(c) **YARDS WHERE PERMITTED**

The required loading spaces shall be located only in an interior side or rear yard, unless set back from the street line a minimum distance of 25 metres.

Further, a loading space shall not be located closer than 1.5 metres to an interior side or rear lot line.



(d) **ADDITION TO EXISTING BUILDING**

If a building, which existed on the date of passing of this by-law has insufficient loading space as required therein, that deficiency will not be required to be made up prior to construction of an addition. However, no addition may be built and no change of use may occur which would result in an increase in that deficiency.

**5.20 MULTIPLE USES ON ONE LOT**

Where any land or building is used for more than one purpose, all provisions of this by-law shall be complied with in respect of each use.

**5.21 OUTDOOR STORAGE OF LEISURE VEHICLES ON LANDS ZONED TO PERMIT A SINGLE DETACHED DWELLING**

(a) **LOTS EQUAL TO OR GREATER THAN 4 000 M<sup>2</sup>**

The outdoor storage of a maximum of six leisure vehicles is permitted, two of which may be located on a parking area in a front yard driveway or exterior side yard driveway. The following additional provisions shall apply:

- (i) The minimum setback from a front lot line or exterior side lot line shall be 6.0 metres. The minimum setback from an interior side lot line or rear lot line shall be 1.2 metres.
- (ii) The maximum height of a leisure vehicle from the ground upon which it is stored to the top most feature of the leisure vehicle shall be 4.0 metres. The maximum length of a leisure vehicle shall be 13 metres.
- (iii) Where a leisure vehicle is located on a parking area in a front yard driveway or exterior side yard driveway, such leisure vehicle storage shall ensure that a minimum of 3 required parking spaces are provided for motor vehicles and are unobstructed to ensure ingress and egress of motor vehicles to the property.
- (iv) A leisure vehicle shall at no time be permitted to be stored either in whole or in part on a municipal road allowance, including the boulevard.
- (v) For purposes of this by-law a “boulevard” means that portion of a road allowance between the closest edge of the travelled portion of the road allowance and a front lot line or exterior side lot line.
- (vi) Where two or more leisure vehicles are stored on or in a single trailer, capable of carrying one or more leisure vehicles, the leisure vehicles, including the trailer shall count as one leisure vehicle.

- (vii) Notwithstanding the applicable provisions in iii) above, where a leisure vehicle is stored either in the rear portion, or on the roof, of a motor vehicle, such storage shall not be deemed to obstruct the required parking spaces. In such cases, provided the height of the leisure vehicle, including the height of the portion of the motor vehicle upon which it is stored, does not exceed 4.0 metres in height, the leisure vehicle shall not be counted as a leisure vehicle.
- (viii) Notwithstanding the 6.0 metre front lot line or exterior side lot line setback requirement in (i) above, a leisure vehicle, excluding a snowmobile or similar winter leisure vehicle, may be stored on a parking area within the front yard or exterior side yard within the required minimum 6.0 metre setback from a front lot line or exterior side lot line on a seasonal basis only from April 1 to October 31 in the same calendar year.
- (ix) Notwithstanding the 6.0 metre front lot line or exterior side lot line setback requirement in (i) above, only a snowmobile or similar winter leisure vehicle may be stored on a parking area within a front yard or exterior side yard a minimum setback of 1.0 metre from a front lot line or exterior side lot line on a seasonal basis only from November 1 in one calendar year to March 31 in the following calendar year.
- (x) Where permission to store a leisure vehicle is on a seasonal basis, the maximum height of a leisure vehicle from the ground upon which it is stored to the top most feature of the leisure vehicle shall be 4.0 metres and the maximum length of a leisure vehicle shall be 13.0 metres.
- (xi) Notwithstanding any of the height, length and front lot line and exterior side lot line setback requirements herein, one leisure vehicle may be stored on a parking area in a front yard or exterior side yard driveway on a temporary basis:
  - (1) During the five weekdays prior to and proceeding through to the end of the Victoria Day holiday weekend and during the Thanksgiving holiday weekend and the five weekdays thereafter; and,
  - (2) On the day prior to and proceeding through to end of the day after the Easter Holiday, Canada Day, Civic Holiday, and Labour Day Weekends.

All other provisions herein regarding the outdoor storage of leisure vehicles on residential lots continue to apply.

- (xii) Notwithstanding Section 5.23 (i) ACCESS – DRIVEWAYS, AISLES, AND ACCESS STREETS of Zoning By-law No. 500, as amended, and any other provisions of this by-law, where a parking area/driveway for a single detached dwelling is used for the storage of a leisure vehicle, the width of the parking area/driveway shall be a minimum of 5 metres and shall not exceed 55% of the lot frontage.
  - (xiii) Any reference to a leisure vehicle shall include: (1) the trailer on or in which the leisure vehicle is stored; or, (2) a trailer designed or intended to carry a leisure vehicle.
  - (xiv) No leisure vehicle, which would require a valid licence pursuant to the Highway Traffic Act if driven or towed on a public road, may be stored on a parking area in a front yard driveway or exterior side yard driveway unless the leisure vehicle is affixed with a valid licence plate or is located on a trailer affixed with a valid licence plate.
- (b) LOTS EQUAL TO OR GREATER THAN 270 M2 AND LESS THAN 4 000 M2

The outdoor storage of a maximum of three leisure vehicles is permitted, one of which may be located on a parking area in a front yard driveway or exterior side yard driveway, except on a lot of less than 270 m2 in which case the outdoor storage of leisure vehicles is only permitted in the rear yard. The following provisions shall also apply:

- (i) The minimum setback from a front lot line or exterior side lot line shall be 6.0 metres. The minimum setback from an interior side lot line or rear lot line shall be 1.2 metres.
- (ii) The maximum height of a leisure vehicle from the ground upon which it is stored to the top most feature of the leisure vehicle shall be 4.0 metres. The maximum length of a leisure vehicle shall be 13 metres.
- (iii) Where a leisure vehicle is located on a parking area in a front yard driveway or exterior side yard driveway, such leisure vehicle storage shall ensure that a minimum of 3 required parking spaces are provided for motor vehicles and are unobstructed to ensure ingress and egress of motor vehicles to the property.
- (iv) A leisure vehicle shall at no time be permitted to be stored either in whole or in part on a municipal road allowance, including the boulevard.

- (v) For purposes of this by-law a “boulevard” means that portion of a road allowance between the closest edge of the travelled portion of the road allowance and a front lot line or exterior side lot line.
- (vi) Where two or more leisure vehicles are stored on or in a single trailer, capable of carrying one or more leisure vehicles, the leisure vehicles, including the trailer shall count as one leisure vehicle.
- (vii) Notwithstanding the applicable provisions in iii) above, where a leisure vehicle is stored either in the rear portion, or on the roof, of a motor vehicle, such storage shall not be deemed to obstruct the required parking spaces. In such cases, provided the height of the leisure vehicle, including the height of the portion of the motor vehicle upon which it is stored, does not exceed 4.0 metres in height, the leisure vehicle shall not be counted as a leisure vehicle.
- (vii) Notwithstanding the 6.0 metre front lot line or exterior side lot line setback requirement in (i) above, a leisure vehicle, excluding a snowmobile or similar winter leisure vehicle, may be stored on a parking area within the front yard or exterior side yard within the required 6.0 metre setback from a front lot line or exterior side lot line on a seasonal basis only from April 1 to October 31 in the same calendar year.
- (ix) Notwithstanding the 6.0 metre front lot line or exterior side lot line setback requirement in (i) above, only a snowmobile or similar winter leisure vehicle may be stored on a parking area within a front yard or exterior side yard a minimum setback of 1.0 metre from a front lot line or exterior side lot line on a seasonal basis only from November 1 in one calendar year to March 31 in the following calendar year.
- (x) Where permission to store a leisure vehicle is on a seasonal basis, the maximum height of a leisure vehicle from the ground upon which it is stored to the top most feature of the leisure vehicle shall be 4.0 metres and the maximum length of a leisure vehicle shall be 13.0 metres.
- (xi) Notwithstanding any of the height, length and front lot line and exterior side lot line setback requirements herein, one leisure vehicle may be stored on a parking area in a front yard or exterior side yard driveway on a temporary basis:
  - (1) during the five weekdays prior to and proceeding through to the end of the Victoria Day holiday weekend and during the Thanksgiving holiday weekend and the five weekdays thereafter; and,

- (2) on the day prior to and proceeding through to the end of the day after the Easter Holiday, Canada Day, Civic Holiday, and Labour Day weekends.

All other provisions herein regarding the outdoor storage of leisure vehicles on residential lots continue to apply.

- (xii) Notwithstanding Section 5.23 (i) ACCESS – DRIVEWAYS, AISLES, AND ACCESS STREETS of Zoning By-law No. 500, as amended, and any other provisions of this by-law, where a parking area/driveway for a single detached dwelling is used for the storage of a leisure vehicle, the width of the parking area/driveway shall be a minimum of 5 metres and shall not exceed 55% of the lot frontage.
- (xiii) Any reference to a leisure vehicle shall include: (1) the trailer on or in which the leisure vehicle is stored; or, (2) a trailer designed or intended to carry a leisure vehicle.
- (xiv) No leisure vehicle, which would require a valid licence pursuant to the Highway Traffic Act if driven or towed on a public road, may be stored on a parking area in a front yard driveway or exterior side yard driveway unless the leisure vehicle is affixed with a valid licence plate or is located on a trailer affixed with a valid licence plate.

## **5.22 OUTDOOR STORAGE OF LEISURE VEHICLES ON LANDS ZONED TO PERMIT A SINGLE DETACHED DWELLING ON A LOT LESS THAN 270 m<sup>2</sup>**

- (i) The outdoor storage of a maximum of three leisure vehicles is only permitted in a rear yard. A leisure vehicle shall have a maximum height of 3.0 metres, a maximum length of 7 metres, and a minimum setback to an interior side or rear lot line of 1.2 metres.
- (ii) Where two or more leisure vehicles are stored on or in a single trailer, capable of carrying one or more leisure vehicles, the leisure vehicles, including the trailer shall count as one leisure vehicle.

## **5.23 PARKING AREA REGULATIONS SPACE REQUIREMENTS**

For every building or structure to be erected or enlarged, off-street parking spaces exclusive of aisles or driveways, shall be provided and maintained in conformity with the following schedule:

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- (a) **PARKING SPACE SIZE**
- Standard Parking Space
- |                                      |               |
|--------------------------------------|---------------|
| where angle to aisle is not parallel | 3.0 m X 5.7 m |
| parallel to aisle                    | 3.0 m X 7.0 m |
- Standard Parking Space – School, Public
- |                                      |                |
|--------------------------------------|----------------|
| where angle to aisle is not parallel | 2.75 m X 5.7 m |
| parallel to aisle                    | 2.5 m X 7.0 m  |

Notwithstanding the above, where a required parking space for a single detached dwelling is located in a driveway private to the unit and within the front yard, the width of the parking space shall be a minimum of 2.5 metres.

- (b) **NUMBER OF PARKING SPACES (MINIMUM)**

**RESIDENTIAL USES**

Type of Use	Minimum Number of Required Spaces
Single detached dwelling	three per unit, two of which may be in a driveway private to the unit and in the front yard
Additional dwelling unit in a Single Detached Dwelling	Notwithstanding any provisions in this By-law to the contrary, a total of three parking spaces must be provided on the subject lot, provided they meet the following: <ul style="list-style-type: none"> <li>- Only one of the three parking spaced required can be in a garage.</li> </ul>
Additional Dwelling unit in a Detached Building.	Notwithstanding any provisions in this By-law to the contrary, a total of four parking spaces must be provided on the subject lot, provided they meet the following: <ul style="list-style-type: none"> <li>- Only one of the three parking spaced required can be in a garage.</li> </ul>

Notwithstanding the above, where a single detached dwelling existed on a lot as of the effective date of this By-law, such a dwelling may be enlarged, reconstructed, repaired, renovated or replaced, provided that no additional dwelling units are created, and provided that the dwelling complies with all other provisions herein, unless specifically exempted.

Further, and notwithstanding the above, the parking provisions as set forth below shall apply until March 4, 1995 to residential uses permitted on lands which were zoned for single family dwelling units

prior to March 4, 1993, and provided the Town has issued a building permit for such use prior to March 4, 1995.

Type of Use	Minimum Number of Required Spaces
a building containing one or two dwelling units	two per unit, one of which may be in a driveway private to the unit and in the front yard
a building containing three or more dwelling units	one and three-quarters per unit

Notwithstanding the above, where a leisure vehicle is stored on a parking area in a front yard or exterior side yard on a seasonal or temporary basis as set forth in Section 5.21 a) (viii), (ix), and (xi), the required number of parking spaces for a single detached dwelling, for the period in which the leisure vehicle storage is permitted, shall be reduced from 3 spaces to 2 spaces for the duration of the specified seasonal or temporary period only.

#### NON-RESIDENTIAL USES

Type of Use	Minimum Number of Required Spaces
<b>Commercial:</b>	
restaurant	10 per 95 sq. m. of non-residential floor area
bakery or bakeshop, garden centre, health care – clinic, retail store, laundromat, place of amusement, wholesale establishment	5.5 per 95 sq. m. of non-residential floor area
catering establishment	3.5 per 95 sq. m. of non-residential floor area
multi-unit commercial centre	5.5 per 95 sq. m. of non-residential floor area; except where 50% of the total non-residential floor area is devoted to a restaurant, auditorium, arena, church, funeral home(chapel), hall, commercial or private club, the parking requirement for these uses shall be calculated based on the requirement for this individual use. Notwithstanding these provisions, parking for a theatre use shall be calculated based on the requirement for this use.

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bank, building supply and equipment establishment, business or professional office, bowling alley, convenience retail store, personal or light service shop, dry cleaning outlet, equipment sales establishment, mechanical garage, motor vehicle sales and/or rental establishment – automobile, commercial, and/or recreational vehicles, studio, taxi stand	3.5 per 95 sq. m. of non-residential floor area
tourist information centre, veterinary clinic (animal hospital)	3.5 per 95 sq. m. of non-residential floor area
golf ball driving range or miniature golf course	1 per tee or hole
golf courses	3 per hole
hawker or pedlar use	1 per hawker or pedlar use; except where a Hawker or Pedlar licence is issued for the sale of Fireworks, no parking space shall be required
home occupation	<p>3.5 per 95 sq. m. of residential floor area used for home occupation purposes.</p> <p>Where a single detached dwelling contains an additional dwelling unit, a minimum of one parking space is required for a home occupation regardless of the floor area of the home occupation and the home occupation parking spaces are in addition to the residential parking spaces required for a dwelling containing an additional dwelling unit.</p> <p>Notwithstanding Section 5.23(g), parking required for a home occupation is permitted within the minimum front or exterior side yard.</p>



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marina	1 per each slip in addition to that provided for retail space.
hotel, motel, motor hotel	1 per rental unit for the first twenty units and thereafter one per two units, plus 10 per 95 sq. m. of non-residential floor area devoted to public use
motor vehicle fuel bar or washing establishment	2 spaces per establishment
recreational vehicle park and/or tent campground	1 per site plus 5 per park or campground for visitors
refreshment vehicle	2 per vehicle
refreshment cart	1 per cart
schools, commercial or private	5.5 per 95 sq. m.
tennis courts (commercial)	4 spaces per court
temporary structure/use, commercial (as defined by Section 2.198 B), and 5.37 A))	nil
recreational baseball batting cage	1 per batting station
<b>Industrial:</b>	
- warehouse or public storage building	1 per 95 sq. m. of non-residential floor area
- all other industrial uses including home industry and printing shop, but excluding a mechanical garage	2 per 95 sq. m. of non-residential floor area
communications facility	2 per 95 sq. m. of non-residential floor area
crematorium	2 per 95 sq. m. of non-residential floor area
cannabis production facility, licensed	2 spaces, plus 2 spaces per 95 sq. metres of non-residential floor area
cannabis production facility, designated	2 spaces, plus 1 space per 95 sq. metres of non-residential floor area
research and development facility	2 per 95 sq. m. of non-residential floor area

<b>Place of Assembly:</b>	
An airport, auditorium, arena, church, funeral home (chapel), hall, commercial or private club, theatre	1 per 5 seats (or 3m of bench seats). If no fixed seats exist, then 10 per 95 sq m of non-residential floor area devoted to use by the public (10 spaces minimum)
Art Gallery	10 per 95 sq. m. of non-residential floor area devoted to use by the public
Convention Centre	10 per 95 sq. m. of non-residential floor area devoted to use by the public
Place of Worship	1 per 5 seats (or 3m of bench seats). If no fixed seats exist, then 10 per 95 sq. m. of non-residential floor area devoted to use by the public (10 spaces minimum)
<b>Institutional:</b>	
Hospitals and nursing homes	1 per bed
School, public - elementary	2 per teaching classroom or portable teaching classroom plus 5 spaces for a day nursery provided in a school facility
- secondary	4 per teaching classroom or portable teaching classroom plus 10 spaces for a day nursery provided in a school facility
Day nursery	2.5 per each classroom, none required for day nursery in church or apartment dwelling

(d) CASH-IN-LIEU OF PARKING

Notwithstanding Section 5.23 (b), where a cash-in-lieu of parking agreement has been executed, the parking space requirement for a building, structure or lot which is the subject of the agreement shall be the requirement set forth in 5.23 (b) less the number of spaces exempted by the cash-in-lieu agreement.

(e) ADDITION TO EXISTING USE

When a building or structure has insufficient parking on the date of passing of this By-law to conform to the requirements herein and where a change of use is to occur which would increase the deficiency, this By-law shall be interpreted to require that the deficiency be made up prior to the construction of any addition.

(f) USE OF PARKING AREAS

Where a parking area is permitted or required by this By-law, no person shall use such parking area for parking any motor vehicle unless such vehicle bears a motor vehicle license which is currently valid. Further, no person shall use a parking area in a Residential zone to park any tow truck (as defined herein), commercial motor vehicle or commercial trailer (as defined by the Highway Traffic Act), with the exception of the following:

- (i) commercial motor vehicles or commercial trailers having a maximum length of 7 metres, a maximum width of 2.5 metres, and a maximum height of 2.5 metres.
- (ii) one school bus per residential lot, provided the lot contains a dwelling.

The parking of large school buses (bus as defined in The Highway Traffic Act and school bus as defined herein) designed to carry in excess of twenty passengers, however, are also subject to the following setback requirements:

- 1.5 metre (minimum) setback from the interior side and rear lot lines; and,
  - 4.0 metre (minimum) setback from the front and exterior side lot lines.
- (iii) the storage of leisure vehicles on a parking area in a front yard driveway or exterior side yard driveway as set forth in Section 5.21(a).

(g) LOCATION

Required parking spaces and driveways shall be provided on the same lot occupied by the building or structure except where cash-in-lieu of parking agreement has been executed.

In the case of a building containing residential and commercial uses, the parking area intended for the residential use shall be designated separately as determined by the Site Plan Approval as applicable, from the parking area intended for the commercial use.

Where a home occupation use is proposed, the parking required for such use shall not be located within the minimum front or exterior side yard.

(h) YARDS

Uncovered surface parking areas may be permitted in the required yards as set forth below:

Zone	Yard in Which Parking Area is Permitted
All zones permitting a residential use	All yards, provided that no part of any parking area, other than a driveway or parking spaces located within a driveway as provided in Section 5.23 (b), are located within the minimum front yard or exterior side yard
All Other Zones	All yards, provided that no part of any parking area, other than a driveway, is located closer than 1.5 metres to any lot line

Notwithstanding the required 1.5 metre setback set forth above, commercial parking areas located contiguously on abutting lots, shall be permitted subject to a site plan agreement between the owners of the subject land and the Town. Underground parking areas are permitted within 1.5 metres of a lot line or "Planned Width of Street Allowance".

(i) ACCESS – DRIVEWAYS, AISLES, AND ACCESS STREETS

Notwithstanding any other provisions of this by-law, where a driveway or parking area for a single detached dwelling, is located within the minimum front yard, the width of the driveway or parking area shall be a minimum of 3 metres and shall not exceed 55% of the lot frontage.

Access to and from parking areas shall be provided by means of unobstructed driveways at least 3 metres, for ingress or egress only, and 6.0 metres for combined ingress and egress, but not more than 9 metres wide.

The minimum width of an access street shall be 6.0 metres, except where the access street also serves as a parking aisle, in which case the minimum width of that part of the access street shall be the width required for the aisle, but not less than 6.0 metres.

The minimum distance between a driveway and the intersection of street lines, measured along the street line intersected by such driveway, shall be 9 metres for all zones permitting a single detached dwelling and 15 metres for all other zones.

The minimum angle of intersection between a driveway and a street shall be 60 degrees.

The minimum width of aisles which are required in a parking area shall be determined by the angle between the side of the parking space and said aisle, and whether the aisle provides one-way or two-way access, as follows:

Angle of Space to Aisle	Aisle Width	Traffic Direction
Parallel	3.0 metres	one-way
Parallel	6.0 metres	two-way
30 degrees	3.5 metres	one-way
45 degrees	4.0 metres	one-way
60 degrees	5.0 metres	one-way
90 degrees	7.0 metres	two-way

## 5.24

### PLANNED WIDTH OF PUBLIC STREET ALLOWANCE

Where a lot abuts a public street which is listed in TABLE 1 - PLANNED WIDTH OF STREET ALLOWANCE to have a “planned width of street allowance”, the limit of the “planned width of street allowance”, if it lies within the lot, shall be construed to be the front or exterior side lot line for the purpose of applying the minimum yard provisions of this By-law. In interpreting the above, the following criteria will govern:

- (a) the width will be as listed in Table 1;
- (b) the limit shall be distant half the width from the centre line;
- (c) the centre line shall be the centre line of construction as shown on the latest reference plan deposited, as of the date of passing of this by-law, by the appropriate Authority or, where no such plan has been deposited, the centre line of the original road allowance; and,
- (d) notwithstanding the planned street width set forth below, where the appropriate road authority has provided written confirmation that a lesser planned street width is required, then the lesser standard shall apply.

<b>TABLE 1 – PLANNED WIDTH OF STREET ALLOWANCE</b>	
<b>REGION OF YORK ROADS</b>	
<b>Road Name &amp; Description</b>	<b>Planned Street Width</b>
Kennedy Road (Y.R. 3)	
- Ravenshoe Rd. (Y.R. 32) to Baseline Rd. (Y.R. 8A)	36 metres
- Baseline Rd. (Y.R. 8A) to Mahoney Ave.	30 metres
Warden Avenue (Y.R. 65)	
- Ravenshoe Rd. (Y.R.32) to Baseline Rd. (Y.R. 8A)	36 metres
Woodbine Avenue (Y.R. 8)	
- Ravenshoe Rd. (Y.R. 32) to Metro Rd. (Y.R. 78)	36 metres
Baseline Road (Y.R. 8A)	
- Woodbine Ave. (Y.R. 8) to Elizabeth Dr.	36 metres
Park Road (Y.R. 18)	
- Ravenshoe Rd. (Y.R. 32) to a point 264 m north of Black River Rd.	30 metres
- From a point 264 m north of Black River Rd. to Lakeshore Rd.	26 metres
Ravenshoe Road (Y.R. 32)	
- west Town limit to 500 metres west of Victoria Road (Y.R. 82)	36 metres
- 500 metres west of Victoria Road (Y.R. 82) to Durham Road 23	30 metres
Metro Road (Y.R. 78)	
- The Queensway (Y.R. 12) to Dalton Rd. (Y.R. 9)	30 metres
Old Homestead Road (Y.R. 79)	
- Metro Rd. (Y.R. 78) to Station Rd.	30 metres
Weir's Sideroad (Y.R. 81)	
- Ravenshoe Rd. (Y.R. 32 to Old Homestead Rd. (Y.R. 79)	30 metres

Additional width may be required for sight triangles, cuts, fills, additional turning lanes at intersections, high-occupancy vehicle lanes and for accommodating bicycles, sidewalks and landscaping where appropriate.

<b>TABLE 1 – TOWN OF GEORGINA ROADS</b>	
<b>Road Name &amp; Description</b>	<b>Planned Street Width</b>
Boyer's Sideroad - Metro Rd. to Warden Ave.	25 metres
Glenwoods Avenue - Woodbine Ave. to Hwy. 48	25 metres
Pollock Road - Woodbine Ave. to Cryderman's Side Road	25 metres
Baldwin Road - McCowan Rd. to Hwy. 48	25 metres
Black River Road - Park Rd. to Virginia Blvd.	25 metres
Stoney Batter Road - Hwy. 48 to Ravenshoe Rd.	25 metres
Weir Sideroad - Hwy. 48 to Old Homestead Rd.	25 metres
Valley View Road/Lasher Lane - Burke St. to Ravenshoe Rd.	25 metres
McCowan Road - Metro Rd. to Ravenshoe Rd.	25 metres
Latimer Road/Morning Glory Road/Cedarbrook Road - Hwy. 48 to Durham Rd. 23	25 metres
Smith Boulevard - Hwy. 48 to Weir's Sideroad	25 metres
Frog Street/Snodden Road/Thomas Drive/Roslyn Drive - Hwy. 48 to Durham Rd. 23	25 metres
2 <sup>nd</sup> Concession Road - Lake Simcoe to Ravenshoe Rd.	25 metres
Old Shiloh Road - Victoria St. to west limit	25 metres
1 <sup>st</sup> Concession Road - Lake Simcoe to Ravenshoe Rd.	25 metres
Civic Centre Road - Baseline Rd. to Metro Rd.	25 metres

If not individually listed, the planned street width for local roads shall be 20 metres.

Further, street names may be changed by By-Law passed by either the Councils of the Region of York or Town of Georgina. Where a street name is changed, the planned width of street allowance shall apply to the respective street, notwithstanding the name change.

## **5.25 PLANTING STRIPS (NON-RESIDENTIAL USES)**

Where a lot is used for non-residential purposes, excluding a home occupation use, and abuts a lot zoned Residential, then a strip of land abutting said lot line shall be used for no other purpose than a planting strip in accordance with the provisions of this subsection. Further, in RC, M1 and M2 Zones, a planting strip shall be required along the front and exterior lot lines.

### **(a) WIDTH**

Where land is required to be used for no other purpose other than a planting strip, it shall have a minimum width as follows:

- Industrial Uses 8 metres

except along the front and exterior lot lines, in 'M1' and 'M2' zones, which shall be 3 metres.

- 'RC' Zone Uses 8 metres

except along the front and exterior lot lines, which shall be 3 metres.

- Other Non-Residential Uses 3 metres

### **(b) INTERRUPTION FOR WALK**

A walk, providing pedestrian access from a non-residential parking lot to a residential lot may interrupt a planting strip at an angle of 60 to 90 degrees.

### **(c) LANDSCAPED OPEN SPACE**

A planting strip referred to in this subsection may form part of any landscaped open space required by this by-law.

## **5.26 RECREATIONAL VEHICLES**

The use, parking or storage of recreational vehicles shall be restricted to the Commercial Recreation (CR) zone, except where such vehicle is parked or stored as an accessory use to a leisure vehicle sales area or in accordance with Section 5.21 (a) or 5.21 (b).



**5.27 REFRESHMENT VEHICLES, BICYCLE UNITS, AND CARTS**

No refreshment vehicle, bicycle unit, or cart shall be permitted in any zone unless a refreshment vehicle, bicycle unit or cart is a permitted use and conforms with the following provisions:

- (a) Use Restriction: a refreshment vehicle, bicycle unit or cart shall only be permitted on a lot incidental to a permitted non-residential uses, excluding a dock or boat house in an Open Space (OS) Zone.
- (b) Limitation: The total number of all refreshment vehicles, bicycle units or carts per lot shall not exceed one.
- (c) Yard Setbacks: In accordance with the minimum yard requirements for the respective zone.
- (d) Parking: In accordance with the provisions of Sections 5.20 and 5.23 herein.
- (e) Licensing: In addition to complying with the above, all refreshment vehicles, bicycle units and carts must be licensed pursuant to the Town's applicable licensing by-law.

**5.28 REGISTERED PERSON**

A registered person is permitted to cultivate, propagate and harvest cannabis at any property and in such manner as identified pursuant to a registration certificate issued by the Federal Minister of Health to said registrant.

**5.29 SATELLITE DISHES**

Notwithstanding any other provisions in this by-law to the contrary, the following provisions shall apply to satellite receiving dishes on any lot:

- (a) not more than one satellite receiving dish shall be permitted on a lot;
- (b) satellite receiving dishes shall not be permitted within the front or exterior side yard of any lot;
- (c) except in Rural Commercial (RC), or Institutional (I) Zones the maximum height of a satellite receiving dish and appurtenances shall not exceed 8 metres from the finished grade to the highest point of the satellite receiving dish.
- (d) in Rural Commercial (RC), or Institutional (I) Zones the maximum height of a satellite receiving dish and appurtenances, if located on a roof, shall be 5 metres above a roof. Otherwise the maximum height shall not exceed 8 metres from the finished grade to the highest point of the satellite receiving dish.

- (e) yard requirements for the location of a satellite receiving dish shall be in accordance with the relevant provisions established for accessory buildings, structures and uses contained within this By-law measured to the extremities of the satellite dish.

### 5.30

#### **SHORT-TERM RENTAL ACCOMMODATION**

- (a) Notwithstanding any other provision of this By-law, Short-term Rental Accommodation shall only be established and operated in accordance with the provisions of the Short-term Rental Accommodation Licensing By-law, as amended, revised and replaced.
- (b) Short-term Rental Accommodation shall only be permitted within a Single Dwelling, or an Additional Dwelling on the same Lot as a Single Detached Dwelling.

### 5.31

#### **SIGHT TRIANGLES**

- (a) SIZE OF SIGHT TRIANGLE

The size of a sight triangle at the intersection of two streets or a street and an operative railroad right-of-way shall be as follows, and the greater provision shall apply:

where local street lines intersect		
-	in a RU-C, EP or AP zone	6 metres
-	in a RU, CR or I Zone	9 metres
-	in all other zones	15 metres

where a local road intersects		
-	a Regional Road	15 metres

where a Regional Road intersects		
-	a Regional Road	30 metres

where a railroad right-of-way intersects		
-	a street line	45 metres

Notwithstanding the above, where one of the streets which intersect is either a Provincial or Regional Road, and where the Province or the Region of York have size standards which are less than those set forth above, then the lesser standard shall apply.

- (b) REGULATION

In a sight triangle, no building, structure, fence or sign shall be erected, nor any parking permitted, nor any vegetation permitted to grow to a height greater than 1 metre above the grade of the centre line of the street abutting the lot.

**5.32 SIGNS**

The provisions of this by-law, with the exception of Section 5.35 above, shall not apply to prevent the erection, alteration or use of any sign, provided such sign complies with the by-laws of the Corporation regulating signs.

**5.33 STACKING SPACE REQUIREMENTS**

For every restaurant with a drive thru component there shall be provided and maintained a minimum of seven (7) motor vehicle stacking spaces, to be used for no other purposes. The stacking spaces shall be located within a curbed aisle designed to serve the drive thru.

Each stacking space shall be a minimum of 3m in width and 7m in length.

**5.34 SWIMMING POOLS**

A swimming pool, as an accessory use to a permitted residential use, shall be permitted in the rear or interior side yard of any lot, provided that:

- (a) the swimming pool shall have a minimum setback of 1.2 metres from the rear lot line, interior side lot line, and exterior side lot line and 2.0 metres from a single detached dwelling or accessory building containing an additional dwelling unit. The setback shall be measured from the outside edge of the pool wall.
- (b) no unenclosed water circulation or treatment equipment, such as pumps or filters, shall be located closer than 3 metres to any interior side or rear lot line; any water circulation or treatment equipment that is fully enclosed within a building or structure shall be subject to the yard requirements for accessory buildings and structures for the respective zone;
- (c) the maximum height of such pool shall be 1.5 metres above the average finished grade level of the ground adjoining and within 5 metres of such pool.

**5.35 TEMPORARY STRUCTURE/USE, COMMERCIAL**

No "Temporary Structure/Use, Commercial" accessory to an on-site commercial building in a Commercial zone shall be permitted unless such structure/use conforms to the following provisions:

- (a) Size Limitation: may not exceed a total area of 180 sq. m. or 10% of the non-residential floor area of the building to which it is accessory, whichever is the lesser.
- (b) Yard Requirements: in accordance with the minimum yard requirements for the respective zone.
- (c) Parking Requirements: parking is provided and maintained in accordance with Section 5.23 for the current on-site uses. Parking

for the “Temporary Structure/Use, Commercial” will be in accordance with Section 5.23(b).

**5.36 THROUGH LOT**

In the case of a through lot, the setback and front yard requirements contained herein shall apply on each street in accordance with the provisions of the zone or zones in which such lots are situated.

**5.37 TOWN OF GEORGINA LANDS**

The provisions of this by-law shall not apply to any use of land or to the erection or use of a building or structure on land owned or leased by the Town or any local board thereof, provided that a Town owned waste disposal site shall only be permitted in an ‘M5’ Zone.

**5.38 TRUCK, BUS AND COACH BODIES**

No truck, bus, coach, street car body, trailer, shipping container or structure of any kind, other than a dwelling unit erected and used in accordance with this and all other by-laws of the Town, shall be used for human habitation, whether or not the same is mounted on wheels. Further, no truck, bus, coach, street car, shipping container or trailer may be used for storage or commercial or industrial purposes, whether or not the same is mounted on wheels, except for a trailer used as a temporary property sales office, to be used in conjunction with the sale of new development residential homes.

**5.39 EXISTING UNDERSIZED LOTS**

Notwithstanding any other provisions of this By-law, a lot held in separate ownership from adjoining lots on the effective date of this By-law, or a lot for which a consent to severance has been granted and is still in force prior to the effective date of this By-law, having less than the minimum frontage or less than the minimum lot area required by this By-law, or both, may be used and a building or structure may be erected for a permitted use in the zone in which the lot is located provided that all other applicable provisions of this By-law are complied with.

**5.40 USES PROHIBITED IN ALL ZONES**

Notwithstanding anything else in this By-law, and in conjunction with Section 1.3 herein, the following uses are prohibited:

- abattoir (except in a Rural Zone as part of a farm use)
- ammonia, bleaching powder or chlorine manufacture
- ammunition manufacture and/or storage
- animal black or bone black manufacture
- arsenal
- carbon manufacture
- coal yards
- coke ovens
- explosives and fireworks manufacture and/or storage
- extracting of oil from fish
- grease, lard or tallow manufacture or refinement from animal fat

- gas manufacture
- glue manufacture
- manufacture and/or storage of a fertilizer from dead animals or human waste or the manufacture of fertilizer from animal waste
- the storage of fertilizer from animal waste (except in a Rural Zone as part of a farm use)
- pathological waste incinerator
- petroleum and kerosene refining, distillation or derivation of bi-products
- recycling of contaminated materials, including hydrocarbon contaminated soils and materials, and polychlorinated biphenyl (P.C.B.) contaminated material
- rag storage, sorting and baling
- refining coal
- rolling mill
- slaughtering of animals (except in a Rural zone as part of a farm use)
- smelting of aluminium
- smelting of ore, including copper, iron, tin, or zinc ores
- soap boiling
- tallow melting
- tanning and/or storage of hides or skins
- tripe boiling
- used tire storage and salvage
- any other use prohibited pursuant to the provisions of the Environmental Protection Act or the Health Protection and Preservation Act.

#### **5.41                      WAYSIDE PITS AND WAYSIDE QUARRIES**

Notwithstanding any other provision in this by-law, wayside pits and wayside quarries, and accessory uses thereto, are permitted in all zone categories throughout the municipality, except in R zones, upon written approval of the Lake Simcoe Region Conservation Authority and/or the Ministry of Natural Resources.

#### **5.42                      YARD EXCEPTION TERRAIN UNSUITABILITY**

Where, in this by-law, a yard is required and part of the area of the lot is usually either covered by water or marsh beyond the valley rim of a river or watercourse, or between the top and toe of an embankment having a slope of 30 degrees or more from the horizontal, then the required yard shall be measured from the nearest wall of the main building or structure on the lot to the edge of the said area covered by water or marsh, or to the said valley rim, or to the nearer of the top or toe, respectively, of the said embankment.

#### **5.43                      YARD ENCROACHMENTS PERMITTED**

Notwithstanding any provisions of this By-law, the following encroachments into the required yards are permitted:

- (a)      Ornamental Structures

Sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters or similar ornamental structures may project into any required yard a maximum distance of 0.5 metres, except in the case of a window bay, balcony, unenclosed porch or deck as set forth below.

- Window Bays

Window bays having a maximum width of 3 metres may project into any required front, rear or exterior side yard a maximum distance of 1 metre, and 0.5 metres into an interior side yard.

- Balconies, Unenclosed Porches and Steps, Decks, or Elevators

Balconies, unenclosed porches, decks and related steps and elevators may project a maximum distance of 2 metres into any required front, rear or exterior side yard, and, in respect to an apartment building, 2 metres into any required yard.

Unenclosed steps may project into an interior side yard provided the height of the structure does not exceed 0.6 metres above grade.

Notwithstanding the above, unenclosed decks in a Residential zone may project a maximum distance of 3 metres into the required rear yard.

Further, unenclosed decks having a maximum height of 0.6 metres above grade may project a maximum distance of 4 metres into the required rear yard.

(b) Patios

On grade patios in zones permitting a residential use may project into any required yard.

(c) Roof Projections

Roof projections such as bulk heads, penthouses and similar constructions enclosing equipment or stairs and which are less than 3 metres in height and do not occupy more than 25% of the area of the roof shall be permitted.

(d) Wall Surface Material

Wall surface material such as brick veneer, vinyl siding and other similar material or construction on a building may project into any

required yard a maximum of 10 centimetres.

(d) Satellite Receiving Dish

A satellite receiving dish shall be subject to the provisions of Section 5.29 herein.

(f) Miscellaneous

Clothes poles, drop awnings, flag poles, garden trellises, garbage enclosures, playground equipment, retaining walls, stand-alone unenclosed steps to a first storey or similar accessory uses shall be permitted in any yard, with the exception of a sight triangle under Section 5.31.

(g) Setbacks Resulting from Road Widening Acquisitions

Where land is acquired by the Town, the Regional Municipality of York or Her Majesty the Queen in right of Ontario for road widening purposes, and as a result of such acquisition, the resultant setback to a building or structure is reduced to less than the required minimum setback for the said building or structure in a particular zone, the location of such building or structure shall be deemed to be in compliance with the minimum setback provision of such zone.

(h) Handicap Ramps

Handicap ramps may project into the required front, rear, or exterior side yard provided a minimum yard setback of 2 metres is maintained. Further handicap ramps may have an interior side yard setback of nil provided the height of the structure does not exceed 0.6 metres above grade.

**5.44**

**YARD REQUIREMENTS – EXCEPTION**

Where a building or structure was erected upon a lot prior to the effective date of this by-law, and where said building or structure was erected in contravention of the applicable minimum setback requirements of any by-law then in force or effect, the location of such buildings or structures shall be deemed to be in compliance with the minimum setback provisions of such by-laws.

**5.45**

**REGION OF YORK LANDS**

The provisions of this By-law shall not apply to the non-residential use of land or to the erection or non-residential use of a building or structure on land owned or leased by The Regional Municipality of York, provided that:

- (a) any such building shall be erected to conform with the established character and the prescribed coverage and yard requirements of the zone

- (b) no goods, material, or equipment shall be stored in the open, except as permitted in the zone; and
- (c) a recycling facility, sewage treatment facility, or waste disposal area shall only be permitted in the Disposal Industrial (M5) zone.

**5.46**

**ADDITIONAL DWELLING UNITS**

**(a) SINGLE DETACHED DWELLING**

An additional dwelling unit may be located in a single detached dwelling and / or in a detached building on a lot with a single detached dwelling to a maximum of three dwelling units on the lot subject to any specific restrictions as set out in the various zones and the following provisions:

- **ROAD ACCESS**  
An additional dwelling unit shall only be permitted on a lot that has frontage on a public street or road or an access street or road.
- **DWELLINGS ON PRIVATE SEPTIC SYSTEMS AND/OR PRIVATE WELLS**  
Notwithstanding Section 5.46(a), an additional dwelling unit shall not be permitted if serviced by a private septic system which is located within 100 metres of the Lake Simcoe shoreline or any permanent stream, unless such additional dwelling unit can be accommodated within the septic system of the existing single detached dwelling.
- **LOCATION AND NUMBER**  
An additional dwelling unit shall only be permitted if a single detached dwelling is a permitted use in the zone it is located.
- **HOME OCCUPATIONS AND HOME DAYCARES**  
Notwithstanding any provisions in this By-law to the contrary, a home occupation or home daycare shall only be permitted within one dwelling unit on a lot containing a single detached dwelling an additional dwelling in a single detached dwelling and an additional dwelling unit in a detached building, and shall comply with the requirements of Section 5.14 and 5.23(b).
- **LAKE SIMCOE REGION CONSERVATION AUTHORITY**  
An additional dwelling unit is not permitted in lands affected by flooding, erosion or located within hazardous lands identified by the Lake Simcoe Region Conservation Authority, unless a permit is issued by the Lake Simcoe Region Conservation Authority under the Conservation Authority Act, as amended.



- **PARKING**  
Parking shall be provided in accordance with Section 5.23 (b).
- **GREATER RESTRICTIONS (OTHER REGULATIONS AND BY-LAWS)**  
Additional dwelling units shall comply with all other applicable restrictions and by-laws, including, without limitation, municipal registration by-laws, the Ontario Building Code, Ontario Electrical Code, and the Ontario Fire Code.
- **REGISTRATION**  
An additional dwelling unit shall be registered with the Town.

**(b) ADDITIONAL DWELLING UNIT IN A DETACHED BUILDING**

In accordance with the provisions of Section 5.46 (a) an additional dwelling unit is permitted in a detached building on a lot with a permitted single detached dwelling subject to compliance with the following provisions:

- i) The detached building containing the additional dwelling unit shall comply with the minimum setback requirements for accessory buildings in Section 5.1
- ii) The gross floor area of the detached building containing the access dwelling unit shall not exceed 40% of the gross floor area of the principal dwelling or up to 100 sq. m. whichever is the lesser.
- iii) The maximum height of the detached building containing an additional dwelling unit shall be 7.5 metres.
- iv) Notwithstanding 5.1(b) and (d) a detached building containing an additional dwelling unit shall not be permitted to be located within a front yard or exterior side yard and shall be no closer than 3 metres from the permitted single detached dwelling.
- v) A 1.2 m wide unobstructed pedestrian access shall be provided to the entrance of the detached accessory building containing the additional dwelling unit.
- vi) No additional dwelling unit in a detached building shall be permitted within a building that is used to keep livestock.

**5.47 OUTDOOR SOLID-FUEL COMBUSTION APPLIANCES**

Notwithstanding any other provision of this By-law, an Outdoor Solid-Fuel Combustion Appliance shall not be considered to be an accessory building, structure or use under this By-law, and shall only be permitted, installed and used in compliance with By-law Number 2014-0062 (or such by-law as may be passed in substitution therefor).

**5.48 ON-FARM DIVERSIFIED USES**

Where permitted by this By-law, on-farm diversified uses shall be in accordance with the following provisions:

- (a) An on-farm diversified use shall be located on a lot having a minimum lot area of 8,000 sq. m. and containing a principal agricultural use.
- (b) The area of operation for an on-farm diversified use shall not exceed a combined total of 1.0 ha. (10,000 sq. m) or 2% of the lot area on which the use is proposed, whichever is the lesser.
- (c) In calculating the area of operation, 100% of the area needed for parking spaces and open storage for the on-farm diversified use shall be included.
- (d) In calculating the area of operation where an on-farm diversified use uses an existing access laneway or parking area, the area of the existing laneway or parking area shall not be included. This provision shall not apply to a farm produce outlet.

**5.49 ESTABLISHED BUILDING LINE**

Notwithstanding any other provisions of this by-law save and except Section 5.24 - Planned Width of Street Allowance, in any zone permitting a residential use a dwelling built between two existing dwellings, within 60 metres of each other on the same side of the street, and within the same block, may be built with a minimum front yard equal to the average of that of those adjacent dwellings. But this shall not be less than 3 metres and need be no greater than prescribed for the zone in which it is situated.

## SECTION 6 – RESIDENTIAL USES

### 6.1 SINGLE DETACHED DWELLING

(a)	<b>LOT FRONTAGE (MINIMUM)</b>	30 metres
	Minimum frontage for lots fronting on Highway 48	45 metres
(b)	<b>LOT AREA (MINIMUM)</b>	
	<u>R Zone</u>	4,000 sq. metres
	<u>All Other Zones</u>	6,000 sq. metres
(c)	<b>FRONT YARD (MINIMUM)</b>	
	<u>R Zone</u>	
	Lots less than 4 000 sq. m	6 metres
	Except that in the case of a lot fronting on Highway 48, the minimum front yard shall be	7.5 metres
	Lots 4000 sq. m or greater	10 metres
	<u>All Other Zones</u>	15 metres
	Lots 4.0 ha or greater	30 metres
(d)	<b>EXTERIOR SIDE YARD (MINIMUM)</b>	
	<u>R Zone</u>	
	Lots less than 4 000 sq. m	3 metres
	Lots greater than 4 000 sq. m	9 metres
	Except where a driveway providing access to an attached or detached garage or carport, is located in the exterior side yard, the minimum exterior side yard for the aforementioned structures shall be 6 metres.	
	For a lot flanking Highway 48:	7.5 metres
	Lots greater than 4 000 sq. m.	9 metres
	<u>All Other Zones</u>	15 metres
	Lots 4.0 ha or greater	30 metres

**(e) REAR YARD (MINIMUM)**

R Zone

Lots less than 4000 sq. m 7 metres

Lots 4000 sq. m or greater 12 metres

All Other Zones 12 metres

**(f) INTERIOR SIDE YARD (MINIMUM)**

R Zone

Lots less than 4000 sq. m

1.2 metres plus 0.5 metres for each additional or partial storey above the second. Where there is not an attached garage or carport on a lot, the minimum interior side yard on one side shall be 2.5 metres

Lots 4000 sq m or greater,

1.2 metres on one side, plus 0.5 metres for each additional or partial storey above the second and 2.5 metres on the other side.

All Other Zones 9 metres

Except that an interior side yard may be reduced to 3 metres when the exterior wall facing said yard contains no habitable room windows or where the lot is less than 4 000 sq. metres.

**(g) FLOOR AREA (MINIMUM)**

R Zone

Lots less than 4 000 sq. m 100 sq. metres

Lots 4 000 sq. m or greater 112 sq. metres

All Other Zones 140 sq. metres

**(h) LOT COVERAGE (MAXIMUM)**

R Zone 35%

Other Zones

Lots less than 4 000 sq. m 35%

Lots 4 000 sq. m or greater 20%

**(i) HEIGHT OF BUILDING (MAXIMUM)**

All Zones 11 metres

**(j) NUMBER OF SINGLE DETACHED DWELLINGS PER LOT**

All Zones 1

**(k) ACCESSORY BUILDINGS, STRUCTURES, USES, PARKING, PLANNED WIDTH OF STREET ALLOWANCE, AND ALL OTHER GENERAL PROVISIONS**

All Zones

In accordance with the provisions of Section 5.

**6.2**

**DWELLING UNIT IN NON-RESIDENTIAL BUILDING**

**(a) LOT FRONTAGE (MINIMUM)** 30 metres

**(b) LOT AREA (MINIMUM)** 1,800 sq. metres

**(c) YARDS (MINIMUM)**

Minimum yard provisions shall be in accordance with the minimum yard provisions for the non-residential building in which the dwelling unit is located.

**(d) FLOOR AREA PER DWELLING UNIT (MINIMUM)**

bachelor unit 35 sq. metres

one bedroom unit 40 sq. metres

two bedroom unit 65 sq. metres

three bedroom unit 75 sq. metres

**(e) LOT COVERAGE (MAXIMUM)**

Maximum lot coverage provision shall be in accordance with the maximum lot coverage provision for the non-residential building in which the dwelling unit is located.

**(f) RESIDENTIAL FLOOR AREA (MAXIMUM)**

The residential floor area in any non-residential building shall not exceed 1.25 times the non-residential floor area.

**(g) HEIGHT OF BUILDING (MAXIMUM)**

Maximum height of building as required for the non-residential building in which the dwelling unit is located.

**(h) NUMBER OF SINGLE DETACHED DWELLING UNITS PER LOT (MAXIMUM)**

1

**(i) PRIVACY YARDS**

An unobstructed yard clear of any public pedestrian access or driveway shall be provided adjoining the window of a habitable room of every first storey dwelling unit in a non-residential building. Such yard shall extend not less than 4 metres, measured as a radius, from any portion of the window.

For the purposes of this Section, a window shall be considered to be located on the first storey if any part of the glazing is less than 2.5 metres above the adjacent finished grade.

**(j) RESIDENTIAL LANDSCAPED OPEN SPACE (MINIMUM)**

10%

**(k) WALLS CONTAINING HABITABLE ROOM WINDOWS**

**LIVING ROOM WINDOWS**

- Walls containing living room windows and facing a wall containing another habitable room window shall be a minimum distance apart of 15 metres.
- Where the tops of windows, in habitable rooms facing each other, are less than 2.5 metres above finished grade and the space between them is divided by a 2 metre high privacy fence, the minimum distance apart may be reduced to 11 metres.
- Where a living room window faces one of the following:
  - i) a blank wall;

- ii) a wall with no habitable room windows;
- iii) an interior side or rear lot line; or,
- iv) a centre line of a street or lane.

The minimum distance from said window to i), ii), iii) or iv) above shall be 8 metres.

#### **HABITABLE ROOM WINDOWS OTHER THAN LIVING ROOM WINDOWS**

- Walls containing habitable windows other than living room windows, and facing each other shall be a minimum distance of 11 metres.
- Where walls containing habitable windows other than living room windows face one of the following:
  - i) a blank wall;
  - ii) a wall with no habitable room windows;
  - iii) an interior side or rear lot line; or,
  - iv) a centre line of a street or lane.

The minimum distance from said window to i), ii), iii) or iv) shall be 6 metres.

For the purposes of this subsection, walls with an angle of divergence of greater than 85 degrees are deemed not to face each other.

#### **ACCESSORY BUILDINGS, STRUCTURES, USES, PARKING, PLANNED WIDTH OF STREET ALLOWANCE, AND ALL OTHER GENERAL PROVISIONS**

In accordance with the provisions of Section 5.

## **SECTION 7 – RURAL COUNTRYSIDE (RU-C) ZONE**

### **7.1 PERMITTED RESIDENTIAL USES**

- dwelling legally existing on the effective date of this By-law
- single detached dwelling
- additional dwelling unit in a single detached dwelling
- dwelling legally existing on the effective date of this
- temporary accommodations for seasonal farm workers

### **7.2 PERMITTED NON-RESIDENTIAL USES**

- aerodrome (private)
- agricultural use, conservation or forestry use, excluding mushroom farms
- agriculture-related use
- on-farm diversified use
- cannabis production facility, designated
- cannabis production facility, licensed
- short-term rental accommodation
- clinic, veterinary (animal hospital)
- day care, private home
- day nursery within a church
- home industry
- home occupation
- kennel
- tourist information centre
- accessory buildings, structures and uses to any permitted use

Notwithstanding the permitted non-residential uses listed above, any cemetery, church, parking lot for school buses and commercial vehicles, police station, and bus or truck terminal legally existing prior to the effective date of this by-law shall be a permitted use.

### **7.3 ZONE REQUIREMENTS – RESIDENTIAL USES**

Single detached dwelling in accordance with the provisions of Section 6.

Additional dwelling unit in a single detached dwelling in accordance with the provisions of Section 5.46.

Additional dwelling unit in a detached building in accordance with the provisions of Section 5.46.



## 7.4

## ZONE REQUIREMENTS – NON-RESIDENTIAL USES

(a)	<b>LOT FRONTAGE (MINIMUM)</b>	60 metres
(b)	<b>LOT AREA (MINIMUM)</b>	8,000 sq. metres
(c)	<b>FRONT YARD (MINIMUM)</b>  Provided that a portable seasonal farm produce sales outlet is permitted in the front yard during the season of its produce.	15 metres
(d)	<b>EXTERIOR SIDE YARD (MINIMUM)</b>  Provided that a portable seasonal farm produce sales outlet is permitted in the exterior side yard during the season of its produce.	15 metres
(e)	<b>REAR YARD (MINIMUM)</b>	9 metres
(f)	<b>INTERIOR SIDE YARD (MINIMUM)</b>	9 metres
(g)	<b>HEIGHT (MAXIMUM)</b>	11 metres
(h)	<b>EXCEPTIONS TO NON-RESIDENTIAL PROVISIONS</b>  Notwithstanding Sections 7.4 (a) to (f) inclusive, a short-term rental accommodation, a private home day care, and a home occupation shall be subject to the same lot frontage, lot area, and yard provisions as the dwelling in which the use is located.	
(i)	<b>OPEN STORAGE OF SCHOOL BUSES OR COMMERCIAL VEHICLES</b>  Minimum distance from the Front or Exterior side lot line is 30 metre provided that in no case shall such vehicles be stored closer to the street than the rear limit of any residential building on the lot.  Minimum distance from the Interior Side or Rear lot line is 15 metres.	

### (j) CANNABIS PRODUCTION FACILITY, DESIGNATED OR LICENSED

A designated or licensed cannabis production facility in the RU-C zone is subject to the requirements of Section 7.4(a), (b), (c) (d), (e) and (f), and the following requirements:

**LOT FRONTAGE AND LOT AREA**

Section 5.39 respecting undersized lots shall not apply when determining compliance with lot frontage and lot area requirements.

**LOT COVERAGE (MAXIMUM)**

30%

**HEIGHT OF BUILDING (MAXIMUM)**

11 metres

**LOADING SPACES**

Loading spaces shall be provided in accordance with the requirements for a Commercial / Industrial use pursuant to Section 5.19.

**OPEN STORAGE PROHIBITED**

The storage of goods, materials or machinery shall only be permitted in a wholly enclosed building or structure.

**OUTDOOR CULTIVATION PERMITTED**

Cultivation, propagation and harvesting of cannabis outdoors shall be permitted subject to these uses complying with the minimum separation distances from sensitive land uses and the minimum yard setbacks for non-residential uses as outlined in this section.

**GATEHOUSE**

A building or structure used solely for a gatehouse shall be permitted in the front and exterior side yard and may be located a minimum of 1.5 metres from any lot line. Such building or structure shall have a maximum floor area of 20 square metres.

**DISTANCE FROM SENSITIVE LAND USES**

A designated or licensed cannabis production facility which contains air treatment control, shall have a minimum setback of 150 metres from:

- The following zones under Zoning By-law 500: Residential (R, R1, R2 or R3), Estate Residential (ER), Institutional (I) or Transitional (T) zones, including any related site-specific zones. The setback shall be measured from the closest portion of the designated or licensed cannabis production facility to the closest portion of a Residential (R, R1, R2 or R3), Estate Residential (ER), Institutional (I) or Transitional (T) zone boundary.
- Rural Countryside (RU-C) and Agricultural Protection (AP) zoned lots, including any related site-specific zones, which have a lot area of 8,000 square metres or less. The setback shall be measured from the closest portion of the designated or licensed cannabis production facility to the closest portion of the lot line of such RU-C or AP zoned lot.

Notwithstanding any other provision in this by-law, cannabis cultivated outdoors or a designated or licensed cannabis production facility which does not contain air treatment control, shall have a minimum setback of 300 metres from:

- The following zones under Zoning By-law 500: Residential (R, R1, R2 or R3), Estate Residential (ER), Institutional (I) or Transitional (T) zones, including any related site-specific zones. The setback shall be measured from the closest portion of the cannabis cultivated outdoors or the designated or licensed cannabis production facility, whichever of the two is closest, to the closest portion of a Residential (R, R1, R2 or R3), Estate Residential (ER), Institutional (I) or Transitional (T) zone boundary.
- Rural Countryside (RU-C) and Agricultural Protection (AP) zoned lots, including any related site-specific zones, which have a lot area of 8,000 square metres or less. The setback shall be measured from the cannabis cultivated outdoors or the designated or licensed cannabis production facility, whichever of the two is closest, to the closest portion of the lot line of such RU-C or AP zoned lot.

Notwithstanding paragraphs 1 and 3, above, both cannabis cultivated outdoors and a designated or licensed cannabis production facility shall have a minimum setback of 300 metres from a private or public school. The setback shall be measured from the cannabis cultivated outdoors or the designated or licensed cannabis production facility, whichever of the two is closest, to the closest portion of the lot line containing the private or public school.

#### **RESTRICTIONS**

Notwithstanding Section 2.42, processing, research, analytical testing, and sale of cannabis shall only be permitted with respect to cannabis that is grown on the same property. Further, the total maximum floor area devoted to the above-noted uses shall cumulatively be limited to a maximum of 2% of the overall lot area of the property, to a maximum of 10,000 square metres.

No designated or licensed cannabis production facility or part thereof shall be located within a dwelling unit.

#### **ACCESSORY BUILDINGS, STRUCTURES, USES, PARKING, PLANNED WIDTH OF STREET ALLOWANCE AND ALL OTHER GENERAL PROVISIONS**

In accordance with the provisions of Section 5.

**7.5 SPECIAL PROVISIONS**

**7.5.1 RU-C-1 PART LOT 9, CONCESSION 9 (NG)**

Notwithstanding any provision in this By-law to the contrary, the minimum side yard for a single detached dwelling shall be 3 metres.

**7.5.2 RU-C-2 PART OF LOT 2, CONCESSION 6 (NG)**

Notwithstanding any provision in this By-law to the contrary, a single detached dwelling shall not be permitted.

**7.5.3 RU-C-3 PART OF LOT 1, CONCESSION 6 (NG),  
PARTS 1, 2 & 3, PLAN 65R-5987**

Notwithstanding any provision in this By-law to the contrary, a second single detached dwelling shall be permitted.

**7.5.4 RU-C-4 PART OF LOT 6, CONCESSION 9 (NG)  
PART 1, PLAN 65R-1672**

Notwithstanding any provision in this By-law to the contrary, one accessory dwelling, public storage buildings, and open storage for recreational vehicles and boats only, shall be permitted. Further, the items stored within the open storage area shall be limited to 5 metres in height. The public storage buildings shall be subject to the zone requirements set forth in Section 13.4.

Further, open storage shall be permitted in the location shown in Schedule 'C-1' attached hereto and shall not be permitted until the construction of Unit 'A', being the public storage building to the west and depicted on Schedule 'C-1', has been completed.

Further, use of the property for a parking lot for school buses and commercial vehicles or a truck or bus terminal must be located in the area designated for open storage as indicated on Schedule 'C-1'.

**7.5.5 RU-C-5 PART OF LOT 3, CONCESSION 7 (NG)**

Notwithstanding any provision in this By-law to the contrary, the following setback requirements shall apply:

- The minimum front yard setback shall be 30 metres.
- The minimum southerly side yard setback shall be 20 metres.

**7.5.6 RU-C-6 PART OF LOT 7, CONCESSION 9 (NG)**

Notwithstanding any provision in this By-law to the contrary, snowmobile, hay ride, horseback ride and ski trails, toboggan runs, golf ball driving range, petting zoo and outdoor ice skating facilities shall be permitted uses.

**7.5.7 RU-C-7(H) PART LOT 1, CONCESSION 4 (NG) N/E CORNER**

### **WOODBINE AVENUE AND RAVENSHOE ROAD**

Notwithstanding any provision in this By-law to the contrary, only the following uses shall be permitted:

- clinic, veterinary (animal hospital) but not including outdoor canine runs or outdoor animal containment areas;
- motor vehicle fuel bar (and accessory convenience retail store);
- motor vehicle cleaning establishment;
- restaurant;
- tourist information centre; and,
- accessory buildings, structures, and uses to any permitted use.

Further, the maximum width of a combined ingress and egress driveway shall be that which is approved by the respective road authority.

As shown on Schedule 'C-2', a landscape buffer shall be provided along the north and east lot lines. No buildings or structures shall be permitted within the landscape buffer.

Finally, while the '(H)' Holding symbol is in place, the lands shall only be used for those uses which legally existed prior to July 19, 2010, being the date of the passing of this by-law. Pursuant to Section 36 of the Planning Act, R.S.O. 1990, as amended, Council shall enact a by-law to remove the '(H)' Holding symbol from all or part of said lands under the following circumstances:

- (i) written confirmation from Town's Director of Development Services that site plan approval, pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended, has been granted;
- (ii) all existing signs have been removed (Note: The erection of any future signs must be approved pursuant to the Town's Sign By-law);
- (iii) written confirmation from the Town's Director of Development Services that arrangements have been made to the satisfaction of the Director, regarding the erection of a municipal entry feature at the intersection of Woodbine Avenue and Ravenshoe Road, including the conveyance of any easements, if required, and the approval of plans and/or drawings; and,
- (iv) the respective road authority has agreed to the design of the ingress and egress driveways on Woodbine Avenue and Ravenshoe Road.

## **SECTION 8 – AGRICULTURAL PROTECTION (AP) ZONE**

### **8.1 PERMITTED RESIDENTIAL USES**

- dwelling legally existing prior to the effective date of this by-law
- single detached dwelling
- additional dwelling unit in a single detached dwelling
- additional dwelling unit in a detached building
- temporary accommodations for seasonal farm workers

### **8.2 PERMITTED NON-RESIDENTIAL USES**

- aerodrome (private)
- agricultural use, conservation or forestry use, excluding mushroom farms
- agriculture-related use
- on-farm diversified use
- cannabis production facility, designated
- cannabis production facility, licensed
- short-term rental accommodation
- clinic, veterinary (animal hospital)
- day care, private home
- day nursery within a church
- home industry
- home occupation
- kennel
- accessory buildings, structures and uses to any permitted use

Notwithstanding the permitted non-residential uses listed above, any cemetery, church, parking lot for school buses and commercial vehicles, police station, and bus or truck terminal legally existing prior to the effective date of this by-law shall be a permitted use.

### **8.3 ZONE REQUIREMENTS – RESIDENTIAL USES**

Single detached dwelling in accordance with the provisions of Section 6.

Additional dwelling unit in a single detached dwelling in accordance with the provisions of Section 5.46(a).

Additional dwelling unit in a detached building in accordance with the provisions of Section 5.46(b).

**8.3.1                    ZONE REQUIREMENTS – TEMPORARY ACCOMMODATIONS  
FOR SEASONAL FARM WORKERS**

No person shall use any land or erect, alter or use any building or structure for the purpose of temporary accommodations for seasonal farm workers, as defined in this by-law, except in accordance with the following provisions:

- a)     Minimum Lot Area:
  - i)     20 hectares if no single detached dwelling exists on the lot; and,
  - ii)    10 hectares if a single detached dwelling exists on the lot.
- b)     Temporary accommodations for seasonal farm workers shall:
  - i)     Use the same entrance to the street as a principal residence;
  - ii)    Be separated from the principal dwelling by a minimum of 30 metres; and,
  - iii)   Comply with Sections 6.1 c, d, e, f, i, j and l hereof.
- c)     Temporary accommodations for seasonal farm workers shall only be used between the first day of April and the last day of November per calendar year. Notwithstanding these provisions, a maximum of 2 farm workers may be housed within the temporary accommodations between the first day of December and the last day of March.
- d)     Temporary accommodations for a maximum of 40 seasonal farm workers is permitted on the lot at any given time if no other single detached dwelling exists on the lot. If the lot contains an existing single detached dwelling, temporary accommodations for a maximum of 30 seasonal farm workers is permitted on the lot at any given time.
- e)     A minimum floor area of 3.72 sq. m. shall be provided for each seasonal farm worker in every room used for sleeping purposes.
- f)     Temporary accommodations for seasonal farm workers will be subject to obtaining a building permit, which will ensure that all accommodations conform to the Ontario Building Code and all applicable laws.

## 8.4

## ZONE REQUIREMENTS – NON-RESIDENTIAL USES

(a)	<b>LOT AREA (MINIMUM)</b>	8,000 sq. metres
(b)	<b>FRONT YARD (MINIMUM)</b>  Provided that a portable seasonal farm produce sales outlet is permitted in the front yard during the season of its produce.	15 metres
(c)	<b>EXTERIOR SIDE YARD (MINIMUM)</b>  Provided that a portable seasonal farm produce sales outlet is permitted in the exterior side yard during the season of its produce.	15 metres
(d)	<b>REAR YARD (MINIMUM)</b>	9 metres
(e)	<b>INTERIOR SIDE YARD (MINIMUM)</b>	9 metres
(f)	<b>MAXIMUM HEIGHT</b>	11 metres
(g)	<b>EXCEPTIONS TO NON-RESIDENTIAL PROVISIONS</b>  Notwithstanding Sections 8.4 (a) to (f) inclusive, a short-term rental accommodation, a private home day care, and a home occupation shall be subject to the same lot frontage, lot area, and yard provisions as the dwelling in which the use is located.	
(h)	<b>EXCEPTIONS TO NON-RESIDENTIAL PROVISIONS</b>  Notwithstanding Sections 8.4 (a) to (f) inclusive, a short-term rental accommodation, a private home day care, and a home occupation shall be subject to the same lot frontage, lot area, and yard provisions as the dwelling in which the use is located.	
(i)	<b>OPEN STORAGE OF SCHOOL BUSES OR COMMERCIAL VEHICLES</b>  Minimum distance from the Front or Exterior side lot line is 30 metres provided that in no case shall such vehicles be stored closer to the street than the rear limit of any residential building on the lot.  Minimum distance from the Interior Side or Rear lot line is 15 metres.	
(j)	<b>AERODROME</b>  No person shall use any land or erect, alter or use any building or structure for the purpose of an aerodrome as defined in this by-law, except in accordance with the following provisions:	



	<p>i) No lot having less area than 20 hectares shall be used for a private aerodrome;</p> <p>ii) No person shall maintain or store more than two aircraft on any lot;</p> <p>iii) One accessory building for the purpose of parking or storing an aircraft shall be permitted on a lot, but shall be located not less than 3 metres from any building used for residential purposes;</p> <p>iv) No runway, hanger, or parking/storage of aircraft shall be located closer than 180 metres to any residential dwelling located on an adjacent lot, nor 100 metres to any lot line; and,</p> <p>v) No person shall use any land or erect, alter or use any building or structure for the purposes of facilitating or permitting the arrival, departure, movement, servicing or storage of ultra-light aircraft.</p>
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**(k) CANNABIS PRODUCTION FACILITY, DESIGNATED OR LICENSED**

A designated or licensed cannabis production facility in the AP zone is subject to the requirements of Section 8.5(a), (b), (c) (d), (e) and (f), and the following requirements:

- **LOT FRONTAGE AND LOT AREA**  
Section 5.39 respecting undersized lots shall not apply when determining compliance with lot frontage and lot area requirements.
- **LOT COVERAGE (MAXIMUM)** 30%
- **HEIGHT OF BUILDING (MAXIMUM)** 11 metres
- **LOADING SPACES**  
Loading spaces shall be provided in accordance with the requirements for a Commercial / Industrial use pursuant to Section 5.19.

- **OPEN STORAGE PROHIBITED**

The storage of goods, materials or machinery shall only be permitted in a wholly enclosed building or structure.

- **OUTDOOR CULTIVATION PERMITTED**

Cultivation, propagation and harvesting of cannabis outdoors shall be permitted subject to these uses complying with the minimum separation distances from sensitive land uses and the minimum yard setbacks for non-residential uses as outlined in this section.

- **GATEHOUSE**

A building or structure used solely for a gatehouse shall be permitted in the front and exterior side yard and may be located a minimum of 1.5 metres from any lot line. Such building or structure shall have a maximum floor area of 20 square metres.

- **DISTANCE FROM SENSITIVE LAND USES**

A designated or licensed cannabis production facility which contains air treatment control, shall have a minimum setback of 150 metres from:

1. The following zones under Zoning By-law 500: Residential (R, R1, R2 or R3), Estate Residential (ER), Institutional (I) or Transitional (T) zones, including any related site-specific zones. The setback shall be measured from the closest portion of the designated or licensed cannabis production facility to the closest portion of a Residential (R, R1, R2 or R3), Estate Residential (ER), Institutional (I) or Transitional (T) zone boundary.
2. Rural Countryside (RU-C) and Agricultural Protection (AP) zoned lots, or a EP zone which permits a single detached dwelling including any related site-specific zones, which have a lot area of 8,000 square metres or less. The setback shall be measured from the closest portion of the designated or licensed cannabis production facility to the closest portion of the lot line of such RU-C or AP or zoned lot.

Notwithstanding any other provision in this by-law, cannabis cultivated outdoors or a designated or licensed cannabis production facility which does not contain air treatment control, shall have a minimum setback of 300 metres as follows:

3. The following zones under Zoning By-law 500: Residential (R, R1, R2 or R3), Estate Residential (ER), Institutional (I) or Transitional (T) zones, including any related site-specific zones The setback shall be measured from the closest portion of the cannabis cultivated outdoors or the designated or licensed cannabis production facility, whichever of the two is closest, to the closest portion of a Residential (R, R1, R2 or R3), Estate Residential (ER), Institutional (I) or Transitional (T) zone boundary.
4. Rural Countryside (RU-C), Agricultural Protection (AP) zones including any related site-specific zones and Environmental Protection (EP) zoned lots which permit a single detached dwelling, which have a lot area of 8,000 square metres or less. The setback shall be measured from the cannabis cultivated outdoors or the designated or licensed cannabis production facility, whichever of the two is closest, to the closest portion of the lot line of such RU-C or AP zoned lot.

Notwithstanding paragraphs 1 and 3, above, both cannabis cultivated outdoors and a designated or licensed cannabis production facility shall have a minimum setback of 300 metres from a private or public school. The setback shall be measured from the cannabis cultivated outdoors or the designated or licensed cannabis production facility, whichever of the two is closest, to the closest portion of the lot line containing the private or public school.

- **RESTRICTIONS**

Notwithstanding Section 2.36 B), processing, research, analytical testing, and sale of cannabis shall only be permitted with respect to cannabis that is grown on the same property. Further, the total maximum floor area

devoted to the above-noted uses shall cumulatively be limited to a maximum of 2% of the overall lot area of the property, to a maximum of 10,000 square metres.

No designated or licensed cannabis production facility or part thereof shall be located within a dwelling unit.

- **ACCESSORY BUILDINGS, STRUCTURES, USES, PARKING, PLANNED WIDTH OF STREET ALLOWANCE AND ALL OTHER GENERAL PROVISIONS**

In accordance with the provisions of Section 5.

## **8.5 SPECIAL PROVISIONS**

### **8.5.1 AP-1 PART LOT 4, CONCESSION 2**

Notwithstanding any provision in this By-law to the contrary, residential uses are prohibited and the following shall be the only permitted uses:

- aerodrome (private);
- agricultural/aquacultural, conservation or forestry use, excluding mushroom farms and Adventure Games provided that such forestry or agricultural use does not include any recreational or athletic activity for which a membership or admission fee or donation is received or solicited or for which a fee is charged for participation in the activity;
- clinic, veterinary (animal hospital);
- farm produce storage area;
- kennel;
- tourist information centre; and,
- accessory buildings, structures and uses to any permitted use.

### **8.5.2 AP-2 PART LOT 15, CONCESSION 7 (NG)**

Notwithstanding any provision in this By-law to the contrary, the following shall be the only permitted uses:

- single detached dwelling;
- short term rental accommodation;
- day care, private home;
- home industry;
- home occupation; and,
- accessory buildings, structures and uses to any permitted use.

Notwithstanding any provision in this By-law to the contrary, the following provisions shall apply:

- |                          |                  |
|--------------------------|------------------|
| - Lot Frontage (minimum) | 30 metres        |
| - Lot Area (minimum)     | 4,000 sq. metres |

- Front Yard (minimum) 10 metres
- Exterior Side Yard (minimum) 9 metres
- Rear Yard (minimum) 12 metres
- Interior Side Yard (minimum) 1.2 metres plus 0.5 metres for each additional or partial storey above the first. Where there is not an attached garage or carport on a lot, the minimum interior side yard on one side shall be 2.5 metres.
- Floor Area (minimum) 112 sq. metres
- Lot Coverage (maximum) 30%
- Height of building (maximum) 11 metres
- Number of dwelling units 1

#### **8.5.3 AP-3 PART LOT 15, CONCESSION 7 (NG)**

Notwithstanding any provision in this By-law to the contrary, the minimum side yard for an existing single detached dwelling shall be 1.55 metres.

#### **8.5.4 AP-4 PART LOT 23, CONCESSION 5 (NG)**

Notwithstanding any provision in this By-law to the contrary, the sale of antiques and second hand goods and materials from an existing barn shall be permitted. The outside storage or display of goods and materials is not permitted.

#### **8.5.5 AP-5 PART OF LOT 12, CONCESSION 5 (NG)**

Notwithstanding any provision in this By-law to the contrary, light manufacturing and assembly shall be permitted within an existing barn.

#### **8.5.6 AP-6 PART LOT 6, CONCESSION 5 (NG)**

Notwithstanding any provision in this By-law to the contrary, the maximum total lot coverage of all accessory uses shall not exceed thirteen (13) percent of the lot. Further, a planting strip along the southerly lot line shall not be required to extend into the side yard of the existing dwelling.

#### **8.5.7 AP-7 PART OF LOT 7, CONCESSION 7 (G)**

Notwithstanding any provision in this By-law to the contrary, public storage buildings and open storage of leisure vehicles and licensed and operative motor vehicles shall be permitted uses. Further, the development of such

buildings and the storage of leisure vehicles and motor vehicles shall be subject to the zone requirements of Section 20.4 except for Section 20.4(i).

**8.5.8                      AP-8                      PART OF LOT 15, CONCESSION 4 (NG), PART 2,  
REFERENCE PLAN 65R-14452**

Notwithstanding any provision in this By-law to the contrary, a commercial greenhouse shall be a permitted use.

**8.5.9                      AP-9                      PART OF LOT 15, CONCESSION 5 (NG)**

Notwithstanding any provision in this By-law to the contrary, a mechanical garage shall be a permitted use.

The following minimum yards shall apply for a mechanical garage use:

FRONT YARD (Minimum)	30 metres
REAR YARD (Minimum)	50 metres
WESTERLY INTERIOR SIDE YARD (Minimum)	25 metres

Further, any open storage accessory to the mechanical garage use shall be subject to the minimum yards noted above and must be located behind the rear wall and to the south of the mechanical garage building.

**8.5.10                    AP-10                    PART OF LOT 15, CONCESSION 7 (NG)**

Notwithstanding any provision in this By-law to the contrary, the minimum front yard setback shall be 48.5 metres. Further, only those uses, buildings and structures accessory to the residential use of the property shall be permitted.

**8.5.11                    AP-11                    PART OF LOT 17, CONCESSION 2 (NG)**

Notwithstanding any provision in this By-law to the contrary, the following uses shall not be permitted:

- aerodrome (private);
- farm produce storage area;
- kennel;
- parking lot, school buses, and commercial vehicles;
- terminal, bus or truck; and,
- home industry.

**8.5.12                    AP-12                    PART OF LOT 21, CONCESSION 3 (NG)**

Notwithstanding any provision in this By-law to the contrary, the minimum easterly interior side yard setback for a single detached dwelling shall be 3 metres.

**8.5.13                    AP-13                    PART OF LOT 21, CONCESSION 3 (NG)**

Notwithstanding any provision in this By-law to the contrary, the minimum front yard setback shall be 20 metres.

**8.5.14 AP-14 PART OF LOT 15, CONCESSION 4 (NG)**

Notwithstanding any provision in this By-law to the contrary, the minimum front yard shall be 40 metres for a single detached dwelling and any associated buildings, structures and uses.

The following non-residential uses shall not be permitted:

- parking lot, school buses and commercial vehicles; and,
- terminal, truck or bus.

The maximum floor area for a Home Industry consisting of an indoor storage facility for the storage of recreational/seasonal vehicles, trailers and other similar items shall be 248 square metres. For all other Home Industry uses, the maximum floor area shall be 190 square metres. And further, the residential dwelling must be constructed prior to the construction of any building to be used for the purposes of a Home Industry use.

A Home Industry use shall not include the parking or storage of buses.

The minimum front yard setback for non-residential uses, buildings and structures excluding those associated with the residential use shall be 100 metres. In addition, any non-residential uses, buildings and structures not accessory to the residential dwelling must be located within the rear yard area. The outdoor storage of leisure vehicles and items not accessory to the residential dwelling shall not be permitted.

**8.5.15 AP-15 PART OF LOT 5, CONCESSION 3 (NG)**

Notwithstanding any provision in this By-law to the contrary, the minimum front yard setback for all buildings and structures shall be 60 metres.

Further, only the following non-residential uses shall be permitted:

- agricultural / aquacultural, conservation or forestry uses, excluding mushroom farms and Adventure Games provided that such forestry or agricultural use does not include a recreational or athletic activity for which a membership or admission fee or donation is received or solicited or for which a fee is charged for participation in the activity;
- short-term rental accommodation;
- home industry;
- home occupation; and,
- accessory buildings, structures and uses to any permitted use.

**8.5.16 AP-16 PART OF LOT 8, CONCESSION 6 (NG)**

Notwithstanding any provision in this By-law to the contrary, one additional dwelling unit shall be permitted within a single detached dwelling. The floor area of the additional dwelling unit shall not exceed 43% of the residential floor area of the single detached dwelling and two parking spaces shall be provided for the additional dwelling unit.

**8.5.17 AP-17 PART OF LOT 5, CONCESSION 3 (G)**

Notwithstanding any provision in this By-law to the contrary, residential uses shall be prohibited and only the following uses shall be permitted:

- agricultural / aquacultural, conservation or forestry uses, excluding mushroom farms and Adventure Games provided that such forestry or agricultural use does not include a recreational or athletic activity for which a membership or admission fee or donation is received or solicited or for which a fee is charged for participation in the activity; and,
- accessory buildings, structures and uses to any permitted use.

**8.5.18 AP-18 PART OF LOT 22, CONCESSION 6 (NG)**

Notwithstanding any provision in this By-law to the contrary, only the following uses shall be permitted:

- agricultural / aquacultural, conservation or forestry uses, excluding mushroom farms and Adventure Games provided that such forestry or agricultural uses does not include a recreational or athletic activity for which a membership or admission fee or donation is received or solicited or for which a fee is charged for participation in the activity;
- short-term rental accommodation;
- home occupation;
- home industry;
- naturopathic health and retreat centre; and,
- accessory buildings, structures and uses to any permitted use.

For the purposes of this by-law, “Naturopathic Health and Retreat Centre” shall be defined as:

“A commercial operation for the purposes of providing health services and teaching at the physical, emotional and spiritual levels either on an individual or group basis. Services may include providing accommodation may include providing accommodation not to exceed three months and food for those attending sessions only.”

The northerly interior side yard setback for the dwelling shall be 5 metres. Further, the placement of additional windows within the north wall of the dwelling shall not be permitted.

Ten (10) parking spaces shall be required for the existing Naturopathic Health and Retreat Centre and all parking areas shall be located a minimum of 10 metres from the northerly interior side lot line. Further, the existing driveway width of 3 metres for both ingress and egress traffic shall be permitted.

**8.5.19 AP-19 PART OF LOT 7, CONCESSION 8 (NG)**



### **23718 HIGHWAY 48**

Notwithstanding any provision in this By-law to the contrary, an accessory dwelling, a home occupation, a recycling facility – motor vehicles, a motor vehicle sales and/or rental establishment – automobile, and accessory buildings, structures and uses to any permitted use, shall be permitted uses.

The open storage of any goods, materials, equipment or motor vehicles or parts thereof associated with the recycling facility use shall not be permitted.

The storage and/or display of motor vehicles that are for sale or rent shall only be permitted within that area defined in Schedule 'C-3'.

A maximum of one dwelling unit shall only be permitted.

#### **8.5.20**

### **AP-20 PART OF LOT 7, CONCESSION 8 (NG) 23718 HIGHWAY 48**

Notwithstanding any provision in this By-law to the contrary, a recycling facility – motor vehicles and accessory buildings, structures and uses thereto, shall be permitted uses.

The minimum interior side yard may be nil.

A maximum of one dwelling unit shall only be permitted.

Further, in conjunction with the operation of a recycling facility – motor vehicles use, a chain link or post and wire farm fence having a minimum height of 1.2 metres shall be erected and maintained in place across the entire westerly perimeter of the AP-20 zone.

#### **8.5.21**

### **AP-21 PART OF LOTS 16 AND 17, CONCESSION 4 (NG) N/S OLD HOMESTEAD ROAD**

Notwithstanding any provision in this By-law to the contrary, the following provisions shall apply with respect to permitted uses:

#### **PERMITTED RESIDENTIAL USES**

- prohibited

#### **PERMITTED NON-RESIDENTIAL USES**

- agricultural / aquacultural, conservation or forestry uses, excluding mushroom farms and Adventure Games provided that such forestry or agricultural use does not include any recreational or athletic activity for which a membership or admission fee or donation is received or solicited or for which a fee is charged for participation in the activity.
- farm produce storage area.

- accessory buildings, structures and uses to any permitted use.

**8.5.22 AP-22 PART OF LOTS 16 and 17, CONCESSION 4 (NG)  
N/S OLD HOMESTEAD ROAD**

Notwithstanding any provision in this By-law to the contrary, only the following uses shall be permitted:

- one single detached dwelling;
- short-term rental accommodation;
- day care, private home;
- home industry;
- home occupation; and,
- accessory buildings, structures and uses to any permitted use.

**8.5.23 AP-23 PART OF LOT 11, CONCESSION 6 (G)  
27989 HIGHWAY 48**

Notwithstanding the definition of agricultural/aquacultural use as set out in Section 2.227, the sale of agricultural products grown or produced offsite, value-added products, and products which directly support the growing of vegetables, fruits and trees, such as soils, mulch, bagged fertilizer, straw and planting pots is permitted. For the purpose of this Section, “value-added products” are defined as any product containing agricultural products created through a process of changing or transforming the agricultural products from their original state, for purposes of achieving additional revenues. Examples of value-added products include pies, pickled goods, preserves, jams, jellies, and similar such products, but does not include non-consumable products.

Further, the only area permitted for the storage and sales of the above-noted products shall be limited to the existing size and location of the sales booth, small storage building, greenhouse, area of flower sales mulch and soil, and a cold storage facility not exceeding 12 square metres within the large storage building, as shown in Schedule ‘C-4’. The mobile produce sales wagon as shown in Schedule ‘C-4’ shall not be permitted to expand, but shall be permitted to be mobile on the property.

Furthermore, parking for the above noted storage and sales uses shall be provided in the area shown as the existing gravel driveway/parking area in Schedule ‘C-4’. This gravel driveway/parking area shall be maintained and shall be kept free and clear of any products and/or buildings and/or structures.

**8.5.24 AP-24 PART OF LOT 15, CONCESSION 4 (NG)  
2563 OLD HOMESTEAD ROAD**

Notwithstanding any provision in this By-law to the contrary, the following uses shall be permitted:

- The sale of flowers, trees, and shrubs grown or produced off-site; and,

- The sale of products grown or produced off-site which directly support the growth of flowers, vegetables and trees such as mulch, top soil, potting soil, triple mix, peat moss and bagged fertilizer.

The following provisions apply:

- The only area permitted for the storage of the goods and materials associated with the additional permitted uses shall be limited to 50% of the area within Greenhouse 2 and the area immediately north of Greenhouse 7, as shown on Schedule 'C-5'.
- The sale of the goods and materials associated with the additional permitted uses is not permitted within Greenhouses 2 to 7 or building 8, as shown on Schedule 'C-5' attached.
- The required parking for the sale of goods and materials associated with the additional permitted uses is as shown on Schedule 'C-5' attached.
- Notwithstanding Section 5.28(i), the maximum width of an access driveway shall be in accordance with the requirements and approval of the respective road authority.

#### 8.5.25

#### **AP-25                    PART LOT 23, CONCESSION 5 (NG) 3449 BASELINE ROAD**

Notwithstanding any provision in this By-law to the contrary, the following additional Temporary Uses shall be permitted, until July 18, 2021:

- Repair and outdoor open storage of boats, personal watercrafts, snowmobiles, trailers (enclosed and boat), recreational vehicles, motor homes, and campers.
- Sale of parts, oils, and accessories for boats, personal watercrafts, snowmobiles, trailers (enclosed and boat), recreational vehicles, motor homes, and campers.
- A U-Haul Business, inclusive of open storage of moving equipment, trucks and trailers.
- Outdoor storage of commercial vehicles.

The following provisions shall apply to the additional Temporary Uses:

- Notwithstanding any provision to the contrary, the additional Temporary Uses as identified on Schedule 'C-6' shall have a minimum setback of 0.3 metres from the interior side lot lines. Further, the total number of leisure vehicles stored on the lot may exceed 6.
- All storage areas including access aisles may be grassed or gravel surfaced. Driveways and parking areas associated with the

permitted uses may have a grassed, or gravel surface and shall only be provided in the areas as shown on Schedule 'C-6'. These grassed/gravel driveways, parking and storage areas shall be maintained.

- All other provisions of the By-law shall continue to apply to the portion of lands zoned AP-25.
- Upon the expiry of this Temporary Use By-law, the AP, AP-4 and EP zones will be implemented on the subject lands, inclusive of their provisions and zone boundaries, as they existed in Zoning By-law 500 on July 17, 2018.

#### **8.5.26**

#### **AP-26            PART OF LOT 13 AND 14, CONCESSION 7 (NG) 695 CATERING ROAD**

Notwithstanding any provision in this By-law to the contrary, the following uses shall be permitted on lands zoned AP-26 as indicated on Schedule 'A' and Schedule 'C-7':

- An on-farm diversified use.

The following provisions shall apply to the additional permitted uses:

- An "on-farm diversified use" means uses that are secondary to the principal agricultural use (tree farm/nursery and/or crops) of the property and which are limited in area (i.e. a Tree Service Business and accessory uses, including a parking area, an equipment storage shed to store and repair trucks and equipment related to the Tree Service Business and tree farm/nursery, an office, washrooms and a parking area)."
- An agricultural use, as defined in this By-law, must be present and be the primary use of the landholding containing an on-farm diversified use.
- The total ground floor area for all buildings associated with the on-farm diversified use shall be less than 500 square metres.
- The storage of commercial vehicles associated with the on-farm diversified use shall be permitted, provided they are setback a minimum of 30 metres from the front lot line and 3 metres from any interior side lot line.
- The minimum number of parking spaces required for an on-farm diversified use shall be 22 spaces, and the driveway/parking area for said parking spaces may be gravel. This gravel driveway/parking area shall be maintained.

#### **8.5.27**

#### **AP-27            PART LOT 9, CONCESSION 5 (NG)**

Notwithstanding any provision in this By-law to the contrary, residential uses are prohibited and the following shall be the only permitted uses:

- Agricultural / Aquacultural, conservation or forestry uses, excluding mushroom farms and Adventure Games provided that such forestry or agricultural use does not include any recreational or athletic activity for which a membership or admission fee or donation is received or solicited or for which a fee is charged for participation in the activity;
- Farm produce storage area; and,
- Accessory buildings, structures and uses to any permitted use.

**8.5.28                      AP-28                      PART LOT 9, CONCESSION 5 (NG)  
23980 KENNEDY ROAD**

Notwithstanding any provision in this By-law to the contrary, the following shall be the only permitted uses:

- Single detached dwelling
- Short term rental accommodation
- Day care, private home
- Home industry
- Home occupation
- Accessory buildings, structures and uses to any permitted use.

**8.5.29                      AP-29                      PART OF LOTS 22 & 23, CONCESSION 4 (NG)**

Notwithstanding any provision in this By-law to the contrary, a private park, and buildings, structures and uses accessory to a private park shall be the only permitted uses.

**8.5.30                      AP-30                      PART LOT 24, CONCESSION 1 (G)**

Notwithstanding any provision in this By-law to the contrary, the minimum easterly interior side yard for an existing non-residential building shall be 4.49 metres.

**8.5.31                      AP-31                      PART LOT 10, CONCESSION 5 (NG)**

Notwithstanding any provision in this By-law to the contrary, an Auction Barn (livestock exchange, furniture and household goods, a dance hall and uses accessory thereto) shall be a permitted use.

**8.5.32                      AP-32                      PART LOT 5, CONCESSION 3 (G)**

Notwithstanding any provision in this By-law to the contrary, the minimum side yard for a frame barn shall be 4.5 metres.

**8.5.33                      AP-33                      PART OF LOTS 1 AND 2, CONCESSION 2 (NG)**

Notwithstanding any provision in this By-law to the contrary, a single detached dwelling shall not be permitted.

**8.5.34                      AP-34                      PART LOT 7, CONCESSION 8 (G)  
PART 1, REFERENCE PLAN 65R-10922**

Notwithstanding any provision in this By-law to the contrary, a commercial

greenhouse shall be a permitted use.

**8.5.35                    AP-35                    PART OF LOT 14, CONCESSION 7 (NG)**

Notwithstanding any provision in this By-law to the contrary, the minimum interior side yard setbacks for a single detached dwelling shall be 1.2 metres on one side and 3 metres on the other side.

**8.5.36                    AP-36                    PART LOT 21, CONCESSION 3 (NG)  
PART 3, DEPOSITED PLAN 65R-1603,  
EXCEPT THE EASTERLY 3 METRES OF PART 3**

Notwithstanding any provision in this By-law to the contrary, a carpentry shop shall be a permitted use provided:

- that not more than three persons other than the resident occupant and or household shall be employed in the carpentry shop and that there shall be no external display or advertising other than a legal sign, to indicated to persons outside, that part of the lot is being used as a carpentry shop; and,
- that the floor area of the carpentry shop shall be limited to 50% of that of the dwelling.

**8.5.37                    AP-37                    PART OF LOT 21, CONCESSION 5 (NG)**

Notwithstanding any provision in this By-law to the contrary, for the purposes of this By-law, the AP-37 zone shall be deemed to be a separate lot and a single detached dwelling shall be permitted, subject to compliance with all other requirements of this By-law.

## **SECTION 9 – ENVIRONMENTAL PROTECTION (EP) ZONE**

### **9.1 PERMITTED RESIDENTIAL USES**

dwelling legally existing on the effective date of this by-law

### **9.2 PERMITTED NON-RESIDENTIAL USES**

- conservation and forestry use adventure games provided that such forestry or agricultural use does not include any recreational or athletic activity for which a membership or admission fee or donation is received or solicited or for which a fee is charged for participation in the activity.
- passive recreational uses, trails and walkways
- short-term rental accommodation
- day care, private home
- home occupation
- accessory buildings, structures and uses to any permitted use

### **9.3 ZONE REQUIREMENTS – RESIDENTIAL USES**

In accordance with the provisions of Section 6.

### **9.4 ZONE REQUIREMENTS – NON-RESIDENTIAL USES**

(a)	LOT FRONTAGE (MINIMUM)	60 metres
(b)	LOT AREA (MINIMUM)	8,000 sq. m metres
(c)	FRONT YARD (MINIMUM)	15 metres
(d)	EXTERIOR SIDE YARD (MINIMUM)	15 metres
(e)	REAR YARD (MINIMUM)	12 metres
(f)	INTERIOR SIDE YARD (MINIMUM)	9 metres
(g)	HEIGHT (MAXIMUM)	11 metres

### **ACCESSORY BUILDINGS, STRUCTURES, USES, PARKING, PLANNED WIDTH OF STREET ALLOWANCE AND ALL OTHER GENERAL PROVISIONS**

In accordance with the provisions of Section 5.

### **9.5 SPECIAL PROVISIONS**

#### **9.5.1 EP-1 VARIOUS PROPERTIES**

Notwithstanding any other provision in this by-law to the contrary, a single detached dwelling and accessory uses, buildings and structures shall be permitted in accordance with Section 6.

#### **9.5.1 (a) EP-1(H) VARIOUS PROPERTIES**

Notwithstanding any other provision in this By-law to the contrary, a single detached dwelling and accessory uses, buildings and structures shall be

permitted in accordance with Section 6.

Further, notwithstanding any other provision in this By-law to the contrary, while the '(H)' Holding symbol is in place, no buildings or structures shall be permitted to be erected, or uses established. Pursuant to Section 36 of the Planning Act, R.S.O. 1990, as amended, Council shall enact a by-law to remove the '(H)' Holding symbol from all or part of said lands under the following circumstances:

- Council approval of a Zoning By-law Amendment application, including the submission of an Environmental Impact Study that demonstrates to the satisfaction of the Town, in consultation with relevant agencies, that the proposed dwelling will not result in any negative impacts on any key natural heritage features or key hydrologic features or their ecological function. The Environmental Impact Study shall recommend a building envelope for the proposed dwelling, septic system and amenity area.

#### **9.5.2 EP-2(H) PART LOT 5, CONCESSION 3 (G) S/S SMITH BOULEVARD**

Notwithstanding any other provision in this By-law to the contrary, a single detached dwelling and accessory uses, buildings and structures shall be permitted in accordance with Section 6.

Further, notwithstanding any other provision in this By-law to the contrary, while the '(H)' Holding symbol is in place, no buildings or structures shall be permitted to be erected, or uses established. Pursuant to Section 36 of the Planning Act, R.S.O. 1990, as amended, Council shall enact a by-law to remove the '(H)' Holding symbol from all or part of said lands under the following circumstances:

- Written confirmation from the Town's Development Services Department that tree compensation for the development of the property has been addressed in accordance with the Town's Tree Preservation and Compensation Policy.

#### **9.5.3 EP-3 PART LOT 2, CONCESSION 8 (NG)**

Notwithstanding any other provision in this By-law to the contrary, a manufacturing and industrial plant, conducted and contained within a building and which is not considered obnoxious or hazardous shall be a permitted use, provided that:

- the building and the accessory parking, shall be restricted to the northerly 20 metres of the easterly 30 metres of the lot;
- the storage of goods, materials, or machinery shall not be permitted other than in a wholly enclosed building; and,
- the minimum yards in respect to any new building permitted under this subsection will be 3 metres.



**9.5.4. EP-4 PART OF LOTS 11 & 12, CONCESSION 4 (G)**

Notwithstanding any other provision in this By-law to the contrary, a mushroom farm operation shall be permitted. Further, any barn or structure to be used for mushroom cultivation shall not be located less than 30 metres from any lot line. Mechanical manure composting shall be prohibited.

**9.5.5 EP-5 PART LOT 23, CONCESSION 6 (NG)**

Notwithstanding any other provision in this By-law to the contrary, a single detached dwelling and accessory buildings and structures and uses thereto and, a studio, shall be the only permitted uses.

A minimum front yard setback of 30 metres shall be required for all buildings and structures.

**9.5.6 EP-6 PART OF LOT 1, CONCESSION 9 (NG)**

Notwithstanding any other provision in this By-law to the contrary, a single detached dwelling and accessory buildings and structures and uses thereto shall be the only permitted uses.

A minimum front yard setback of 30 metres shall be required for all buildings and structures.

A minimum southerly interior side yard setback of 10 metres and a minimum northerly interior side yard setback of 25 metres will be required for all buildings and structures.

And further, the location of the existing driveway entrance as indicated on Schedule 'C-8' attached must be maintained.

**9.5.7 EP-7 PART OF LOT 6, CONCESSION 8 (NG)**

Notwithstanding any other provision in this By-law to the contrary, a single detached dwelling may be erected on land shown in heavy outline and designated 'EP-7' in Schedule 'A', and further indicated in Schedule 'C-9' attached hereto. Further, the minimum southerly interior side yard setback shall be 4 metres and the minimum northerly interior side yard setback shall be 5.95 metres.

**9.5.8 EP-8 PART OF LOTS 1 AND 2, CONCESSION 2 (G)**

Notwithstanding any other provision in this By-law to the contrary, a single detached dwelling and a home industry shall be permitted uses.

**9.5.9 EP-9 PART LOT 11, CONCESSION 5 (NG) RP 65R10899, PART 1 – 3430 POLLOCK ROAD**

Notwithstanding any other provision in this By-law to the contrary, a 'Garden Suite' shall be permitted as an accessory use to the existing single detached dwelling. The following provisions shall apply to the erection of a 'Garden Suite' on the subject property:

Floor Area (Maximum)	108 sq. metres
Number of Garden Suites (Maximum)	1
Height (Maximum)	4.7 metres
Front Yard Setback (Minimum)	50 metres
Rear Yard Setback (Minimum)	310 metres
West Interior Side Yard (Minimum)	25 metres
East Interior Side Yard (Minimum)	25 metres
Number of Parking Spaces (Minimum)	1

And further, the 'Garden Suite' may not include a basement or cellar.

Pursuant to Section 39 of the Planning Act, this permission shall remain in full force and effect for the period between July 13, 2016 and July 13, 2036, subject to:

- The owners shall enter into an agreement with the Town of Georgina, agreeing to satisfy all terms and conditions of the agreement including but not limited to the cost of registering the agreement on title, securities to guarantee removal of the garden suite at the expiration of the By-law and specifying the intended occupants of the 'Garden Suite'; and,
- In the event that the ownership of the subject property changes, the by-law is no longer in force and effect.

**9.5.10                      EP-10                      PART OF LOT 11, CONCESSION 3 (G)  
7729 SMITH BOULEVARD**

Notwithstanding any other provision in this By-law to the contrary, the minimum interior side yard setback for a single detached dwelling shall be 6 metres.

**9.5.11                      EP-11                      PART OF LOT 11, CONCESSION 3  
7721 SMITH BOULEVARD**

Notwithstanding any other provision in this By-law to the contrary, the minimum interior side yard setback for a single detached dwelling shall be 3 metres.

**9.5.12                      EP-12                      PART OF LOT 1, CONCESSION 9 (NG)  
E/S WOODBINE AVENUE**

Notwithstanding any other provision in this By-law to the contrary, the minimum front yard setback for a single detached dwelling shall be of 8 metres.

**9.5.13 EP-13 PART LOT 15, CONCESSION 4 (N.G)**

Notwithstanding any other provision in this By-law to the contrary, the following provisions shall apply:

- The minimum front yard setback for an accessory building shall be 15 metres.

The only permitted non-residential uses shall be the following:

- agricultural / aquacultural, conservation or forestry use, excluding mushroom farms and Adventure Games provided that such forestry or agricultural use does not include any recreational or athletic activity for which a membership or admission fee or donation is received or solicited or for which a fee is charged for participation in the activity
- clinic, veterinary (animal hospital)
- day care, private home
- farm produce storage area
- home industry
- home occupation
- kennel
- short-term rental accommodation
- accessory buildings, structures and uses to any permitted use

**9.5.14 EP-14 PART OF LOTS 22 & 23, CONCESSION 4 (NG)**

Notwithstanding any other provision in this By-law to the contrary, a private park, and buildings, structures and uses accessory to a private park shall be the only permitted uses.

**9.5.15 EP-15 PART OF LOT 15, CONCESSION 7 (NG)**

Notwithstanding any other provision in this By-law to the contrary, conservation and forestry uses shall be the only permitted uses, with the exception of uses accessory to the residential use of the property, which may take place within the existing frame barn as indicated on Schedule 'C-10'.

Further, no buildings or structures with the exception of the existing frame barn as indicated on Schedule 'C-10' shall be permitted.

Furthermore, Section 5.6 shall not apply to the existing barn as indicated on Schedule 'C-10'.

**9.5.16 EP-16 PART OF LOT 17, CONCESSION 2 AND 3 (NG)**

Notwithstanding any other provision in this By-law to the contrary, the only permitted uses shall be a single detached dwelling and those uses associated with forestry and conservation of the land. Buildings, structures and uses accessory to any permitted use shall also be permitted.

Two single detached dwellings shall be permitted.

Access shall be provided via a permanent driveway easement located on the abutting property to the west and on Lot 10, Plan 347.

**9.5.17 EP-17 PART OF LOT 17, CONCESSION 2 AND 3 (NG)**

Notwithstanding any other provision in this By-law to the contrary, the only permitted uses shall be a single detached dwelling and buildings and those uses associated with forestry and conservation of the land. Buildings, structures and uses accessory to any permitted use shall also be permitted.

**9.5.18 EP-18 PART OF LOTS 20 AND 21, CONCESSION 2(G)**

Notwithstanding any other provision in this By-law to the contrary, and as shown on Schedule 'C-11' the only permitted uses shall be as follows:

- accessory dwelling, one
- camp, private
- clubhouse
- conservation or forestry use
- dormitory
- park
- recreational cabin
- recreational trails and activities
- recreational vehicle
- accessory buildings, structures and uses to any permitted use

Further, the following additional definitions shall apply for the purposes of this by-law:

- A 'clubhouse' shall be defined as "one existing building or structure not exceeding 340 square metres in floor area, used exclusively by members and guests of a private camp for social, cultural, recreational and/or athletic activities. A clubhouse may contain culinary and sanitary facilities but shall not include overnight sleeping accommodations".
- A 'dormitory' shall be defined as "one existing building or structure not exceeding 65 square metres in floor area, providing temporary overnight sleeping accommodations for guests of a private camp. A dormitory shall not contain culinary or sanitary facilities".
- A 'recreational cabin' shall be defined as "an existing building or structure not exceeding 45 square metres in floor area, providing temporary overnight sleeping accommodations for members and guests of a private camp. A recreational cabin may contain culinary facilities but shall not include sanitary facilities, save and except where sanitary facilities are existing.
- 'Existing' shall be defined as a "building, structure or use existing as of March 27, 2006 and which has continued to exist to present".

Further, notwithstanding any provisions to the contrary, the following additional requirements shall apply to a private camp:

- A maximum of 127 campsites shall be permitted;
- Recreational vehicles and recreational cabins shall only be located on individual campsites;
- A maximum of 1 recreational vehicle or recreational cabin shall be permitted per individual campsite;
- No new recreational cabins shall be permitted and existing recreational cabins may only be replaced with recreational vehicles;
- Recreational cabins may be expanded to a maximum floor area of 45 square metres; and,
- Save and except in the case of an accessory dwelling, overnight sleeping accommodations within a private camp shall only be permitted between April 15 and October 1 of any calendar year.

**9.5.19**

**EP-19            PART OF LOTS 20 AND 21, CONCESSION 2(G)  
N/S OLD SHILOH ROAD**

Notwithstanding any other provision in this By-law to the contrary, the only permitted uses shall be the following uses associated with a private camp:

- conservation or forestry use
- dock
- recreational trails and activities
- sauna
- shooting range
- accessory buildings, structures and uses to any permitted use

Further, notwithstanding any provisions to the contrary, a shooting range shall only be permitted within the area indicated in Schedule C-11'.

**9.5.20**

**EP-20            PART OF LOT 15, CONCESSION 9 (NG)  
4440 BASELINE ROAD**

Notwithstanding any other provision in this By-law to the contrary, an existing batching plant, accessory buildings or structures, access driveways and parking areas as illustrated on Schedule 'C-12' shall be permitted. No new buildings / structures or expansions to existing buildings, structures, and parking areas shall be permitted.

Further, the existing 14.6 metre planting strip located along the front lot line, and interrupted by the existing driveway, as shown on Schedule 'C-12', shall be maintained and used for no other purpose.

Furthermore, with the exception of the existing buildings, structures, uses,

driveways and parking areas permitted above, only forestry and conservation uses and a driveway shall be permitted.

For the purpose of the provisions contained herein, the term 'existing' means existing as of May 19, 2021, and the term 'new' means constructed after May 19, 2021.

**9.5.21                      EP-21                      PART OF LOT 5, CONCESSION 3 (G)  
S/S SMITH BOULEVARD**

Notwithstanding any provision in this By-law to the contrary, forestry and conservation uses shall be the only permitted uses. No buildings or structures shall be permitted.

Further, a driveway, forestry and conservation uses shall be the only permitted uses. No buildings or structures shall be permitted.

Furthermore, a driveway shall not exceed 3 metres in width.

**9.5.22                      EP-22                      PART OF LOT 27, LOTS 28, 29 & 30,  
RANGE II AND PART OF LOT 27, LOTS 28, 29 &  
30, RANGE III, TOWN PLOT OF KESWICK**

Notwithstanding any provision in this By-law to the contrary, a single detached dwelling and accessory uses, buildings and structures shall be permitted in accordance with Section 6.

Further, access to the lot shall only be permitted from Bouchier Street.

**9.5.23                      EP-23                      PART OF LOT 19, CONCESSION 1 (G)**

Notwithstanding any provision in this By-law to the contrary, a private summer camp and an accessory dwelling shall be permitted.

The requirements of Section 21.2 shall apply to a private camp except that:

- two beds in a dormitory shall be equated to one guest room in respect to Section 21.2 (b); and,
- Section 21.2 (j) shall not apply and in its place it shall be required that walls containing windows, where the window leads to a living, dining, sleeping or recreation room, shall be at least 6 metres apart.

## **SECTION 10 – RESIDENTIAL (R) ZONE**

### **10.1 PERMITTED RESIDENTIAL USES**

- single detached dwelling
- additional dwelling unit in a single detached dwelling
- additional dwelling unit in a detached building

### **10.2 PERMITTED NON-RESIDENTIAL USES**

- home occupation
- short-term rental accommodation
- day care, private home
- day nursery within an existing church
- kennel, pursuant to the provisions of Section 2.111 and 5.15 of this By-law
- accessory buildings, structures and uses to any permitted use

### **10.3 ZONE REQUIREMENTS – RESIDENTIAL USES**

In accordance with the requirements of Section 6.

### **10.4 ZONE REQUIREMENTS – NON-RESIDENTIAL USES**

In accordance with the requirements of Section 5.

Further, a non-residential use within a dwelling is subject to the same provisions as the dwelling.

### **10.5 SPECIAL PROVISIONS**

#### **10.5.1 R-1 PLAN 544 AND PLAN 588**

Notwithstanding any provision in this By-law to the contrary, a seasonal dwelling, including accessory buildings and structures, may be erected on a lot fronting on an access street.

#### **10.5.2 R-3 PLAN 168, PLAN 223 AND PLAN 284**

Notwithstanding any provision in this By-law to the contrary, the only permitted use is a boathouse.

Where an entrance to a boathouse is from a lane, such building shall be a minimum of 8 metres from the opposite boundary of the lane.

## SECTION 11 - COMMERCIAL RECREATION (CR) ZONE

### 11.1 PERMITTED RESIDENTIAL USES

- one accessory dwelling or dwelling unit

### 11.2 PERMITTED NON-RESIDENTIAL USES

- short-term rental accommodation
- bowling alley
- day care, private home
- golf course
- hawker or pedlar use
- kennel, pursuant to the provisions of Section 2.111 and 5.15 of this By-law
- park
- place of amusement
- police station
- recreational vehicle park
- refreshment vehicle, bicycle unit or cart
- retail store, convenience
- restaurant
- tent campground
- accessory buildings, structures and uses to any permitted use

### 11.3 ZONE REQUIREMENTS - RESIDENTIAL USES

In accordance with the provisions of Section 6.

### 11.4 ZONE REQUIREMENTS - NON-RESIDENTIAL USES

(a)	LOT FRONTAGE (MINIMUM)	120 metres
(b)	LOT AREA (MINIMUM)	4 hectares
(c)	YARDS (MINIMUM) provided that where a yard abuts a zone permitting a residential use, in this By-law or Zoning By-law 500, the minimum yard shall be 30 metres.	15 metres
(d)	LOT COVERAGE (MAXIMUM)	20%
(e)	HEIGHT OF BUILDINGS (MAXIMUM)	11 metres
(f)	RECREATIONAL VEHICLE SITE	
Every recreational vehicle shall be placed on a recreational vehicle site with the minimum dimensions as follows		
Site Frontage		8 metres
Site Area		185 sq. metres
Density		30 recreational vehicle sites per hectare



The following provisions shall also apply to a recreational vehicle site:

- No recreational vehicle site shall be closer than 15 metres to a service building;
- Every recreational vehicle site shall be accessible by a driveway which is at least 4 metres wide if intended for one-way traffic or 8 metres wide for two-way traffic; and,
- The storage of goods or materials shall not be permitted other than in a wholly enclosed building with the exception that not more than one boat of not more than 8 metres in length may be stored per recreational vehicle site.

**(g) SHORT-TERM RENTAL ACCOMMODATION**

Notwithstanding Sections 5 and 11.4(a), (h) and (c), a short-term rental accommodation and accessory buildings, structures and uses thereto, shall be subject to the same lot frontage, lot area, and yard provision as a single detached dwelling in a Rural Countryside (RU-C) Zone.

**ACCESSORY BUILDINGS, STRUCTURES, USES, PARKING, PLANNED WIDTH OF STREET ALLOWANCE AND ALL OTHER GENERAL PROVISIONS**

In accordance with the provisions of Section 5.

**11.5 SPECIAL PROVISIONS**

**11.5.1 CR-1 PART OF LOT 8, CONCESSION 8 (NG)**

Notwithstanding any provision in this By-law to the contrary, the following non-residential uses shall be permitted:

- refreshment booth
- a petting zoo
- arts and crafts centre
- pottery studio
- sale and use of amusement games
- accessory residential dwelling
- accessory buildings, structures and uses to any permitted use

**11.5.2 CR-2 PART OF LOT 7, CONCESSION 9 (NG)**

Notwithstanding any provision in this By-law to the contrary, the following non-residential uses shall be permitted:

- club, commercial
- commercial recreational uses which shall include hay ride, horseback riding and ski trails, outdoor ice skating facilities, a go-kart track, toboggan runs, miniature golf course, a petting zoo and a golf driving range and shall exclude an Adventure Game refreshment booth
- snowmobile trail which shall not be located closer than the intersected area of 50 metres from the westerly property line and 120 metres from the southerly property line.

**11.5.3 CR-3 PART OF LOT 11, CONCESSION 8 (NG)**

Notwithstanding any provision in this By-law to the contrary, a maximum of one caretaker's/manager's residence in addition to a maximum of twenty-eight Hotel/Motel units shall be permitted within an existing building as shown in Schedule 'C-13'.

Notwithstanding Section 2.110, the individual Hotel/Motel units may contain cooking facilities. Furthermore, the individual Hotel/Motel units shall be restricted to a maximum floor area of sixty-five square metres.

**11.5.4 CR-4 LOT 1, CONCESSION 4 (NG)**

Notwithstanding any provision in this By-law to the contrary, a golf ball driving range shall be a permitted use.

**11.5.5 CR-5 PART LOTS 12 AND 13, CONCESSION 9 (NG)**

Notwithstanding any provision in this By-law to the contrary, a golf ball driving range and a maximum of four (4) recreational baseball batting cages shall also be permitted uses. Further, a dwelling unit shall be permitted in the second storey of the commercial building.

A golf ball barrier netting may be erected to a maximum height of 15 metres.

A horse barn and paddock area for a maximum of four horses shall be permitted.

The minimum front yard setback shall be 55 metres for a horse barn and 70 metres for any manure storage facility and the minimum easterly interior side yard setback shall be 610 metres.

**11.5.6 CR-6 PART OF LOT 15, CONCESSION 9 (NG)**

Notwithstanding any provision in this By-law to the contrary, a private summer camp and an accessory dwelling shall be permitted.

The requirements of Section 21.2 shall apply to a private camp except that:

- two beds in a dormitory shall be equated to one guest room in respect to Section 121.2(b); and,
- Section 121.2(j) shall not apply and in its place it shall be required that walls containing windows, where the window leads to a living, dining, sleeping or recreation room, shall be at least 6 metres apart.

**11.5.7 CR-7 LOT 57, REGISTERED PLAN 284  
E/S SINA STREET**

Notwithstanding any provision in this By-law to the contrary, only the following use shall be permitted:

- indoor storage facility accessory to the abutting marina operation to the south.

The location of any building or structure shall be subject to the following provisions:

<b>INTERIOR SIDE YARD</b> (Minimum-north side)	10 metres
<b>INTERIOR SIDE YARD</b> (Minimum-south side)	5 metres
<b>LOT COVERAGE</b> (Maximum)	35%

Any buildings or structures shall have a minimum setback of 20 metres from any river, waterbody, watercourse or man-made canal.

The open storage of leisure vehicles, including accessory trailers, shall not be permitted.

## **SECTION 12 – RURAL COMMERCIAL (RC) ZONE**

### **12.1 PERMITTED RESIDENTIAL USES**

- one dwelling unit in a storey above the first storey or within the rear of a non-residential building other than a mechanical garage

### **12.2 PERMITTED NON-RESIDENTIAL USES**

- bakery or bakeshop
- bank- bowling alley
- building supply and equipment establishment
- business or professional office
- catering establishment
- clinic, health care
- clinic, veterinary (animal hospital), but not including outdoor canine runs or animal containment areas
- club, commercial or private
- dry cleaning establishment
- equipment sales establishment
- garden centre
- garage, mechanical
- hawker or pedlar use
- hotel
- kennel, pursuant to the provisions of Section 2.111 and 5.15 of this By-law
- laundromat
- leisure vehicle sales establishment
- motel or motor hotel
- motor vehicle cleaning establishment
- motor vehicle fuel bar
- motor vehicle sales and/or rental establishment - automobile, commercial and/or recreational vehicles
- parking lot, commercial
- place of amusement
- police station
- printing shop
- refreshment vehicle, bicycle unit or cart
- restaurant
- retail store, convenience
- service shop, heavy, light or personal
- studio
- terminal, bus or truck
- tourist information centre
- wholesale establishment within a building of which at least 25% is used for retail sales; retail sales area may not exceed 185 square metres
- accessory buildings, structures and uses to any permitted use

### 12.3 ZONE REQUIREMENTS - RESIDENTIAL USES

In accordance with the provisions of Section 6.

### 12.4 ZONE REQUIREMENTS - NON-RESIDENTIAL USES MOTOR VEHICLE FUEL BAR, MECHANICAL GARAGE, HOTEL, MOTEL OR MOTOR HOTEL

In accordance with the provisions of Section 21.

#### OTHER USES

(a)	<b>LOT FRONTAGE (MINIMUM)</b>  Except that in the case of a lot fronting on Highway 48, the minimum lot frontage shall be 45 metres.	30 metres
(b)	<b>LOT AREA (MINIMUM)</b>	4000 sq. metres
(c)	<b>FRONT YARD (MINIMUM)</b>  Except that in the case of a lot fronting on Highway 48, the minimum front yard shall be 14 metres.	12 metres
(d)	<b>EXTERIOR SIDE YARD (MINIMUM)</b>  Except that in the case of a lot flanking on Highway 48, the minimum exterior side yard shall be 14 metres.	12 metres
(e)	<b>REAR YARD (MINIMUM)</b>	8 metres
(f)	<b>INTERIOR SIDE YARD (MINIMUM)</b>  Except that where said yard abuts a Residential or Transitional Zone, its minimum shall be 9 metres.	6 metres
(g)	<b>LOT COVERAGE (MAXIMUM)</b>	30%
(h)	<b>HEIGHT OF BUILDING (MAXIMUM)</b>	11 metres
(i)	<b>OPEN STORAGE</b>  Open storage of goods, materials, boats and vehicles shall be permitted in the Rural Commercial (RC) Zone subject to the following provisions:  - such open storage is a permitted use or accessory to the use of the main building on the lot;  - such open storage is not located within the	

	minimum yards required for a 'RC' zone; and,  - such open storage does not cover more than 30% of the lot area.	
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**ACCESSORY BUILDINGS, STRUCTURES, USES, PARKING,  
PLANNED WIDTH OF STREET ALLOWANCE AND ALL OTHER  
GENERAL PROVISIONS**

In accordance with the provisions of Section 5.

**12.5 SPECIAL PROVISIONS**

**12.5.1 RC-1 PART LOT 1, CONCESSION 2 (G)**

Notwithstanding any provision in this By-law to the contrary, a church, a bowling alley and billiard parlour shall be permitted non-residential uses.

**12.5.2 RC-2 PART OF LOT 5, CONCESSION 8 (NG)**

Notwithstanding any provision in this By-law to the contrary, open storage shall not be permitted beyond the easterly limit of the existing non-residential building and all open storage shall be completely screened from view from Highway 48.

**12.5.3 RC-3 PART LOT 21, CONCESSION 4 (NG)**

Notwithstanding any provision in this By-law to the contrary, a motor vehicle sales and/or rental establishment - automobile, towing service and mechanical garage shall be permitted uses.

Further, the minimum interior side yard shall be 4 metres.

In addition, the storage of vehicles under repair shall be restricted to an area which is screened from view of adjacent properties and Woodbine Avenue, and is located directly behind the existing garage. Said storage shall be allowed to extend to within 3 metres of the east lot line.

Site Plan Control approval shall be required prior to any use being established or the erection of any buildings or structures within the rear 142 metres of lands zoned 'RC-3'.

**12.5.4. RC-4 PART LOT 2, CONCESSION 8 (NG)**

Notwithstanding any provision in this By-law to the contrary, only a motor vehicle sales and/or rental establishment - automobile, shall be permitted.

**12.5.5. RC-5 PART LOT 4, CONCESSION 8 (NG)**

Notwithstanding any provision in this By-law to the contrary, the minimum rear yard requirement shall be 3.5 metres. Further, a dwelling unit shall be permitted in the second storey of a mechanical garage.

**12.5.6 RC-6 PART LOT 2, CONCESSION 8 (NG)**

Notwithstanding any provision in this By-law to the contrary, an existing single detached dwelling shall be a permitted use.

**12.5.7 RC-7 PART LOT 23, CONCESSION 4 (NG)  
PART 1, PLAN 65R-14049**

Notwithstanding any provision in this By-law to the contrary, only the following non-residential uses shall be permitted:

- hotel, motel or motor hotel

In addition to the above permitted uses, the following uses shall also be permitted:

- clinic, health care
- club, commercial or private
- golf course, miniature
- restaurant
- retail use accessory to a hotel or motel
- service shop, personal
- theatre
- tourist information centre
- accessory buildings, structures and uses to any permitted use

However, these additional uses shall not be permitted until such time as an occupancy permit has been issued for the hotel or motel uses.

In addition, no open storage shall be permitted.

**12.5.8 RC-8 PART OF LOT 2, CONCESSION 5 (G)**

Notwithstanding any provision in this By-law to the contrary, only the following uses shall be permitted:

- antique shop or craft shop
- building supply and equipment establishment
- business or professional office
- clinic, veterinary (animal hospital)
- club, commercial or private
- garden centre
- leisure vehicle sales establishment
- motor vehicle sales and/or rental establishment - automobile
- motor vehicle cleaning establishment
- printing shop
- restaurant
- tourist information centre
- accessory buildings, structures and uses to any permitted use

**12.5.9 RC-9 PART OF LOT 1, CONCESSION 2 (G)**

Notwithstanding any provision in this By-law to the contrary, the permitted residential uses shall be either one dwelling unit in a storey above the first storey or within the rear of a non-residential building other than a mechanical garage, or alternatively one single detached dwelling.

Furthermore, notwithstanding Section 12.2 PERMITTED NON-RESIDENTIAL USES, only the following non-residential uses shall be permitted:

- building supply and equipment establishment
- business or professional office
- equipment sales establishment
- garden centre
- garage, mechanical
- hawker or pedlar use
- leisure vehicle sales establishment
- motor vehicle cleaning establishment
- motor vehicle fuel bar
- motor vehicle sales and/or rental establishment
- automobile, commercial and/or recreational vehicles
- parking lot – commercial
- printing shop
- retail store, convenience
- service shop, heavy, light or personal
- terminal, bus or truck
- wholesale establishment within a building of which at least 25% is used for retail sales; retail sales area may not exceed 185 square metres
- accessory buildings, structures and uses to any permitted use

**12.5.10 RC-10 PART OF LOT 7, CONCESSION 8 (NG)**

Notwithstanding any provision in this By-law to the contrary, only the following uses shall be permitted:

- existing dwelling (as shown on Schedule 'C-14')
- fruit/vegetable stand
- parking lot, commercial
- refreshment vehicle, bicycle unit or cart
- buildings, structures and uses accessory to the residential use of the property

Further, the following shall be permitted upon issuance of a Certificate of Approval by the Region of York Health Department:

- dwelling unit within a non-residential building
- bakery or bake shop
- garden centre
- motor vehicle sales and/or rental establishment – automobile
- retail store, convenience



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- restaurant
- service shop, light
- studio
- tourist information centre
- wholesale establishment within a building of which at least 25% is used for retail sales and which is considered a dry industrial use as per Section 2.234
- accessory buildings, structures and uses to any permitted use

For the purposes of this by-law a fruit/vegetable stand shall mean the retail sale of only fruits and vegetables. Such retail sale shall take place within the existing dwelling or in an unenclosed building or structure.

Furthermore, a mechanical garage and/or mechanical repairs shall not be permitted as an accessory use to any permitted use.

**12.5.11**

**RC-11            PART OF LOT 7, CONCESSION 6 (G)  
HIGHWAY 48/PARK ROAD**

Notwithstanding any provision in this By-law to the contrary, a day nursery shall also be a permitted use.

## SECTION 13 – RESTRICTED INDUSTRIAL (M1) ZONE

### 13.1 PERMITTED RESIDENTIAL USES

- one accessory dwelling

### 13.2 PERMITTED - NON-RESIDENTIAL USES

- any industrial undertaking that is conducted and wholly contained within an enclosed building and is not a prohibited use pursuant to Section 5.40 herein
- cannabis production facility, designated
- cannabis production facility, licensed
- commercial use incidental to, and on the same site as, an industrial use
- contractor's or tradesman's shop
- dry cleaning plant
- equipment sales establishment
- garage, mechanical
- motor vehicle cleaning establishment
- parking lot, commercial
- police station
- printing shop
- public storage building
- service shop, heavy or light
- warehouse
- wholesale establishment
- accessory buildings, structures and uses to any permitted use

### 13.3 ZONE REQUIREMENTS – RESIDENTIAL USES

In accordance with the provisions of Section 6.

### 13.4 ZONE REQUIREMENTS – NON-RESIDENTIAL USES GARAGE, MECHANICAL

In accordance with the provisions of Section 21.

#### OTHER USES

(a)	<b>LOT FRONTAGE (MINIMUM)</b>		nil
	Except that in the case of a lot fronting on Highway 48, the minimum lot frontage shall be 45 metres.		
(b)	<b>LOT AREA (MINIMUM)</b>		
	Private Sanitary Services		4,000 sq. m
	Municipal Sanitary Sewers		nil

(c)	<b>FRONT YARD (MINIMUM)</b>		15 metres
(d)	<b>EXTERIOR SIDE YARD (MINIMUM)</b>		15 metres
(e)	<b>REAR YARD (MINIMUM)</b>  Provided that where the rear yard abuts a Residential Zone or Transitional Zone in Zoning By-law 500, the minimum rear yard shall be increased to 15 metres.		11 metres
(f)	<b>INTERIOR SIDE YARD (MINIMUM)</b>  Provided that where the interior side yard abuts a Residential or Transitional Zone, the minimum interior side yard shall be increased to 15 metres.		6 metres
(g)	<b>LOT COVERAGE (MAXIMUM)</b>  Provided that where served by sanitary sewers, the maximum coverage maybe increased to 50%.		20%
(h)	<b>HEIGHT OF BUILDING (MAXIMUM)</b>		11 metres
(i)	<b>OPEN STORAGE</b>  The storage of goods, material, or machinery, shall not be permitted other than in a wholly enclosed building.		

#### **ACCESSORY BUILDINGS, STRUCTURES, USES, PARKING, PLANNED WIDTH OF STREET ALLOWANCE AND ALL OTHER GENERAL PROVISIONS**

In accordance with the provisions of Section 5.

#### **(j) CANNABIS PRODUCTION FACILITY, DESIGNATED OR LICENSED**

A designated or licensed cannabis production facility in the M1 Zone is subject to the requirements of Section 12.4 respecting 'Other Uses' and the following additional requirements:

#### **LOT FRONTAGE AND LOT AREA**

Section 5. respecting undersized lots shall not apply when determining compliance with lot frontage and lot area requirements.

### **OUTDOOR CULTIVATION PROHIBITED**

Cultivating, propagating and harvesting of cannabis shall only be permitted in a wholly enclosed building or structure.

### **GATEHOUSE**

A building or structure used solely for a gatehouse shall be permitted in the front and exterior side yard and may be located a minimum of 1.5 metres from any lot line. Such building or structure shall have a maximum floor area of 20 square metres.

### **DISTANCE FROM SENSITIVE LAND USES**

A designated or licensed cannabis production facility which contains air treatment control, shall have a minimum setback of 150 metres from:

1. The following zones under Zoning By-law 500: Residential (R, R1, R2 or R3), Estate Residential (ER), Institutional (I) or Transitional (T) zones, including any related site-specific zones. The setback shall be measured from the closest portion of the designated or licensed cannabis production facility to the closest portion of a Residential (R, R1, R2 or R3), Estate Residential (ER), Institutional (I) or Transitional (T) zone boundary.
2. Rural Countryside (RU-C) and Agricultural Protection (AP) including any related site-specific zones, and Environmental Protection (EP) zoned lots which permit residential uses, which have a lot area of 8,000 square metres or less. The setback shall be measured from the closest portion of the designated or licensed cannabis production facility to the closest portion of the lot line of such RU-C, AP or EP zoned lot.

Notwithstanding any other provision in this by-law, a designated or licensed cannabis production facility which does not contain air treatment control, shall have a minimum setback of 300 metres from:

3. The following zones under Zoning By-law 500: Residential (R, R1, R2 or R3), Estate Residential (ER), Institutional (I) or Transitional (T) zones, including any related site-specific zones. The setback shall be measured from the closest portion of the designated or licensed cannabis production facility, to the closest portion of a Residential (R, R1, R2 or R3), Estate Residential (ER), Institutional (I) or Transitional (T) zone boundary.
4. Rural Countryside (RU-C) and Agricultural Protection (AP) including any related site-specific zones, and Environmental

Protection (EP) zoned lots which permit residential uses which have a lot area of 8,000 square metres or less. The setback shall be measured from the closest portion of the designated or licensed cannabis production facility to the closest portion of the lot line of such RU-C, AP or EP zoned lot.

Notwithstanding paragraphs 1 and 3, above, a designated or licensed cannabis production facility shall have a minimum setback of 300 metres from a private or public school. The setback shall be measured from the closest portion of the designated or licensed cannabis production facility to the closest portion of the lot line containing the private or public school.

### **13.5 SPECIAL PROVISIONS**

#### **13.5.1 M1-1 PART LOT 16, CONCESSION 7 (NG)**

Notwithstanding any provision in this By-law to the contrary, the following shall apply:

LOT FRONTAGE (MINIMUM) 60 metres

LOT AREA (MINIMUM) 8 000 sq metres

REAR YARD (MINIMUM) 15 metres

INTERIOR SIDE YARD (MINIMUM) 15 metres

Further, a mechanical garage shall not be a permitted use

#### **13.5.2 M1-6 PART OF LOT 11, CONCESSION 6 (G)**

Notwithstanding any provision in this By-law to the contrary, the following provisions shall apply:

Number of Loading Spaces required 1

Number of Parking Spaces required 17

Required parking spaces may be located in all yards.

#### **13.5.3 M1-7 PART OF LOT 1, CONCESSION 4 (G)**

Notwithstanding any provision in this By-law to the contrary, only the following uses shall be permitted:

- machine shop operation for the purpose of manufacturing plastic injection moulds and other metal products.
- accessory buildings, structures and uses to any permitted use.

#### **13.5.4 M1-8 PART OF LOT 13, CONCESSION 4 (NG)**

Notwithstanding any provision in this By-law to the contrary, an autobody

garage shall be a permitted non-residential use.

Further, the storage of goods, materials and automobiles associated with a Public Garage, Autobody use shall not be permitted other than in a wholly enclosed building. The open storage or parking of motor vehicles to be rented or leased shall not be permitted within the southerly 40 metres of the 'M1-8' zone.

**13.5.5 M1-9 PART LOTS 1 AND 2, CONCESSION 2 (G)**

Notwithstanding any provision in this By-law to the contrary, an accessory single detached dwelling shall be subject to the following:

FRONT YARD (MINIMUM) 14 metres

INTERIOR SIDE YARD (MINIMUM) 9 metres

**13.5.6. M1-12 PART LOT 16, CONCESSION 4 (G)**

Notwithstanding any provision in this By-law to the contrary, the open storage of machinery and equipment accessory to a tradesman or contractor's yard shall be permitted provided that:

- such open storage is not located within 30 metres from the easterly limit of the 'M1-12' zone boundary and within 46 metres from the north property line (Old Homestead Road). Further, open storage shall not be located within the minimum rear and westerly interior side yard pursuant to the yard requirements for an 'M1' Zone.

**13.5.7. M1-14 PART OF LOT 1, CONCESSION 5 (G)**

Notwithstanding any provision in this By-law to the contrary, only the following non-residential uses shall be permitted:

- any industrial undertaking that is conducted and wholly contained within an enclosed building and is not a prohibited use pursuant to Section 5.40
- commercial use incidental to, and on the same site as, an industrial use
- contractor's or tradesman's yard
- club, commercial or private
- dry cleaning plant
- garage, bus or truck
- garden centre
- garage, mechanical
- hotel
- motel or motor hotel
- motor vehicle cleaning establishment
- motor vehicle sales establishment and/or rental establishment - automobile
- printing shop
- retail store, convenience
- service shop, heavy

- terminal, bus or truck
- warehouse
- accessory buildings, structures and uses to any permitted use

**13.5.8 M1-15 PART OF LOT 3, CONCESSION 3 (G)**

Notwithstanding any provision in this By-law to the contrary, public storage buildings and an accessory dwelling unit shall be the only permitted uses. Further, the minimum front yard setback shall be 30 metres.

**13.5.9 M1-18 PART LOT 5, CONCESSION 9 (NG);**

Notwithstanding any provision in this By-law to the contrary, only the following non-residential uses shall be permitted:

- any dry industrial undertaking that is conducted and wholly contained within an enclosed building and is not a prohibited use pursuant to Section 5.40 herein
- a commercial use incidental to, and on the same site as, an industrial use
- dry industrial use (agriculture related)
- service shop, light
- warehouse
- accessory buildings, structures and uses to any permitted use

In addition, a minimum of 25% of any industrial use shall be for agriculture related purposes.

Further, outside product display shall be permitted in accordance with the following:

- a product display area shall only be located in an interior side yard or a rear yard, and
- a product display area shall have a maximum area of 1,500 sq metres.

For the purposes of this by-law, the following definition shall apply:

USE, INDUSTRIAL (AGRICULTURE RELATED): means an industrial use as permitted herein, which is related to, or serves the agriculture industry.

For purposes of this by-law, the front lot line shall be deemed that which abuts Civic Centre Road.

**13.5.8 M1-21 PART OF LOT 14, CONCESSION 4(G) PART 3, R.P. 65R-9461**

Notwithstanding any provision in this By-law to the contrary, only the following uses shall be permitted:

Residential Uses:

- single detached dwelling

Non-Residential Uses:

- contractor or tradesman's shop
- warehouse
- wholesale establishment
- accessory buildings, structures and uses to any permitted uses

Further, the minimum rear yard and minimum easterly interior side yard shall be 200 metres and 30 metres, respectively.

In addition, the required parking area for a permitted non-residential use shall be subject to a minimum rear yard setback of 200 metres, and a minimum easterly interior side yard setback of 30 metres.

**13.5.9**

**M1-25 PART OF LOT 13, CONCESSION 4 (NG)**

Notwithstanding any provision in this By-law to the contrary, the minimum front yard setback shall be 8 metres.

An establishment for the rental and leasing of motor vehicles and trucks shall be a permitted use in addition to those uses set forth therein. The open storage of rental cars and trucks shall be permitted subject to the following provisions:

- Such open storage shall only be permitted in the rear yard area between the projection of the north and south walls of the main building;
- Such open storage is not located within the minimum yards with the exception of the rear yard which may be reduced to 3 metres; and,
- Such open storage shall not cover more than 10% of the lot area.



## SECTION 14 – GENERAL INDUSTRIAL (M2) ZONE

### 14.1 PERMITTED RESIDENTIAL USES

- one accessory dwelling

### 14.2 PERMITTED NON-RESIDENTIAL USES

- all uses permitted in a Restricted Industrial (M1) Zone
- building supply and equipment establishment
- bulk fuel storage establishment
- cannabis production facility, designated
- cannabis production facility, licensed
- garage, bus or truck
- garage, autobody
- manufacturing or industrial establishment, not necessarily conducted and contained within a building, excluding a salvage yard
- motor vehicle sales establishment - commercial and recreational vehicles
- police station
- terminal, bus or truck
- truck driving centre
- welding shop
- accessory buildings, structures and uses to any permitted use

### 14.3 ZONE REQUIREMENTS - RESIDENTIAL USES

In accordance with the provisions of Section 6.

### 14.4 ZONE REQUIREMENTS - NON-RESIDENTIAL USES

#### AUTO BODY GARAGES

In accordance with the provisions of Section 21 for a mechanical garage.

#### OTHER USES

(a)	<b>LOT FRONTAGE (MINIMUM)</b> <ul style="list-style-type: none"><li>- except that in the case of a lot fronting on Highway 48, the minimum lot frontage shall be 45 metres.</li></ul>	nil
(b)	<b>LOT AREA (MINIMUM)</b> <ul style="list-style-type: none"><li>- if served by sanitary sewers no minimum required.</li></ul>	4,000 sq. metres
(c)	<b>FRONT YARD (MINIMUM)</b>	15 metres
(d)	<b>EXTERIOR SIDE YARD (MINIMUM)</b>	15 metres

<b>(e)</b>	<b>REAR YARD (MINIMUM)</b>  - provided that, where the rear yard abuts a zone, permitting a residential use in this by-law and Zoning By-law 500 the minimum rear yard shall be increased to 15 metres.)	11 metres
<b>(f)</b>	<b>INTERIOR SIDE YARD (MINIMUM)</b>  - provided that, where the rear yard abuts a zone, permitting a residential use in this by-law and Zoning By-law 500, the minimum side yard shall be increased to 15 metres.	6 metres
<b>(g)</b>	<b>LOT COVERAGE (MAXIMUM)</b>	20%
<b>(h)</b>	<b>HEIGHT OF BUILDING (MAXIMUM)</b>	11 metres
<b>(i)</b>	<b>GATEHOUSE</b>  Notwithstanding the yard and setback provisions of this by-law, a gatehouse shall be permitted in a front yard or exterior side yard a minimum of 1.5 metres from any lot line.	
<b>(j)</b>	<b>OPEN STORAGE</b>  Open storage of goods, materials and vehicles shall be permitted in the General Industrial (M2) Zone, subject to the following provisions:  - Such open storage is a permitted use or accessory to the use of the main building on the lot;  - Such open storage is not located within the minimum yards; and,  - Such open storage does not cover more than 30% of the lot area.	

**ACCESSORY BUILDINGS, STRUCTURES, USES, PARKING, PLANNED WIDTH OF STREET ALLOWANCE, AND ALL OTHER GENERAL PROVISIONS**

**(k) CANNABIS PRODUCTION FACILITY, DESIGNATED OR LICENSED**

A designated or licensed cannabis production facility in the M2 Zone is subject to the requirements of Section 14.4 respecting 'Other Uses' and the following additional requirements:

**LOT FRONTAGE AND LOT AREA**

Section 5 respecting undersized lots shall not apply when determining compliance with lot frontage and lot area requirements.

**OUTDOOR CULTIVATION PROHIBITED**

Cultivating, propagating and harvesting of cannabis shall only be conducted in a wholly enclosed building or structure.

**DISTANCE FROM SENSITIVE LAND USES**

A designated or licensed cannabis production facility which contains air treatment control, shall have a minimum setback of 150 metres from:

1. The following zones under Zoning By-law 500: Residential (R, R1, R2 or R3), Estate Residential (ER), Institutional (I) or Transitional (T) zones, under Zoning By-law 500 including any related site-specific zones. The setback shall be measured from the closest portion of the designated or licensed cannabis production facility to the closest portion of a Residential (R, R1, R2 or R3), Estate Residential (ER), Institutional (I) or Transitional (T) zone boundary.
2. Rural Countryside (RU-C) and Agricultural Protection (AP) including any related site-specific zones, and Environmental Protection (EP) zoned lots which permit residential uses, which have a lot area of 8,000 square metres or less. The setback shall be measured from the closest portion of the designated or licensed cannabis production facility to the closest portion of the lot line of such a RU-C, EP or AP zoned lot.

Notwithstanding any other provision in this by-law, a designated or licensed cannabis production facility which does not contain air treatment control, shall have a minimum setback of 300 metres from:

3. The following zones under Zoning By-law 500: Residential (R, R1, R2 or R3), Estate Residential (ER), Institutional (I) or Transitional (T) zones. The setback shall be measured from the closest portion of the designated or licensed cannabis production facility, to the closest portion of a Residential (R, R1, R2 or R3), Estate Residential (ER), Institutional (I) or Transitional (T) zone boundary.

4. Rural Countryside (RU-C) and Agricultural Protection (AP) including any related site-specific zones, and Environmental Protection (EP) zoned lots which permit residential uses, which have a lot area of 8,000 square metres or less. The setback shall be measured from the closest portion of the designated or licensed cannabis production facility to the closest portion of the lot line of such a RU-C, EP or AP zoned lot.

Notwithstanding paragraphs 1 and 3, above, a designated or licensed cannabis production facility shall have a minimum setback of 300 metres from a private or public school. The setback shall be measured from the closest portion of the designated or licensed cannabis production facility to the closest portion of the lot line containing the private or public school.

## **14.5 SPECIAL PROVISIONS**

### **14.5.1 M2-2 PARTS OF LOTS 1 & 2, CONCESSION 8 (NG)**

Notwithstanding any provision in this By-law to the contrary, a recycling establishment limited to construction materials shall be a permitted use.

### **14.5.2 M2-3 PART OF PART 1, DEPOSITED PLAN 65R-3100**

In the area designated 'M2-3' in Schedule 'A' hereto, the open storage of motor vehicles shall not be permitted closer to the front lot line than a line created by the projection of the rear wall of the existing steel clad building shown in Schedule 'C-15' hereto, and further, any such storage shall not be permitted unless completely screened from view from the adjacent streets by a fence, wall or trees.

### **14.5.3 M2-9 PART OF LOTS 2 & 3, CONCESSION 4 (NG)**

Notwithstanding any provision in this By-law to the contrary, the only permitted residential use shall be a single detached dwelling.  
The following are the only permitted non-residential uses:

- motor vehicle sales establishment
- a contractor's or tradesman's yard
- a warehouse
- a building supply and equipment establishment
- accessory buildings, structures and uses to any permitted use

Further, a smelter, smelter related uses or bulk fuel storage establishment shall not be permitted.

### **14.5.4 M2-10 PART LOT 1, CONCESSION 5 (G) PART 3, PLAN 65R-1719 2 ELLISVIEW ROAD**

Notwithstanding any provision in this By-law to the contrary, the following provisions shall apply:

- a) The only permitted non-residential uses shall be:
- manufacturing or industrial establishment for the purpose of woodchip, mulch, and animal bedding production (i)(ii); and,
  - accessory buildings, structures and uses.

For the purpose of this provision, a trailer may be used as an office for the sale of the manufactured goods and materials, associated with the use.

For the purpose of this provision, the open storage of goods, materials, and vehicles shall only be permitted in the locations shown on Schedule 'C-16.'

#### 14.5.5

#### **M2-11 PART OF LOT 15, CONCESSION 9 (NG) 4440 BASELINE ROAD**

Notwithstanding any provision in this By-law to the contrary, a batching plant shall be a permitted use. The location of the existing batching plant, accessory buildings / structures, weigh scale and concrete bays, shall be permitted as illustrated on Schedule 'C-12'.

Further, the following regulations shall apply to new buildings or structures and the expansion of existing buildings or structures:

Front Yard (Minimum):	15 metres
Rear Yard (Minimum):	15 metres
Interior Side Yard (Minimum):	15 metres
Lot Coverage (Maximum):	N/A
Height (Maximum):	N/A
Planting Strip (Minimum):	5 metres wide along any portion of a lot line which abuts lands designated 'R' or 'RU'

Until such time as Site Plan Control approval is obtained for the construction of new buildings or structures or the expansion of existing buildings or structures in accordance with Section 41 of the Planning Act, the accessory open storage of leftover concrete material shall only be permitted in the 20 metre by 11 metre area identified on Schedule 'C-12'. The maximum height of the leftover concrete material shall be 3 metres.

Once Site Plan Control approval is obtained, new accessory open storage for leftover concrete material will be subject to the provisions as noted below without the need for further amendments to the zoning by-law.

The following regulations shall apply to new accessory open storage, buildings, and structures:

Town of Georgina  
Proposed Countryside Zoning By-law

Front Yard (Minimum):	10 metres
Rear Yard (Minimum):	10 metres
Interior Side Yard (Minimum):	10 metres
Lot Coverage (Maximum):	N/A
Height (Maximum):	N/A

For the purpose of the provisions contained herein, the term 'existing' means existing as of May 19, 2021 and the term 'new' means constructed after May 19, 2021.

## **SECTION 15 - EXTRACTIVE INDUSTRIAL (M3) ZONE**

### **15.1 PERMITTED RESIDENTIAL USES**

- prohibited

### **15.2 PERMITTED NON-RESIDENTIAL USES**

- batching plant
- aggregate washing establishment
- aggregate crushing establishment
- aggregate recycling establishment
- aggregate screening establishment
- asphalt plant
- manufacture of concrete products
- pit
- police station
- quarry
- accessory buildings, structures and uses to any permitted use

### **15.3 ZONE REQUIREMENTS - RESIDENTIAL USES**

- not applicable

### **15.4 ZONE REQUIREMENTS - NON-RESIDENTIAL USES**

#### **(a) LOT FRONTAGE (MINIMUM) nil**

Except that in the case of a lot fronting on Highway 48, the minimum lot frontage shall be 45 metres.

#### **(b) BUILDING, STRUCTURE OR PRODUCT STOCKPILE SETBACK**

No building, structure or product stockpile shall be located closer than 30 metres to any boundary of the property upon which it is sited except that where the lands adjoining the said property or the opposite side of the street at the time the Ministry of Natural Resources issues the pit license are zoned Residential, the setback shall be increased to provide a minimum distance of 90 metres from such Residential Zone.

#### **(c) PIT OR QUARRY EXCAVATION SETBACKS**

No pit or quarry excavation shall be closer than 30 metres to a street and 15 metres to a rear or side lot line, except where the abutting property is zoned Extractive Industrial (M3) in which case the setback may be reduced to nil.

#### **(d) PLANTING STRIPS**

Notwithstanding any other requirements of this by-law, a planting

strip 15 metres in width shall be provided adjacent to the boundaries of an `M3' Zone and shall be used for no other purpose than a buffer of trees, unbroken except for entrances and exits, or a seeded earthen berm and trees.

**ACCESSORY BUILDINGS, STRUCTURES, USES, PARKING,  
PLANNED WIDTH OF STREET ALLOWANCES AND ALL OTHER  
GENERAL PROVISIONS**

In accordance with the provisions of Section 5.

**15.5 SPECIAL PROVISIONS**



## SECTION 16 – STORAGE INDUSTRIAL (M4) ZONE

### 16.1 PERMITTED RESIDENTIAL USES

- prohibited

### 16.2 PERMITTED NON-RESIDENTIAL USES

- recycling facility, motor vehicles
- storage depot
- police station
- accessory buildings, structures and uses to any permitted use

### 16.3 ZONE REQUIREMENTS - RESIDENTIAL USES

- not applicable

### 16.4 ZONE REQUIREMENTS - NON-RESIDENTIAL USES

(a)	<b>LOT FRONTAGE (MINIMUM)</b>  - Except that in the case of a lot fronting on Highway 48, the minimum lot frontage shall be 45 metres.	30 metres
(b)	<b>FRONT YARD (MINIMUM)</b>  - Including the fence mentioned in Section 16.4 (f) herein.	60 metres
(c)	<b>EXTERIOR SIDE YARD (MINIMUM)</b>  - Including the fence mentioned in Section 16.4 (f) herein.	60 metres
(d)	<b>REAR YARD (MINIMUM)</b>	9 metres
(e)	<b>INTERIOR SIDE YARD (MINIMUM)</b>	60 metres

#### (f) OPEN STORAGE OR PROCESSING OF MOTOR VEHICLES AS PART OF RECYCLING FACILITY - MOTOR VEHICLES

No storage or processing of salvage shall be permitted unless:

- It is enclosed on all sides by a fence or wall that is not less than 3 metres in height and constructed of permanent opaque materials;
- Any area located between the fence mentioned above, and the lot lines, or limit of the zone is used for no other purpose than landscaping; and,

- The motor vehicle storage or processing is completely screened from view of the adjacent streets by the fence or wall above or trees.

For the purpose of this subsection, a fence or wall shall not be considered a building or structure.

**ACCESSORY BUILDINGS, STRUCTURES, USES, PARKING, PLANNED WIDTH OF STREET ALLOWANCE, AND ALL OTHER GENERAL PROVISIONS**

In accordance with the provisions of Section 5.

**16.5 SPECIAL PROVISIONS**

**16.5.1 M4-2 PART OF LOT 18, CONCESSION 3 (G)**

Notwithstanding any provision in this By-law to the contrary, a motor vehicle recycling facility and storage depot shall be permitted within an existing building.

Further, the existing single detached dwelling shall be permitted as an accessory use to the permitted non-residential use. The yard setback requirements for the said single detached dwelling shall be in accordance with the provisions of Section 6.

**16.5.2 M4-5 PART LOT 3, CONCESSION 6 (NG)**

Notwithstanding any provision in this By-law to the contrary, a recycling facility and public garage, mechanical shall be permitted.

**16.5.3 M4-6 PART OF LOTS 2 & 3, CONCESSION 4 (NG)**

Notwithstanding any provision in this By-law to the contrary, the following are the only permitted non-residential uses:

- a recycling facility, motor vehicles
- accessory buildings, structures and uses to any permitted use

Further, a smelter, smelter related uses or bulk fuel storage establishment shall not be permitted.

**16.5.4**

**M4-7 PART OF LOT 3, CONCESSION 6 (NG)**

Notwithstanding any provision in this By-law to the contrary, only the following uses shall be permitted:

- recycling facility
- storage depot
- compost facility and accessory buildings, structures, and uses thereto

Further, notwithstanding Section 2.170 DEFINITION OF RECYCLING FACILITY and 2.202 DEFINITION OF STORAGE DEPOT, the recycling and storage of soil and compost material will be permitted.

The main processing building(s), concrete curing pads(s) and water recycling storage pond(s) shall be setback a minimum of 100 metres from any property line.

Further, for purposes of this by-law, the following definitions shall apply to the lands zoned 'M4-7':

**Composting** shall mean "a two phase aerobic biological process to be conducted under controlled, engineered conditions designed to decompose and stabilize the organic fraction of solid waste, excluding sewage sludge. Phase One involves the inactivation of all pathogens within the waste. Phase Two involves the further curing of the 'pathogen free' material. Simple exposure of solid organic waste under non-engineered conditions resulting in uncontrolled decay is not considered to be composting and will not be permitted."

**Compost** shall mean "the material produced by an aerobic composting process, which can be used as soil amendment, or for other similar uses."

**Compost Facility** shall mean "a facility consisting of a building(s), a curing pad(s), a water recycling storage pond(s), a screening area, a stockpile area and a storm water management pond, to be used for composting and preparing compost for sale. Phase one of the composting process shall only be permitted within a fully enclosed building. Phase two of the composting process shall only be permitted on an impermeable concrete pad, which may be located outdoors."

## **SECTION 17 - DISPOSAL INDUSTRIAL (M5) ZONE**

### **17.1 PERMITTED RESIDENTIAL USES**

- prohibited

### **17.2 PERMITTED NON-RESIDENTIAL USES**

- police station
- recycling facility
- sewage treatment facility
- waste disposal area
- accessory buildings, structures and uses to any permitted use

### **17.3 ZONE REQUIREMENTS - RESIDENTIAL USES**

- not applicable

### **17.4 ZONE REQUIREMENTS - NON-RESIDENTIAL USES**

**(a) YARDS (MINIMUM)** 30 metres

**ACCESSORY BUILDINGS, STRUCTURES, USES, PARKING,  
PLANNED WIDTH OF STREET ALLOWANCE AND ALL OTHER  
GENERAL PROVISIONS**

In accordance with the provisions of Section 5.

### **17.5 SPECIAL PROVISIONS**

## SECTION 18 – AIRFIELD (A) ZONE

### 18.1 PERMITTED RESIDENTIAL USES

- one single detached dwelling

### 18.2 PERMITTED NON-RESIDENTIAL USES

- aerodrome (private)
- airport
- club, private
- day care, private home
- home occupation
- police station
- accessory buildings, structures and uses to any permitted use

### 18.3 ZONE REQUIREMENTS - RESIDENTIAL USES

In accordance with the provisions of Section 6.

### 18.4 ZONE REQUIREMENTS - NON-RESIDENTIAL USES

(a)	<b>LOT FRONTAGE (MINIMUM)</b>	180 metres
(b)	<b>LOT AREA (MINIMUM)</b>	20 hectares
(c)	<b>YARDS (MINIMUM)</b>	60 metres
(d)	<b>AERODROME</b> <ul style="list-style-type: none"><li>- No person shall use any land or erect, alter or use any building or structure for the purpose of an aerodrome as defined in this by-law, except in accordance with the following provisions:</li><li>- No lot having less area than 20 hectares shall be used for a private aerodrome;</li><li>- No person shall maintain or store more than two aircraft on any lot;</li><li>- One accessory building for the purpose of parking or storing an aircraft shall be permitted on a lot, but shall be located not less than 3 metres from any building used for residential purposes;</li><li>- No runway, hangar, or parking/storage of aircraft shall be located closer than 180 metres to any residential dwelling located on an adjacent lot, nor 100 metres to any lot line; and,</li><li>- No person shall use any land or erect, alter or use any building or structure for the purposes of facilitating or permitting the arrival, departure, movement, servicing, or storage of ultra-light aircraft.</li></ul>	

### (e) AIRPORT

In accordance with the provisions for an aerodrome.

**(f) EXCEPTIONS TO NON-RESIDENTIAL PROVISIONS**

Notwithstanding Sections 18.4 (a), (b), and (c) a home occupation and private home day care shall be subject to the same lot area, lot frontage and yard provisions as the single detached dwelling in which the use is located.

**ACCESSORY BUILDINGS, STRUCTURES, USES, PARKING,  
PLANNED WIDTH OF STREET ALLOWANCE AND ALL OTHER  
GENERAL PROVISIONS**

Accessory buildings, structures and uses to a Residential use, shall be in accordance with in accordance with the provisions of Section 5.

**18.5 SPECIAL PROVISIONS**

## SECTION 19 – OPEN SPACE (OS) ZONE

### 19.1 PERMITTED RESIDENTIAL USES

- prohibited

### 19.2 PERMITTED NON-RESIDENTIAL USES

- boathouse
- cemetery
- dock
- conservation or forestry use
- golf course
- kennel, pursuant to the provisions of Section 2.105 and 5.21(A) of this By-law
- park
- police station
- refreshment booth
- accessory buildings, structures and uses to any permitted use

### 19.3 ZONE REQUIREMENTS - RESIDENTIAL USES

- not applicable

### 19.4 ZONE REQUIREMENTS – NON RESIDENTIAL USES

(a)	<b>LOT FRONTAGE (MINIMUM)</b>	nil
	Except that in the case of a lot fronting on Highway 48, the minimum lot frontage shall be 45 metres.	
(b)	<b>YARDS (MINIMUM)</b>	9 metres
	Except that in the case of a lot fronting on or flanking Highway 48, the minimum front yard and exterior side yard shall be 14 metres.	
(c)	<b>LOT COVERAGE (MAXIMUM)</b>	20%
(d)	<b>HEIGHT OF BUILDING (MAXIMUM)</b>	11 metres

### ACCESSORY BUILDINGS, STRUCTURES, USES, PARKING, PLANNED WIDTH OF STREET ALLOWANCE, AND ALL OTHER GENERAL PROVISIONS

In accordance with the provisions of Section 5.

### 19.5 SPECIAL PROVISIONS

## SECTION 20 – INSTITUTIONAL (I) ZONE

### 20.1 PERMITTED RESIDENTIAL USES

- one accessory dwelling

### 20.2 PERMITTED NON-RESIDENTIAL USES

- auditorium
- cemetery
- church
- clinic, health care
- club, private
- day care, private home
- day nursery
- hospital, private or public
- nursing home
- police station
- school, private or commercial
- school, public
- accessory buildings, structures and uses to any permitted use

### 20.3 ZONE REQUIREMENTS – RESIDENTIAL USES

In accordance with the provisions of Section 20.4.

### 20.4 ZONE REQUIREMENTS – NON-RESIDENTIAL USES

(a)	LOT FRONTAGE (MINIMUM)	
	NURSING HOME Provided that, where served by municipal sanitary sewers, the minimum frontage shall be 30 metres	45 metres
	OTHER USES Except that in the case of a lot fronting on Highway 48, the minimum lot frontage shall be 45 metres.	30 metres
(b)	LOT AREA (MINIMUM)	
	Private Sewage Disposal System  Plus an area of 280 square metres for the first eight beds and for each additional bed thereafter, in a nursing home.	All Uses 4,000 sq. metres
	Municipal Sanitary Sewers - Nursing Home plus an area of 95 sq metres for the first eight beds and for each additional bed.	900 sq. metres
	Other Uses	1,800 sq. metres



(c)	<b>FRONT YARD (MINIMUM)</b>	15 metres
	Except that in the case of a lot fronting on Highway 48, the minimum front yard shall be 14 metres.	
(d)	<b>EXTERIOR SIDE YARD (MINIMUM)</b>	11 metres
	Except that in the case of a lot flanking Highway 48, the minimum exterior side yard shall be 14 metres.	
(e)	<b>REAR YARD (MINIMUM)</b>	12 metres
	Except that where the rear yard abuts a Residential or Transitional zone, its minimum shall be 15 metres.	
(f)	<b>INTERIOR SIDE YARD (MINIMUM)</b>	5 metres
	Except that where the interior side yard abuts a Residential or Transitional Zone, its minimum shall be 8 metres.	
(g)	<b>DWELLING UNIT AREA (MINIMUM)</b>	18 sq. m.
(h)	<b>LOT COVERAGE (MAXIMUM)</b>	35%
(i)	<b>HEIGHT OF BUILDING (MAXIMUM)</b>	12 metres
(j)	<b>WALLS CONTAINING HABITABLE ROOM WINDOWS – NURSING HOME</b>	
	Walls containing habitable room windows and facing each other shall be a minimum distance apart of 15 metres.  For the purpose of this subsection, walls with an angle of divergence of greater than 85 degrees are deemed not to face each other.	
(k)	<b>NUMBER OF BUILDINGS PER LOT</b>	
	Limited only by the other provisions of this Section	
(l)	<b>LANDSCAPED OPEN SPACE (MINIMUM)</b>	35%
	School, Public	Nil
(m)	<b>OPEN STORAGE</b>	
	The storage of goods or material shall not be permitted other than in a wholly enclosed building.	
(n)	<b>ACCESSORY BUILDINGS, STRUCTURES, USES, PARKING, PLANNED WIDTH OF STREET ALLOWANCE AND ALL OTHER GENERAL PROVISIONS</b>	
	In accordance with the provisions of Section 5.	

## 20.5

## SPECIAL PROVISIONS

## SECTION 21 – OTHER ZONE REQUIREMENTS FOR COMMERCIAL USES

### 21.1

#### MOTOR VEHICLE FUEL BAR AND MECHANICAL GARAGES

(a)	<b>LOT FRONTAGE (MINIMUM)</b>	40 metres
Except that in the case of a lot fronting on Highway 48, the minimum lot frontage shall be 45 metres.		
(b)	<b>LOT DEPTH (MINIMUM)</b>	40 metres
(c)	<b>FRONT YARD (MINIMUM)</b>	15 metres
(d)	<b>EXTERIOR SIDE YARD (MINIMUM)</b>	15 metres
(e)	<b>REAR YARD (MINIMUM)</b>	8 metres
Except where there are no openings, other than a door without windows, in the wall adjoining the yard, the yard may be reduced to 3 metres		
(f)	<b>INTERIOR SIDE YARD (MINIMUM)</b>	8 metres
(g)	<b>LOT COVERAGE (MAXIMUM FOR ALL BUILDINGS)</b>	20%
(h)	<b>DRIVEWAYS</b>	
Driveways will be governed by the provisions of Section 5.28 (i), except that the minimum distance between an interior side lot line and the nearest driveway shall be 3 metres		
(i)	<b>FUEL PUMP ISLAND</b>	
Fuel pump islands, accessory to a permitted use may be located within any front or exterior side yard, provided that the minimum distance between any part of the fuel pump island and any lot line or any sight triangle shall be 5 metres.		
(j)	<b>ACCESSORY BUILDINGS, STRUCTURES, USES, PARKING, PLANNED WIDTH OF STREET ALLOWANCE AND ALL OTHER</b>	

	<b>GENERAL PROVISIONS</b>
	In accordance with the provisions of Section 5

## 21.2

### **HOTEL, MOTEL OR MOTOR HOTEL**

(a)	<b>LOT FRONTAGE (MINIMUM)</b>	45 metres
	<p>Provided that, where served by municipal sanitary sewers, the minimum lot frontage shall be 25 metres.</p> <p>Except that in the case of a lot fronting on Highway 48, the minimum lot frontage shall be 45 metres.</p>	
(b)	<b>LOT AREA (MINIMUM)</b>	
	<p>Private Sewage Disposal System</p> <p>4, 000 sq. metres (minimum) plus an area of 280 sq. metres for the first eight guest rooms and for each additional guest room thereafter.</p> <p>Municipal Sanitary Sewers</p> <p>900 sq. metres (minimum) plus an area of 95 square metres for the first eight guest rooms and for each additional guest room thereafter.</p>	
(c)	<b>FRONT YARD (MINIMUM)</b>	12 metres
	Except that in the case of a lot fronting on Highway 48, the minimum front yard shall be 14 metres.	
(d)	<b>EXTERIOR SIDE YARD (MINIMUM)</b>	12 metres
	Except that in the case of a lot fronting on Highway 48, the minimum exterior side yard shall be 14 metres.	
(e)	<b>REAR YARD (MINIMUM)</b>	8 metres
(f)	<b>INTERIOR SIDE YARD (MINIMUM)</b>	8 metres
(g)	<b>DWELLING UNIT AREA (MINIMUM)</b>	18 sq. m.
(h)	<b>LOT COVERAGE (MAXIMUM)</b>	35%
(i)	<b>HEIGHT OF BUILDING (MAXIMUM)</b>	11 m
(j)	<b>WALLS CONTAINING HABITABLE ROOM WINDOWS</b>	
	<p>Walls containing habitable room windows and facing each other shall be a minimum distance apart of 15 metres.</p> <p>For the purpose of this subsection, walls with an angle of divergence of greater than 85 degrees are deemed not to face each other.</p>	
(k)	<b>NUMBER OF BUILDINGS PER LOT</b>	

	Limited only by the other provisions of this Section	
(l)	<b>LANDSCAPED OPEN SPACE (MINIMUM)</b>	35%
(m)	<b>ACCESSORY BUILDINGS, STRUCTURES, USES, PARKING, PLANNED WIDTH OF STREET ALLOWANCE AND ALL OTHER GENERAL PROVISIONS</b>	
	In accordance with the provisions of Section 5.	

## 21.3

## SPECIAL PROVISIONS

## **SECTION 22 – ADMINISTRATION**

### **22.1 ADMINISTRATOR**

This By-law shall be administered by the By-law Enforcement Officer.

### **22.2 REMEDIES**

In case any building or structure is to be erected, altered, reconstructed, extended or part thereof is to be used, or if any lot is to be used in contravention of any requirements of this by-law, such contravention may be restrained by action at the instance of any ratepayer or of the Corporation, pursuant to the provisions of the Planning Act or the Municipal Act in that behalf.

### **22.3 VALIDITY**

If any section, clause or provision of this By-law, including anything contained in the Schedules attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the by-law as a whole or any part thereof, other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of this by-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

### **22.4 PENALTY**

Every person who contravenes any provision or part of this By-law, upon conviction is guilty of an offence and is liable to a fine as prescribed pursuant to the Planning Act, R.S.O. 1990, as amended.

**READ** and enacted this\_\_\_\_ day of \_\_\_\_\_, 2023.

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Mayor

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Clerk