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INTRODUCTION

This section explains what a zoning by-law is, its purpose, and how to use this By-law. This information is provided for context and understanding purposes only and does not form part of this By-law.

LEGAL BASIS

The *Planning Act* is provincial legislation that establishes the ground rules for land use planning in Ontario. It describes how land use planning can take place and the specific role of municipalities like the Town of Georgina.

Section 34 of the *Planning Act* grants municipalities the authority to zone lands within their jurisdiction through a “planning tool” known as a zoning by-law.

Every zoning by-law passed under Section 34 of the *Planning Act* is required to conform with the municipality’s official plan. Additionally, within three years of a new official plan coming into effect, the Town is required to amend all zoning by-laws that apply to the municipality to ensure that they conform with the policies and land use designations of the official plan.

WHAT IS A ZONING BY-LAW?

A zoning by-law is a municipal by-law that controls the use of land, buildings and structures in a municipality. It controls:

- The types of land uses and activities that are permitted on a property;
- Where buildings and structures may be located and how they may be used; and,
- Minimum and maximum development standards such as lot sizes, building heights, setbacks from property lines, and parking requirements

PURPOSE

The purpose of this Zoning By-law is to implement the objectives and policies of the Town of Georgina Official Plan. The Official Plan is a long-range policy document that establishes the municipality’s vision and general policies for future land use, development, environmental protection and other related matters.

The Zoning By-law puts the policies and requirements of the Official Plan into effect and provides for its day-to-day administration. The By-law contains specific requirements that are legally enforceable and required to be complied with in order to establish a use and/or receive a building permit for new construction.

HOW TO USE THIS BY-LAW

In order to determine what can be done with a particular property, the following steps should be undertaken:

- (1) Review Schedule ‘A’, Area Covered by this By-law, to determine if the property is subject to this By-law or Zoning By-law 500. If the lands are identified as being subject to Minister’s Zoning Order (O. Reg. 251/22), refer to Section 3.5 and Appendix 2, Minister’s Zoning Order (O. Reg. 251/22).

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- (2) Review Schedule 'B', Zoning Schedules, to determine the zoning of the property. First, refer to the Index Map on Schedule 'B1' to find which specific Zoning Schedule the property is located on. Next, refer to the specific Zoning Schedule to determine the zoning of the property. The zone boundaries are shown as a black line and the zone categories are identified by a black zone symbol. If the zone symbol is followed by a hyphen and number (e.g. 'RU-C-1', 'AP-8', 'EP-14'), then the land is subject to site-specific special provisions.
- (3) Once the zoning of the property has been determined, refer to Sections 7 through 22 for the specific requirements applicable to each zone. Each zone contains listed permitted residential and non-residential uses, the requirements for residential and non-residential uses, and applicable special provisions. In some circumstances, Schedule 'C', Detailed Illustrations, are used in association with a special provision to provide additional mapping detail to assist the reader to better understand the By-law requirements.
- (4) Refer to Section 5, General Provisions, for other requirements that may be applicable to the use and/or development of the property. This includes requirements for aspects of land use and development such as accessory uses, buildings or structures, fencing, home industries, home occupations, on-farm diversified uses, parking and loading, swimming pools and much more.
- (5) Review Schedule 'D', Source Water Protection Areas, to determine if the property contains Highly Vulnerable Aquifers. If Highly Vulnerable Aquifers are identified on the property, refer to Section 3.3.
- (6) Review Appendix '1', Lake Simcoe Region Conservation Authority Regulation Limit, to determine if the Lake Simcoe Region Conservation Authority regulates the property or portions thereof. For more detailed mapping of the Regulation Limit, visit the Conservation Authority's website to access their Interactive Regulation Mapviewer (www.lsrca.on.ca/maps). If the property is regulated, refer to Section 3.4. It is also recommended that you contact the Conservation Authority to inquire about specific permit requirements and development constraints.
- (7) A Zoning By-law is a dynamic document that is amended over time as demands and policies governing land use change. While the Town strives to keep this By-law up-to-date through consolidation, more recently approved Zoning By-law Amendments for a particular property may not be included in the version of the By-law you are using. In this regard, the Planning Division (planning@georgina.ca) should be contacted to confirm if the property has been subject to a recent Zoning By-law Amendment approval.
- (8) A Minor Variance approved by the Committee of Adjustment provides relief from one or more provisions of the Zoning By-law to legalize existing development or to allow a proposed development to proceed. Minor Variances are not reflected in the Zoning By-law, but they are recorded by the Town and kept in the property file. To determine if your property benefits from an approved Minor Variance, please contact the Town's Building Division (building@georgina.ca).

Should you have any specific questions respecting the provisions of this By-law after following the above-noted steps, contact the Town's Building Division (building@georgina.ca) for further information and clarification. Please note that Town records may need to be thoroughly reviewed before an accurate answer can be provided. In order for staff to be able to properly identify the property in question, please provide the following property information with your inquiry:

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- Municipal address;
- Legal description;
- Current owner(s); and/or,
- Assessment roll number.

**THE CORPORATION OF THE
TOWN OF GEORGINA
BY-LAW NUMBER 600**

**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” or “By-law 600” of the Town of Georgina.

1.2 SCHEDULE ‘A’ – 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.

1.4 MINOR VARIANCES

Notwithstanding any provision of 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.

1.5 EXISTING BUILDING, STRUCTURE OR USE

Any legally 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 3 m².

2.5 ADVENTURE GAME:

means a sport or recreation in which:

- Participants attempt to capture a flag or some other object and return it to their home base; and,
- 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 (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 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..

2.25 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 to the contrary, 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, installed and used in compliance with the Town's Outdoor Solid-Fuel Combustion Appliance By-law.

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 Catholic District School Board or York Region District 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) under the Cannabis Act.

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) and the Industrial Hemp Regulations (SOR/2018-145) under the Cannabis Act.

2.43 CARPORT:

means a building or structure attached to a residential building in which at least 40% 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 CEMETERY:

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

2.46 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.

2.47 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.

2.48 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.

2.49 CLINIC, VETERINARY:

means the premises of a veterinary surgeon, where animals, birds, or other livestock are treated or kept temporarily for the term of their treatment.

2.50 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.

2.51 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.

2.52 COMMITTEE OF ADJUSTMENT:

means the Committee of Adjustment for the Town.

2.53 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.

2.54 COMMUNITY FACILITY:

means public parks, open space linkages, and passive recreational uses.

2.55 CONDOMINIUM:

means a condominium as defined under the Condominium Act.

2.56 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.

2.57 CONSENT:

means a consent as set forth in Sections 50 and 53 of the Planning Act, 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.

2.58 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.

2.59 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.

2.60 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.

2.61 CREMATORIUM:

means an establishment or facility in which the cremation of human remains is undertaken, but shall not include a columbarium.

2.62 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 detached dwelling or linked dwelling provided:

- Such use shall service a maximum of five children; and,
- No person, other than a person resident in the said dwelling shall operate the day care.

2.63 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.

2.64 DEPOSITED REFERENCE PLAN:

means a reference plan deposited pursuant to the Land Titles Act or Registry Act.

2.65 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.

2.66 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.

2.67 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.

2.68 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.

2.69 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.

2.70 DWELLING:

means a building constructed in accordance with the Ontario Building Code containing one or more dwelling units.

2.71 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.

2.72 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.

2.73 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.

2.74 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.

2.75 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.

2.76 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.

2.77 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 6.2 or Section 5.34, respectively.

2.78 DYNAMIC BEACH HAZARD:

means areas of inherently unstable accumulations of shoreline sediments along the Great Lakes – St. Lawrence River System and large inland lakes, as identified by provincial standards, as amended from time to time. The dynamic beach hazard limit consists of the flooding hazard limit plus a dynamic beach allowance.

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 EROSION HAZARD:

means the loss of land, due to human or natural processes, that poses a threat to life and property. The erosion hazard limit is determined using considerations that include the 100-year erosion rate (the average annual rate of recession extended over 100-year time span), an allowance for slope stability, and an erosion access allowance.

2.82 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.

2.83 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.

2.84 FLOODING HAZARD:

means the inundation, under the conditions specified below, or areas adjacent to a shoreline or a river or stream and not ordinarily covered by water:

- Along the shorelines of large inland lakes, the flooding hazard limit is based on the one hundred year flood level plus an allowance for wave uprush and other water-related hazards;
- Along river, stream and small inland lake systems, the flooding hazard limit is the greater of:
 - (1) The flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel Storm (1954) or the Timmins Storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
 - (2) The one hundred year flood; and,
 - (3) A flood which is greater than (1) or (2) which actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of natural Resources; except where the use of the one hundred year flood or the actual experienced event has been approved by the Minister of Natural Resources as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

2.85 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.

2.86 FLOOR AREA, GROUND:

means the total floor area of the lowest storey of a building approximately at or above the average finished grade level.

2.87 FLOOR AREA, NON-RESIDENTIAL:

means the total floor area of a non-residential building, including any basement 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 10% of the ground floor area; and,
- Any area within a basement, which is designed for permanent use as stock room or storage space, up to a maximum of 20% of the ground floor area.

2.88 FLOOR AREA, RESIDENTIAL:

means the total floor area of a dwelling unit including a basement area. An attached residential garage shall be excluded from the calculation of residential floor area.

2.89 FLORIST SHOP:

means a retail store where flowers and plants are sold or offered for sale.

2.90 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.

2.91 GARAGE, AUTOBODY:

means a building or premises used for auto body repairs, spray painting and associated repairs and service to motor vehicles.

2.92 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.

2.93 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.

2.94 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 in accordance with Section 5.25.

2.95 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.

2.96 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.

2.97 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.

2.98 GOLF BALL DRIVING RANGE:

means premises operated for the purpose of developing golfing techniques, but excluding a golf course or miniature golf course.

2.99 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.

2.100 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.

2.101 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 m in depth and 2.5 m in width. Any separation of more than 10 m 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 ‘C-17’.

2.102 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.

2.103 HABITABLE ROOM:

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

2.104 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 afterward but shall not include any person who is hawking, peddling or selling goods, wares or merchandise:

- To wholesale or retail dealers in similar goods, wares or merchandise;
- 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;
- 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;
- 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;
- 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,
- By persons who sell milk or cream or fluid milk products to the consumer or to any person for resale.

2.105 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.

2.106 HAZARDOUS LANDS:

means property or lands that could be unsafe for development due to naturally occurring process. Along the shorelines of large inland lakes, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along river, stream and small inland lake systems, this means that land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits.

2.107 HAZARDOUS SITES:

means property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays, organic soils) or unstable bedrock (karst topography).

2.108 HEIGHT:

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

2.109 HIGHLY VULNERABLE AQUIFER:

means an aquifer that can be easily changed or affected by contamination from both human activities and natural processes as a result of (a) its intrinsic susceptibility, as a function of the thickness and permeability of overlaying layers, or (b) by preferential pathways to the aquifer, as defined in the Clean Water Act.

2.110 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.

2.111 HOME OCCUPATION:

means an occupation conducted for gain or profit as an accessory use within a dwelling as permitted herein. A health care clinic, day nursery, nursing home, tea room and veterinary clinic 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.

2.112 HOSPITAL, PRIVATE:

means an institution as defined by the Private Hospitals Act.

2.113 HOSPITAL, PUBLIC:

means an institution as defined by the Public Hospitals Act.

2.114 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.

2.115 KENNEL:

means a kennel as defined by the Town of Georgina Kennel Licensing By-law.

2.116 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.

2.117 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.

2.118 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.

2.119 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.

2.120 LEISURE VEHICLE:

means:

- 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;
- Boats, personal watercraft, snowmobiles, all-terrain vehicles and other similar vehicles used for recreational purposes; and,
- A trailer designed or used for the purposes of carrying a leisure vehicle(s).

2.121 LEISURE VEHICLE SALES ESTABLISHMENT:

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

2.122 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.

2.123 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:

- 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;
- Is not upon or partly upon any street or lane; and,

- 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.

2.124 LONG-TERM CARE HOME

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

2.125 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.

2.126 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.

2.127 LOT, INTERIOR:

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

2.128 LOT, THROUGH:

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

2.129 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 m or less or a sight triangle of 6 m or less, the lot area of such lot is to be calculated as if the lot lines were projected to the intersection.

2.130 LOT COVERAGE:

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

2.131 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.

2.132 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 m 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.

2.133 LOT LINE:

means any boundary of a lot.

2.134 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.

2.135 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.

2.136 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 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.

2.137 MAJOR DEVELOPMENT:

Means the:

- Creation of four or more lots;
- Construction of a building or buildings with a ground floor area of 500 m² or more; or,
- Establishment of a major recreational use.

2.138 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.

2.139 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.

2.140 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. This includes buildings, structures or premises used for the purpose of departure or arrival of boat passengers.

2.141 MOTOR VEHICLE, COMMERCIAL:

means a commercial motor vehicle as defined by the Highway Traffic Act.

2.142 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.

2.143 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.

2.144 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.

2.145 MOTOR VEHICLE CLEANING ESTABLISHMENT:

means a building or premises used for the cleaning of motor vehicles.

2.146 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.

**2.147 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 m in length, 2.5 m in width or 2.2 m in height, and including mechanical repairs and the sale of automotive parts.

**2.148 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.

2.149 MULTI-UNIT COMMERCIAL CENTRE:

means two or more commercial buildings/units which have been planned, developed, owned and/or managed as a unit.

2.150 NAVIGABLE WATERWAY:

means any waterway, including lakes, rivers or canals having the capability of use by the public for purposes of transportation or commerce.

2.151 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.

2.152 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.

2.153 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.

2.154 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 5.25. 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).

2.155 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 m in length, 2.5 m in width, or 2.2 m in height.

2.156 PARKING SPACE:

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

2.157 PARKING SPACE, ACCESSIBLE:

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

2.158 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.

2.159 PIT:

means a pit as defined in the Aggregate Resources Act.

2.160 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.

2.161 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.

2.162 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.

2.163 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.

2.164 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.

2.165 PRACTITIONER, DRUGLESS:

means a drugless practitioner within the meaning of the Drugless Practitioners Act.

2.166 PRINTING SHOP:

means a building in which books, newspapers, periodicals, tickets, and other printed items are produced and reproduced by mechanical means.

2.167 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.

2.168 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.

2.169 QUARRY:

means a quarry as defined in the Aggregate Resources Act.

2.170 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.

2.171 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.

2.172 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.

2.173 RECREATIONAL VEHICLE SITE:

means a parcel of land within a recreational vehicle park, marked out for the use of one recreational vehicle.

2.174 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.

2.175 RECYCLING FACILITY, MOTOR VEHICLES:

means a recycling facility used for the purpose of the recycling of motor vehicles.

2.176 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.

2.177 REFRESHMENT BOOTH:

means a building, having a floor area of 20 m² 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.

2.178 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.

2.179 REFRESHMENT VEHICLE:

means a motor vehicle which is used or is to be used for the sale of refreshments.

2.180 REFRESHMENTS:

means food or drink.

2.181 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) under the Cannabis Act.

2.182 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.

2.183 RESERVE:

means a strip of land abutting a public highway used to restrict access to the adjacent property.

2.184 RESTAURANT:

means a building where food, beverages or refreshments are prepared and offered for sale to the public for consumption.

2.185 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.

2.186 RETAIL STORE, CONVENIENCE:

means a retail store not exceeding 190 m² in floor area.

2.187 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.

2.188 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.

2.189 SATELLITE RECEIVING DISH:

means a parabolic device used or intended to be used to receive audio and video signals and any supporting structures.

2.190 SCHOOL, COMMERCIAL:

means a school conducted for gain, such as a secretarial school, language school or driving school.

2.191 SCHOOL, PRIVATE:

means a school, other than a public school, operated by a non-profit organization and supported by private means.

2.192 SCHOOL, PUBLIC:

means elementary, secondary and post-secondary schools established and maintained at public expense.

2.193 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.

2.194 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.

2.195 SERVICE SHOP, LIGHT:

means an establishment wherein articles, such as household appliances or furniture may be serviced or repaired.

2.196 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.

2.197 SETBACK:

means the shortest distance between two points specified in the phrase in which the term "setback" is used.

2.198 SEWAGE TREATMENT FACILITY:

means a facility, owned and operated by a public authority, used for the treatment and disposal of sewage.

2.199 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.

2.200 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.

2.201 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 m² of non-residential floor area.

2.202 SHORT-TERM RENTAL ACCOMMODATION:

means short-term rental accommodation as defined by the Town of Georgina Short-term Rental Accommodation Licencing By-law.

2.203 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.

2.204 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.

2.205 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.

2.206 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.

2.207 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 m 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 m above average finished grade.

2.208 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.

2.209 STREET OR ROAD, ACCESS:

means a privately owned street not dedicated and accepted as, or otherwise deemed at law to be, a public highway pursuant to the Road Access Act.

2.210 STREET OR ROAD, PUBLIC:

means an assumed public highway, but does not include a lane.

2.211 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.

2.212 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. For the purposes of this By-law, a fence not exceeding 2 m in height, shall be deemed not to be a structure.

2.213 STUDIO:

means a building where an artist, musician, photographer, or cinematographer work and may include therein, the display and sale of such works.

2.214 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 0.6 m in depth.

2.215 TAXI STAND:

means the premises used for the dispatching of taxi service, including the parking of taxis on the same lot.

2.216 TEACHING CLASSROOM:

means a classroom in a school facility which receives a pupil/student loading as mandated by the Ministry of Education. Classrooms receiving a Ministry of Education 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.

2.217 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.

2.218 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.

2.219 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.

2.220 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.

2.221 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.

2.222 TOURIST INFORMATION CENTRE:

means a building or premises used for the dispensing of promotional literature or the providing of information to the travelling public.

2.223 TOW TRUCK:

means a commercial motor vehicle designed to haul or transport operative or inoperative vehicles and commonly referred to as a tow truck.

2.224 TOWN:

means the Corporation of the Town of Georgina.

2.225 TRAILER, COMMERCIAL:

means a trailer as defined by the Highway Traffic Act.

2.226 TRUCK DRIVING CENTRE:

means land used for the purpose of training persons to drive and operate commercial vehicles as defined herein.

2.227 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 kilograms and which does not have an engine in excess of 100 horsepower.

2.228 UNENCLOSED PORCH OR STAIRS:

means a porch or stairs which may have a roof but is not enclosed by walls.

2.229 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 to the contrary, an outdoor solid-fuel combustion appliance shall not be considered to be an accessory use under this By-law, and shall only be permitted, used and installed in compliance with the Town's Outdoor Solid-Fuel Combustion Appliance By-law.

2.230 USE, AGRICULTURAL:

means the use of land, water, building or structure for the purpose of growing 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; associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storage, value-retaining facilities and accommodation for full-time farm labour where the size and nature of the operation requires additional employment; and including the sale of such produce, crops, fish or livestock on the same lot. Peat extraction is not considered an agricultural use.

2.231 USE, AGRICULTURE-RELATED:

means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

2.232 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. An agri-tourism use is considered an on-farm diversified use and subject to the requirements for same.

2.233 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.

2.234 USE, CONSERVATION:

means the management of resources in a way to maintain, restore, enhance and protect their quality and quantity for sustained benefit to people and the natural environment.

2.235 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.

2.236 USE, DRY INDUSTRIAL:

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

2.237 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.

2.238 USE, NON-CONFORMING:

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

2.239 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.

2.240 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.

2.241 USE, PROHIBITED:

means a use listed in Section 5.43.

2.242 USE, RECREATIONAL:

means the use of land, building or structure designed and equipped for the conduct of sports, leisure activities and other customary and usual recreational activities and does not meet the definition of commercial use in accordance with Section 2.233.

2.243 USE, RESIDENTIAL:

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

2.244 WAREHOUSE:

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

2.245 WASTE DISPOSAL SITE:

means a waste disposal site as defined in the Environmental Protection Act.

2.246 WATER SUPPLY:

means a water distribution system of piping and related storage, including pumping and purification appurtenances.

2.247 WATER SUPPLY, PRIVATE:

means a water supply system owned and operated by an individual or corporation for private use, and where permitted by the Town, York Region or the Province of Ontario, may include a communal system.

2.248 WATER SUPPLY, PUBLIC:

means a water supply system operated by the Town, York Region or the Province of Ontario.

2.249 WATERBODY OR WATERCOURSE:

means lakes, shorelines, wetlands or the natural channel for a perennial or intermittent stream of water.

2.250 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.

2.251 WILDLIFE REHABILITATION CENTRE:

means the premises of a wildlife custodian, as approved by the Ministry of Natural Resources and Forestry, 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.

2.252 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.

2.253 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.

2.254 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; and,
- Go-cart Establishment: The minimum yards shall be determined as between the respective lot line and the go-cart track.

2.255 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.

2.256 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. There are two types of side yards:

- Exterior Side Yard: Means a side yard of a corner lot abutting a street or a reserve but which is not a front yard.
- Interior Side Yard: Means a side yard other than an exterior side yard.

2.257 ZONE:

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

SECTION 3 – ZONE CATEGORIES, SCHEDULES AND APPENDICES

3.1 ZONE CATEGORIES AND SCHEDULE ‘B’ – ZONING SCHEDULES

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

Zone	Symbol
Residential	R
Rural-Countryside	RU-C
Agricultural Protection	AP
Environmental Protection	EP
Rural Commercial	RC
Commercial Recreation	CR
Restricted Industrial	M1
General Industrial	M2
Extractive Industrial	M3
Storage Industrial	M4
Disposal Industrial	M5
Airfield	A
Open Space	OS
Institutional	I

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 the Schedule ‘B’ maps.

3.3 SCHEDULE ‘D’ – SOURCE WATER PROTECTION AREAS

Major development involving the handling and/or storage of 2,500 litres or more of bulk fuel or 500 litres or more of chemicals within a Highly Vulnerable Aquifer as shown on Schedule ‘D’, shall only be permitted subject to the review and approval of a Contamination Management Plan by the York Region Risk Management Office.

3.4 APPENDIX ‘1’ – LAKE SIMCOE REGION CONSERVATION AUTHORITY REGULATION LIMIT (O. REG. 179/06)

Appendix ‘1’ shows an approximation of the lands regulated by the Lake Simcoe Region Conservation Authority for development, interference with wetlands and alterations to shorelines and watercourses under Ontario Regulation 179/06. Prior to the erection of any buildings or structures, site alteration, or the addition or removal of fill occurring on lands located within the regulated area, written approval from the Lake Simcoe Region Conservation Authority is required. Appendix ‘1’ is provided for information purposes and does not form part of this By-law. For the most accurate and up-to-date mapping, reference should be made to the regulation mapping provided by the Lake Simcoe Region Conservation Authority.

3.5 APPENDIX '2' – MINISTER'S ZONING ORDER (O. REG. 251/22)

Appendix '2' is a Minister's Zoning Order under Ontario Regulation 251/22 for lands legally described as Part of Lots 21 and 22, Concession 2 (NG) and Part of Lots 21 to 27 inclusive, Concession 3 (NG). These lands are identified on Schedule 'A' and Schedule 'B2'. The Minister's Zoning Order prevails over the provisions of this By-law and establishes the zoning of the subject lands.

SECTION 4 – INTERPRETATION

4.1 ZONE SYMBOLS

The zone symbols listed in Section 3.1 and used on Schedule 'B' refer to the respective zones established by this By-law.

4.2 ZONES DEFINED

The extent and boundaries of all zones are shown on Schedule 'B', 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 shown on Schedule 'B' is uncertain, the following provisions shall apply:

- (a) Where a zone boundary is shown:
 - (i) Within a street, lane, railway, public utilities right-of-way, hydro corridor or watercourse, the boundary shall follow the centre line; or,
 - (ii) On a lot line, the boundary shall follow said lot line.
- (b) Where it is not possible to establish a zone boundary by any of the provisions above, the zone boundary shall be scaled from Schedule 'B'.

4.4 MEASUREMENTS AND 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 SITE-SPECIFIC ZONES AND SPECIAL PROVISIONS

Where a zone symbol is followed by a hyphen and a number (e.g. 'M1-1'), the lands where the zoning applies shall be subject to all the provisions of the site-specific zone represented by such symbol, except as otherwise provided by the 'Special Provisions' of that zone.

4.6 BOUNDARIES OF THE ENVIRONMENTAL PROTECTION (EP) ZONE

The EP zone shown on Schedule 'B' incorporates a 30 m 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. In some situations, the 30 m vegetation protection zone has been reduced to recognize existing site-specific special provisions and legally existing uses, buildings or structures.

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 Act process supported by appropriate technical evidence such as an Environmental Impact Study, accepted by the authority having jurisdiction, as applicable.

4.7 CERTAIN WORDS

In this By-law, words used in the present include the future; words used in the singular include the plural; words used 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.

4.8 ABBREVIATIONS

In this By-law, the following abbreviations are used as it relates to units of measurement:

Unit of Measurement	Abbreviation
Centimetre	cm
Metre	m
Square metre	m ²
Hectare	ha

4.9 TECHNICAL REVISIONS

Provided the purpose, intent and substance of this By-law are in no way affected, the following administrative changes are permitted without the need for a Zoning By-law Amendment:

- (a) Changes to the numbering, order and organization of sections provided that such changes do not add or delete permitted uses or regulations;
- (b) Correcting punctuation, grammar, typographical, spelling or mathematical calculation errors;
- (c) Technical revisions to information contained on the schedules related to base mapping parcel fabric, labels, notes, legends, colours, shading and title blocks;
- (d) Changing references to legislation where the legislation has changed; and,
- (e) Consolidation of previously approved amendments into a new document without altering any approved provisions or mapping.

4.10 LEGISLATION

Where this By-law refers to an act, regulation, by-law, agency, public body or jurisdiction, such reference shall include its successor upon amendment or replacement.

SECTION 5 – GENERAL PROVISIONS

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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 6.2.

(b) Location (Residential)

In an 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 5.40, a reduced setback of 3 m 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 m² 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 m² and greater shall be located a minimum of 2 m from a dwelling, except in an R zone where the accessory building is less than 10 m² 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 6.2.

(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 frontage and area provisions of the respective zone.

(d) Yards (Minimum)

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 5.32.

In an R 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 m measured from average grade to the highest point of the structure shall have a minimum setback of 0.6 m to the exterior side lot line, interior side lot line, and rear lot line;

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- An accessory building having a height greater than 3 m and up to 4.5 m measured from average grade to the highest point of the structure shall have a minimum setback of 1 m to the exterior side lot line, interior side lot line, and rear lot line;
- An accessory building having a height greater than 4.5 m measured from average grade to the highest point of the structure shall have a minimum setback of 1.2 m 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 m 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 m to a side lot line nor 6 m 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 m from the lane or access street; and,
- A parking attendant\security guard structure, on a lot zoned I may be permitted within the front yard but not closer than 3 m 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 m from an interior side lot line.

(e) Lot Coverage (Maximum)

The total lot coverage of all accessory buildings shall not exceed 10% of the lot.

(f) Height (Maximum)

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 m²:

- 7.5 m 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 m to the top of the peak nor 7.5 m to the eaves, measured from average finished grade.

Lots 8,000 m² or greater:

- 11 m 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 5.32.

(g) Temporary Accessory Tents

Notwithstanding any other provision of this By-law to the contrary, as it applies to the R, RU-C, or AP zones, a temporary accessory tent used for a special occasion shall be permitted, subject to compliance with Town policy including the Building By-law.

5.2 CANNABIS PRODUCTION FACILITIES

(a) In the RU-C or AP Zones

A designated or licensed cannabis production facility in the RU-C or AP zone is subject to the requirements of Section 8.4(a) to (g) or Section 9.4(a) to (g), respectively, and the following requirements:

- (i) Lot Coverage (Maximum): 30%
- (ii) Loading Spaces: Shall be provided in accordance with the requirements for a commercial / industrial use pursuant to Section 5.20.
- (iii) Open Storage Prohibited: The storage of goods, materials or machinery shall only be permitted in a wholly enclosed building or structure.
- (iv) Outdoor Cultivation Permitted: Cultivation, propagation and harvesting of cannabis outdoors shall be permitted subject to the use(s) complying with the minimum distance from sensitive land uses and the minimum yard setbacks for non-residential uses.
- (v) 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 m from any lot line. Such building or structure may have a maximum floor area of 20 m².
- (vi) Distance from Sensitive Land Uses: A designated or licensed cannabis production facility which contains air treatment control shall have a minimum setback of 150 m from:
 - (1) The following zones under this By-law: RU-C, AP and I zoned lots or an EP zoned lot which contains a permitted single detached dwelling and has a lot area of 8,000 m² or less, 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 the lot line of such RU-C, AP or I zoned lot or an EP zoned lot which contains a permitted single detached dwelling.
 - (2) 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 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.

Notwithstanding any other provision of this By-law to the contrary, 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 m from:

- (3) The following zones under this By-law: RU-C, AP and I zoned lots or an EP zoned lot which contains a permitted single detached dwelling and has a lot area of 8,000 m² or less, 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 the lot line of such RU-C, AP or I zoned lot or an EP zoned lot which contains a permitted single detached dwelling.
- (4) 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 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.

Notwithstanding the above, both cannabis cultivated outdoors and a designed or licensed cannabis production facility shall have a minimum setback of 300 m 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.

- (vii) Restrictions: Notwithstanding any provision in this By-law to the contrary, processing, research, analytical testing, and sale of cannabis shall only be permitted with respect to cannabis that is grown on the same lot. 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, to a maximum of 10,000 m².

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

(b) In the M1 or M2 Zones

A designated or licensed cannabis production facility in the M1 or M2 zone is subject to the requirements of Section 14.4(a) to (j) or Section 15.4(a) to (k), respectively, and the following requirements:

- (i) Outdoor Cultivation Prohibited: Cultivation, propagation and harvesting of cannabis shall only be conducted in a wholly enclosed building or structure.
- (ii) Distance from Sensitive Land Uses: A designated or licensed cannabis production facility which contains air treatment control shall have a minimum setback of 150 m from:
 - (1) The following zones under this By-law: RU-C, AP and I zoned lots or an EP zoned lot which contains a permitted single detached dwelling and has a lot area of 8,000 m² or less, 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 the lot line of such RU-C, AP or I zoned lot or an EP zoned lot which contains a permitted single detached dwelling.
 - (2) 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 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.

Notwithstanding any other provision of this By-law to the contrary, 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 m from:

- (3) The following zones under this By-law: RU-C, AP and I zoned lots or an EP zoned lot which contains a permitted single detached dwelling and has a lot area of 8,000 m² or less, 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 the lot line of such RU-C, AP or I zoned lot or an EP zoned lot which contains a permitted single detached dwelling.
- (4) 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 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.

Notwithstanding the above, both cannabis cultivated outdoors and a designed or licensed cannabis production facility shall have a minimum setback of 300 m 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.

- (iii) Restrictions: No designated or licensed cannabis production facility or part thereof shall be located within a dwelling unit.

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.

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 m from a lot line, except where a yard abuts a lot zoned R in which case the minimum yard shall be the minimum for the main building.

5.6 ESTABLISHED BUILDING LINE

Notwithstanding any other provisions of this By-law to the contrary save and except Section 5.27, in any zone permitting a residential use a dwelling built between two existing dwellings, within 60 m 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 m and need be no greater than prescribed for the zone in which it is situated.

5.7 EXISTING BUILDINGS – REPAIR, RESTORATION, RECONSTRUCTION, REPLACEMENT, OR ENLARGEMENT

- (a) 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.
- (b) Prior to the expansion of any legal non-conforming use, an approved Minor Variance or Zoning By-law Amendment must be obtained.
- (c) 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:
 - (i) 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 m or horizontal space beyond a maximum of 3.75 m. Notwithstanding the above, a building or structure shall not exceed the maximum height provisions for the zone in which it is located and/or extend into a yard further than the point of existing encroachment; and,
 - (ii) Any replacement building or structure shall be replaced within one year from the date that it is demolished or destroyed by fire.
- (d) In the EP zone, the expansion, addition or reconstruction of a building or structure legally existing on the effective date of this By-law, as well as new accessory buildings or structures, shall only be permitted within 15 m of the outer edge of the main building or structure on the lot.

5.8 FENCING REQUIREMENTS

Fences not exceeding 2 m in height are permitted in all yards subject to compliance with all other provisions of this By-law. Any fence exceeding 2 m 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 m.

5.9 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 or establish any new use 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 5.7 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.

5.10 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.

5.11 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.

5.12 HAWKER OR PEDLAR USE

A hawker or pedlar use shall comply with the following provisions:

- (a) Limitation: A maximum of one hawker or pedlar use may be permitted per lot. Further, a hawker or pedlar use shall only be permitted on a lot which contains a non-residential building.
- (b) Yard Setbacks: In accordance with the minimum yard requirements for the zone in which the hawker or pedlar use is located.
- (c) Parking: In accordance with Section 5.26.
- (d) Licensing: All hawkers or pedlars must be licensed pursuant to the Town's applicable licensing by-law.

5.13 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 5.32.

5.14 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) No more than four 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 5.26;
- (d) The floor area shall not exceed 250 m²; 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.

5.15 HOME OCCUPATION

Where permitted, a home occupation shall conform to the following provisions:

- (a) The owner/operator of the home occupation shall reside in the dwelling;
- (b) No person other than a resident of the dwelling is engaged in canvassing, delivering or as a go-between in distributing merchandise to customers;
- (c) No more than two persons, other than residents of the dwelling, shall be employed in such home occupation;
- (d) There is no display visible from outside the premises, other than a legal sign, to indicate that any part of the dwelling, unit or lot is being used for a purpose other than residential;
- (e) Such home occupation is clearly secondary to the main residential use of the lot 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 a home occupation use;
- (h) Parking is provided in accordance with Section 5.26; and,
- (i) The operation of a personal service shop shall be limited to one operator at any time.

5.16 KENNELS

Notwithstanding any provision of this By-law other than Section 8.2 and Section 12.2, a kennel use shall only be established and operated by a person licensed in accordance with the provisions of the Town of Georgina Kennel Licensing By-law.

5.17 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 R, RU-C, AP, EP 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 m

Except that where the lot line abuts a navigable body of water, the yard may be reduced to nil.

(b) Height (Maximum)

5 m

Except that within 30 m of the centre line of a public road, the maximum height shall be 1 m 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 m in all cases.

(c) Lot Coverage (Maximum)

Not applicable.

5.18 LAND SUITABILITY FOR USE

Notwithstanding any other provisions of this By-law to the contrary, no building or structure shall be erected, altered on land which is:

- (a) 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; or,
- (b) Within a flood plain, hazardous lands, hazardous sites or conservation authority regulated lands, unless otherwise authorized by the Lake Simcoe Region Conservation Authority or the authority having jurisdiction.

5.19 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 (8,000 m²), 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.

5.20 LOADING SPACE REQUIREMENTS

(a) Loading Space Area

For every building or structure 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 m long and 4 m wide, and having a vertical clearance of at least 4.5 m.

(b) Number of Loading Spaces

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

(c) Access

Access to loading or unloading spaces shall be by means of a driveway or aisle at least 4 m 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 m wide.

(d) 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 m.

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

(e) 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.

5.21 MINIMUM DISTANCE SEPARATION FORMULAE

New residential land uses and new or expanding livestock facilities shall comply with the Minimum Distance Separation (MDS) formulae as follows:

- (a) No new buildings shall be constructed on a lot which is adjacent to a property containing any buildings or structures used for the raising of livestock, except in accordance with the requirements of the MDS One (MDS I). This provision shall not apply to a dwelling on the same property as the livestock use, additions to existing dwellings, or new dwellings on lots within a registered plan of subdivision; and,

- (b) No building or structure used or intended to be used for the raising of livestock shall be constructed or enlarged, except in accordance with the requirements of the MDS Two (MDS II).

5.22 MULTIPLE USES ON ONE LOT

- (a) Where any land or building is used for more than one purpose, all provisions of this By-law relating to each use shall be complied with. Where there is a conflict between two provisions, the more restrictive shall apply.
- (b) Where a lot falls into two or more zones, each portion of that lot shall be subject to the applicable permitted uses and standards for the applicable zone applying to that portion of the lot. Further, the zone regulations relating to each zone shall apply to the lot lines.
- (c) Notwithstanding any other provision of this By-law to the contrary, road or driveway access may be permitted from a portion of a lot zoned to permit a use related to the access across a zone on which the use is not permitted, provided that no alternative exists for access on the lands zoned to permit the use.

5.23 ON-FARM DIVERSIFIED USES

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

- (a) An on-farm diversified use shall be located on a lot having a minimum lot area of 0.8 ha (8,000 m²) and containing an active principal agricultural use;
- (b) The area of operation occupied by an on-farm diversified use shall not exceed 2% of the lot area to a maximum of 1 ha (10,000 m²); and,
- (c) In calculating the area of operation, 100% of the area utilized for buildings or structures, driveways, parking areas, and open storage related to the on-farm diversified use shall be included. Existing driveways shared between the principal agricultural use and on-farm diversified use shall not count toward the calculation.

5.24 OUTDOOR SOLID-FUEL COMBUSTION APPLIANCES

Notwithstanding any other provision of this By-law to the contrary, an outdoor solid-fuel combustion appliance shall not be considered to be an accessory use, building or structure under this By-law, and shall only be permitted, installed and used in compliance with the Town's Outdoor Solid-Fuel Combustion Appliances By-law.

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

(a) Lots Equal to or Greater than 4 000 m²

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 m. The minimum setback from an interior side lot line or rear lot line shall be 1.2 m.

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- (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 m. The maximum length of a leisure vehicle shall be 13 m.
- (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 three 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 m in height, the leisure vehicle shall not be counted as a leisure vehicle.
- (viii) Notwithstanding the 6 m 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 in a parking area within the front yard or exterior side yard within the required minimum 6 m setback from a front lot line or exterior side lot line on a seasonal basis only from April 1st to October 31st in the same calendar year.
- (ix) Notwithstanding the 6 m front lot line or exterior side lot line setback requirement in (i) above, only a snowmobile or similar winter leisure vehicle may be stored in a parking area within a front yard or exterior side yard a minimum setback of 1 m from a front lot line or exterior side lot line on a seasonal basis only from November 1st in one calendar year to March 31st 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 m and the maximum length of a leisure vehicle shall be 13 m.
- (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 weekend.

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

- (xii) Notwithstanding any other provisions of this By-law to the contrary, 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 m 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 in 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 in 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 m. The minimum setback from an interior side lot line or rear lot line shall be 1.2 m.
- (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 m. The maximum length of a leisure vehicle shall be 13 m.
- (iii) Where a leisure vehicle is located in a parking area in a front yard driveway or exterior side yard driveway, such leisure vehicle storage shall ensure that a minimum of three 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 m in height, the leisure vehicle shall not be counted as a leisure vehicle.

- (viii) Notwithstanding the 6 m 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 in a parking area within the front yard or exterior side yard within the required 6 m setback from a front lot line or exterior side lot line on a seasonal basis only from April 1st to October 31st in the same calendar year.
 - (ix) Notwithstanding the 6 m front lot line or exterior side lot line setback requirement in (i) above, only a snowmobile or similar winter leisure vehicle may be stored in a parking area within a front yard or exterior side yard a minimum setback of 1 m from a front lot line or exterior side lot line on a seasonal basis only from November 1st in one calendar year to March 31st 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 m and the maximum length of a leisure vehicle shall be 13 m.
 - (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.
 - (xii) All other provisions herein regarding the outdoor storage of leisure vehicles on residential lots continue to apply.
 - (xiii) Notwithstanding any other provisions of this By-law to the contrary, 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 m and shall not exceed 55% of the lot frontage.
 - (xiv) 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.
 - (xv) 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.
- (c) Outdoor Storage of Leisure Vehicles on Lands Zoned to Permit a Single Detached Dwelling on a Lot Less than 270 m²**
- (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 m, a maximum length of 7 m, and a minimum setback to an interior side or rear lot line of 1.2 m.

- (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.

5.26 PARKING AREA REGULATIONS

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:

(a) Parking Space Size

Standard Parking Space

Angle of Parking Space	Dimension
Where angle to aisle is not parallel	3 m X 5.7 m
Parallel to aisle	3 m X 7 m

Standard Parking Space – School, Public

Angle of Parking Space	Dimension
Where angle to aisle is not parallel	2.75 m X 5.7 m
Parallel to aisle	2.5 m X 7 m

(b) Number of Parking Spaces (Minimum)

Residential Uses

Type of Use	Minimum Number of Required Spaces
Single detached dwelling	Three per dwelling, 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 of 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"> • Only one of the three parking spaces required can be in a garage.
Additional dwelling unit in a detached building	Notwithstanding any provisions of 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"> • Only one of the three parking spaces required can be in a garage.

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.

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 5.25(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 three spaces to two spaces for the duration of the specified seasonal or temporary period only.

Non-Residential Uses

Commercial Uses	
Type of Use	Minimum Number of Required Spaces
Restaurant	10 per 95 m ² 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 m ² of non-residential floor area
Catering establishment	3.5 per 95 m ² of non-residential floor area
Multi-unit commercial centre	5.5 per 95 m ² 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.
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 m ² of non-residential floor area
Tourist information centre, veterinary clinic	3.5 per 95 m ² 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	3.5 per 95 m ² of residential floor area used for home occupation purposes. Where a single detached dwelling contains an additional dwelling unit, a minimum of 1 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.
Marina	1 per each slip in addition to that provided for retail space

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Hotel, motel, motor hotel	1 per rental unit for the first twenty units and thereafter 1 per 2 units, plus 10 per 95 m ² 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 m ²
Tennis courts (commercial)	4 spaces per court
Temporary structure/use, commercial (as per Sections 2.217 and 5.39)	Nil
Recreational baseball batting cage	1 per batting station

Industrial Uses	
Type of Use	Minimum Number of Required Spaces
Warehouse or public storage building	1 per 95 m ² of non-residential floor area
All other industrial uses including home industry and printing shop, but excluding a mechanical garage	2 per 95 m ² of non-residential floor area
Communications facility	2 per 95 m ² of non-residential floor area
Crematorium	2 per 95 m ² of non-residential floor area
Cannabis production facility, licensed	2 spaces, plus 2 spaces per 95 m ² of non-residential floor area
Cannabis production facility, designated	2 spaces, plus 1 space per 95 m ² of non-residential floor area
Research and development facility	2 per 95 m ² of non-residential floor area

Place of Assembly	
Type of Use	Minimum Number of Required Spaces
An airport, auditorium, arena, church, funeral home (chapel), hall, commercial or private club, theatre	1 per 5 seats (or 3 m of bench seats). If no fixed seats exist, then 10 per 95 m ² of non-residential floor area devoted to use by the public (ten spaces minimum).
Art gallery	10 per 95 m ² of non-residential floor area devoted to use by the public
Convention centre	10 per 95 m ² of non-residential floor area devoted to use by the public
Place of worship	1 per 5 seats (or 3 m of bench seats). If no fixed seats exist, then 10 per 95 m ² of non-residential floor area devoted to use by the public (ten spaces minimum).

Institutional Use	
Type of Use	Minimum Number of Required Spaces
Hospitals and nursing homes	1 per bed

School, public - elementary	2 per teaching classroom or portable teaching classroom plus five spaces for a day nursery provided in a school facility
School, public - secondary	4 per teaching classroom or portable teaching classroom plus ten 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

(c) Cash-In-Lieu of Parking

Notwithstanding any provision of this By-law to the contrary, 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 5.26(b) less the number of spaces exempted by the cash-in-lieu agreement.

(d) 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.

(e) 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.

Electric vehicle charging stations are permitted on any lot subject to the provisions of this By-law.

Lastly, no person shall use a parking area in an R 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 m, a maximum width of 2.5 m, and a maximum height of 2.5 m.
- (ii) One school bus per residential lot provided the lot contains a dwelling.
- (iii) 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 20 passengers, are also subject to the following setback requirements:
 - 1.5 m (minimum) setback from the interior side and rear lot lines; and,
 - 4 m (minimum) setback from the front and exterior side lot lines.
- (iv) The storage of leisure vehicles in a parking area in a front yard driveway or exterior side yard driveway shall be in accordance with Section 5.25.

(f) Location

Required parking spaces and driveways shall be provided on the same lot occupied by the building or structure except where a 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 through the Site Plan Control approval process as applicable, from the parking area intended for the commercial use.

(g) 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 5.26 (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 m to any lot line.

Notwithstanding the required 1.5 m setback set forth above, commercial parking areas located contiguously on abutting lots, shall be permitted subject to a Site Plan Control agreement between the owners of the subject land and the Town. Underground parking areas are permitted within 1.5 m of a lot line or planned width of street allowance.

(h) Access – Driveways, Aisles, and Access Streets

Notwithstanding any other provisions of this By-law to the contrary, 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 m 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 m, for ingress or egress only, and 6 m for combined ingress and egress, but not more than 9 m wide.

The minimum width of an access street shall be 6 m, 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 m.

The minimum distance between a driveway and the intersection of street lines, measured along the street line intersected by such driveway, shall be 9 m for all zones permitting a single detached dwelling and 15 m 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 m	One-way
Parallel	6 m	Two-way

30 degrees	3 m	One-way
45 degrees	4 m	One-way
60 degrees	5 m	One-way
90 degrees	7 m	Two-way

5.27 PLANTING STRIPS (NON-RESIDENTIAL USES)

Where a lot is used for non-residential purposes, excluding a home occupation use, and abuts a lot zoned R, 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 m

Except along the front and exterior lot lines, in M1 and M2 zones, which shall be 3 m.

- RC Zone Uses 8 m

Except along the front and exterior lot lines, which shall be 3 m.

- Other Non-Residential Uses 3 m

(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.

5.28 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:

- 120 m for residential, institutional, commercial (excluding a mechanical garage, light service shop and heavy service shop) and recreational uses, except where such use is separated from the railway property by a 2.5 m 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 m.
- 60 m for industrial uses (including a mechanical garage, light service shop and heavy service shop), except where such use is separated from the railway property by a 2 m high safety berm, as defined and approved by the jurisdiction having authority, in which case the minimum setback shall be reduced to 15 m.

- 15 m for a warehouse.

5.29 RECREATIONAL VEHICLES

The use, parking or storage of recreational vehicles shall be restricted to the 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 5.25.

5.30 REFRESHMENT VEHICLES, REFRESHMENT BICYCLE UNITS, AND REFRESHMENT CARTS

Refreshment vehicles, refreshment bicycle units and refreshment carts shall comply with the following provisions:

- (a) Use Restriction: A refreshment vehicle, refreshment bicycle unit or refreshment cart shall only be permitted on a lot incidental to a permitted non-residential use.
- (b) Limitation: The total number of all refreshment vehicles, refreshment bicycle units or refreshment carts per lot shall not exceed two.
- (c) Yard Setbacks: In accordance with the minimum yard requirements for the zone in which the refreshment vehicle, refreshment bicycle unit or refreshment car is located.
- (d) Parking: In accordance with Section 5.26.
- (e) Licensing: All refreshment vehicles, refreshment bicycle units and refreshment carts must be licensed pursuant to the Town's applicable licensing by-law.

5.31 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.

5.32 SATELLITE RECEIVING DISHES

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

- (a) A maximum of 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 for in RC or I zones, the maximum height of a satellite receiving dish and appurtenances shall not exceed 8 m from the finished grade to the highest point of the satellite receiving dish;
- (d) In RC or I zones, the maximum height of a satellite receiving dish and appurtenances, if located on a roof, shall be 5 m above a roof. Otherwise the maximum height shall not exceed 8 m from the finished grade to the highest point of the satellite receiving dish; and,
- (e) Yard requirements for the location of a satellite receiving dish shall be in accordance with the relevant provisions established for accessory uses, buildings or structures contained within this By-law measured to the extremities of the satellite dish.

5.33 SHORT-TERM RENTAL ACCOMMODATION

- (a) Notwithstanding any provision of this By-law to the contrary, a short-term rental accommodation shall only be established and operated in accordance with the provisions of the Short-term Rental Accommodation Licensing By-law.
- (b) A short-term rental accommodation shall only be permitted within a single detached dwelling or an additional dwelling unit located in a detached building on the same lot as a single detached dwelling.

5.34 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 streets intersect:

- In a RU-C, AP or EP zone 6 m
- In a RC, CR or I zone 9 m
- In all other zones 15 m

Where a local street intersects a regional road: 15 m

Where a regional road intersects a regional road: 30 m

Where a railroad right-of-way intersects any street: 45 m

Notwithstanding the above, where one of the streets which intersect is either a provincial or regional road, and where the Province or York Region 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 m above the grade of the centre line of the street abutting the lot.

5.35 SIGNS

The provisions of this By-law save and except Section 5.34, shall not apply to prevent the erection, alteration or use of any sign, provided such sign complies with the Town's Sign By-law.

5.36 STACKING SPACE REQUIREMENTS

For every restaurant with a drive thru component there shall be provided and maintained a minimum of seven 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 3 m in width and 7 m in length.

5.37 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 m from the rear lot line, interior side lot line, and exterior side lot line and 2 m 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 m 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; and,
- (c) The maximum height of such pool shall be 1.5 m above the average finished grade level of the ground adjoining and within 5 m of such pool.

5.38 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 complies with the following provisions:

- (a) Size Limitation: May not exceed a total area of 180 m² 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; and,
- (c) Parking Requirements: Parking is provided and maintained in accordance with Section 5.26 for the current on-site uses. Parking for the “temporary structure/use, commercial” will be in accordance with Section 5.26(b).

5.39 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.

5.40 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.

5.41 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, save and except for:

- (a) A shipping container used in association with a temporary hawker or peddler use;

- (b) A shipping container used in association with an industrial use. Such shipping container shall only be permitted within the rear yard;
- (c) A truck, bus, coach, streetcar body or trailer used for a refreshment vehicle; and,
- (d) A trailer used as a temporary property sales office, to be used in conjunction with the sale of newly constructed residential dwellings.

5.42 USES PERMITTED IN ALL ZONES

Notwithstanding any provision of this By-law to the contrary and in conjunction with Section 1.3, the following uses are permitted in all zones, save and except the EP zone:

- Accessory uses, buildings and structures to a permitted and established use
- Emergency services buildings, structures and uses
- Public uses and utilities

5.43 USES PROHIBITED IN ALL ZONES

Notwithstanding any provision of this By-law to the contrary and in conjunction with Section 1.3, the following uses are prohibited in all zones:

- Abattoir (except as part of a permitted agricultural 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
- Gas manufacture
- Glue manufacture
- Grease, lard or tallow manufacture or refinement from animal fat
- Manufacture and/or storage of a fertilizer from dead animals or human waste or the manufacture of fertilizer from animal waste
- Mushroom farm
- 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 (PCB) contaminated material

- Rag storage, sorting and baling
- Refining coal
- Rolling mill
- Slaughtering of animals (except as part of a permitted agricultural 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
- The storage of fertilizer from animal waste (except as part of a permitted agricultural use)
- 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.

5.44 WAYSIDE PITS AND WAYSIDE QUARRIES

Notwithstanding any provision of this By-law to the contrary, wayside pits and wayside quarries, and accessory uses thereto, are permitted in all zone categories except in the R zone, upon written approval of the Lake Simcoe Region Conservation Authority and/or the Ministry of Natural Resources and Forestry, as applicable.

5.45 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.

5.46 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 m, 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 m may project into any required front, rear or exterior side yard a maximum distance of 1 m, and 0.5 m 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 m into any required front, rear or exterior side yard, and, in respect to an apartment building, 2 m into any required yard.

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

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

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

(b) Patios

At 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 m 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 cm.

(e) Satellite Receiving Dish

A satellite receiving dish shall be subject to the provisions of Section 5.32.

(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 5.34.

(g) Setbacks Resulting from Road Widening Acquisitions

Where land is acquired by the Town, York Region or the Province 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 m 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 m above grade.

5.47 YARD REQUIREMENTS – EXCEPTION

Where a building or structure was erected upon a lot a minimum of five years 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-law.

5.48 YORK REGION 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 York Region, 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 M5 zone.

SECTION 6 – REQUIREMENTS FOR RESIDENTIAL USES

6.1 SINGLE DETACHED DWELLING

(a) Lot Frontage (Minimum)

Existing

Where a lot is created by consent, the minimum lot frontage requirement shall be deemed to be the lot frontage of such lot as created by consent.

(b) Lot Area (Minimum)

Existing

Where a lot is created by consent, the minimum lot area requirement shall be deemed to be the lot area of such lot as created by consent.

(c) Front Yard (Minimum)

R Zone

Lots less than 4,000 m ²	6 m
Lots fronting on Highway 48	7.5 m
Lots 4,000 m ² or greater	10 m

All Other Zones 15 m

Lots 4 ha or greater 30 m

(d) Exterior Side Yard (Minimum)

R Zone

Lots less than 4,000 m ²	3 m
-------------------------------------	-----

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 m.

Lots flanking on Highway 48 7.5 m

Lots greater than 4,000 m² 9 m

All Other Zones 15 m

Lots 4 ha or greater 30 m

(e) Rear Yard (Minimum)

R Zone

Lots less than 4,000 m ²	7 m
-------------------------------------	-----

Lots 4,000 m² or greater 12 m

All Other Zones 12 m

(f) Interior Side Yard (Minimum)

R Zone

Lots less than 4,000 m²

1.2 m plus 0.5 m 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 m.

Lots 4,000 m² or greater

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

All Other Zones 9 m

Except that an interior side yard may be reduced to 3 m when the exterior wall facing said yard contains no habitable room windows or where the lot is less than 4,000 m².

(g) Floor Area (Minimum)

R Zone

Lots less than 4,000 m² 100 m²

Lots 4,000 m² or greater 112 m²

All Other Zones 140 m²

(h) Lot Coverage (Maximum)

R Zone 35%

All Other Zones

Lots less than 4,000 m² 35%

Lots 4,000 m² or greater 20%

(i) Height of Building (Maximum)

All Zones 11 m

(j) Number of Single Detached Dwellings per Lot

All Zones 1

Except that two single detached dwellings shall be permitted on a lot where they legally existed prior to the passing of this By-law.

(k) Accessory Uses, Buildings or Structures, Parking, Planned Width of Street Allowance and all Other General Provisions

All Zones In accordance with Section 5

6.2 ADDITIONAL DWELLING UNITS

(a) All Additional Dwelling Units

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

- (i) Road Access: An additional dwelling unit shall comply with the requirements of Section 5.9.
- (ii) Additional Dwelling Unit on Private Septic System: Notwithstanding any provision of this By-law to the contrary, an additional dwelling unit shall not be permitted if serviced by a private septic system which is located within 100 m 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.
- (iii) Location: An additional dwelling unit shall only be permitted if a single detached dwelling is a permitted use in the zone it is located.
- (iv) Home Occupations and Home Day Cares: Notwithstanding any provisions in this By-law to the contrary, a home occupation or home day care shall only be permitted within one dwelling unit on a lot containing multiple dwelling units, and shall comply with the requirements of Section 5.15.
- (v) Lake Simcoe Region Conservation Authority: An additional dwelling unit is not permitted on lands affected by flooding, erosion or located within hazardous lands identified by the Lake Simcoe Region Conservation Authority, unless the Lake Simcoe Region Conservation Authority under the Conservation Authority Act has issued a permit.
- (vi) Parking: Parking shall be provided in accordance with Section 5.26(b).
- (vii) Other Regulations and By-laws: Additional dwelling units shall comply with all other applicable regulations and by-laws, including without limitation, municipal registration by-laws, the Ontario Building Code, Ontario Electrical Code, and the Ontario Fire Code.
- (viii) Registration: Additional dwelling units shall be registered with the Town.

(b) Additional Dwelling Unit in a Detached Building

In addition to the provisions of Section 6.2(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 an additional dwelling unit shall comply with the minimum setback requirements for accessory buildings in Section 5.1.
- (ii) Notwithstanding any provision in this By-law to the contrary, 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 2 m, and no further than 50 m, from the permitted single detached dwelling.

- (iii) Notwithstanding any provision in this By-law to the contrary, the maximum height of a detached building containing an additional dwelling unit shall be 7.5 m.
- (iv) The residential floor area of an additional dwelling unit in a detached building shall not exceed 40% of the residential floor area of the existing single detached dwelling or up to 150 m², whichever is less.
- (v) A detached building containing an additional dwelling unit shall use the same driveway access from the road as the existing single detached dwelling.
- (vi) A 1.2 m wide unobstructed pedestrian access shall be provided to the entrance of the detached building containing the additional dwelling unit.
- (vii) An additional dwelling unit shall not be permitted in a detached building that is used to keep livestock.

6.3 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) Lot Area (Minimum)

20 ha if no single detached dwelling exists on the lot.

10 ha if a single detached dwelling exists on the lot.

(b) Site Requirements

Temporary accommodations for seasonal farm workers must:

- (i) Use the same entrance to the street as a principal residence;
- (ii) Be separated from the principal dwelling by a minimum of 30 m; and,
- (iii) Comply with Sections 6.1(c), (d), (e), (f), (h) and (i).

(c) Occupancy and Use

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 two farm workers may be housed within the temporary accommodations between the first day of December and the last day of March.

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.

(d) Floor Area (Minimum)

A minimum floor area of 3.72 m² shall be provided for each seasonal farm worker in every room used for sleeping purposes.

(e) Ontario Building Code

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.

6.4 DWELLING UNIT IN NON-RESIDENTIAL BUILDING

(a) Lot Frontage (Minimum)

30 m

(b) Lot Area (Minimum)

1,800 m²

(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 m ²
One-bedroom unit	40 m ²
Two-bedroom unit	65 m ²
Three-bedroom unit	75 m ²

(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 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 m, 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 m above the adjacent finished grade.

(j) 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 of 15 m apart.

Where the tops of windows, in habitable rooms facing each other, are less than 2.5 m above finished grade and the space between them is divided by a 2 m high privacy fence, the minimum distance apart may be reduced to 11 m.

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 m.

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 m.

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 m.

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

(l) Accessory Uses, Buildings or Structures, Parking, Planned Width of Street Allowance and all Other General Provisions

In accordance with Section 5.

SECTION 7 – RESIDENTIAL (R) ZONE

7.1 PERMITTED RESIDENTIAL USES

- Single detached dwelling
- Additional dwelling unit in a single detached dwelling
- Additional dwelling unit in a detached building

7.2 PERMITTED NON-RESIDENTIAL USES

- Day care, private home
- Home occupation
- Short-term rental accommodation

7.3 ZONE REQUIREMENTS – RESIDENTIAL USES

Single detached dwelling in accordance with Section 6.1.

Additional dwelling units in accordance with Section 6.2.

7.4 ZONE REQUIREMENTS – NON-RESIDENTIAL USES

In accordance with Section 5.

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

7.5 SPECIAL PROVISIONS

7.5.1 R-1 PLAN 544 AND PLAN 588

Notwithstanding any provision of 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.

7.5.2 R-3 PLAN 28, PLAN 168 AND PLAN 223

Notwithstanding any provision of 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 m from the opposite boundary of the lane.

SECTION 8 – RURAL-COUNTRYSIDE (RU-C) ZONE

8.1 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
- Additional dwelling unit in a detached building
- Temporary accommodations for seasonal farm workers

8.2 PERMITTED NON-RESIDENTIAL USES

- Agricultural use
- Cannabis production facility, designated
- Cannabis production facility, licensed
- Conservation use
- Day care, private home
- Home industry
- Home occupation
- Kennel
- Short-term rental accommodation

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 Section 6.1.

Additional dwelling units in accordance with Section 6.2.

Temporary accommodations for seasonal farm workers in accordance with Section 6.3.

8.4 ZONE REQUIREMENTS – NON-RESIDENTIAL USES

(a) Lot Frontage (Minimum)

60 m

(b) Lot Area (Minimum)

8,000 m²

(c) Front Yard (Minimum)

15 m

Except that a portable seasonal farm produce sales outlet is permitted in the front yard during the season of its produce.

(d) Exterior Side Yard (Minimum)

15 m

Except that a portable seasonal farm produce sales outlet is permitted in the exterior side yard during the season of its produce.

(e) Rear Yard (Minimum)

9 m

(f) Interior Side Yard (Minimum)

9 m

(g) Height (Maximum)

11 m

(h) Exceptions to Non-Residential Provisions

Notwithstanding any provision of this By-law to the contrary, 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) Open Storage of School Buses or Commercial Vehicles

Minimum distance from the front or exterior side lot line is 30 m 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 m.

(j) Accessory Uses, Buildings or Structures, Parking, Planned Width of Street Allowance and all Other General Provisions

In accordance with Section 5.

8.5 SPECIAL PROVISIONS

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

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

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

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

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

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

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

Notwithstanding any provision of 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 m in height. The public storage buildings shall be subject to the zone requirements set forth in Section 14.4.

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'.

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

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

- The minimum front yard setback shall be 30 m; and,
- The minimum southerly side yard setback shall be 20 m.

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

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

**8.5.7 RU-C-7(H) PART LOT 1, CONCESSION 4 (NG); N/E CORNER
WOODBINE AVENUE AND RAVENSHOE ROAD**

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

- Clinic, veterinary 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, 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, 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 9 – AGRICULTURAL PROTECTION (AP) ZONE

9.1 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

9.2 PERMITTED NON-RESIDENTIAL USES

- Agricultural use
- Cannabis production facility, designated
- Cannabis production facility, licensed
- Conservation use
- Day care, private home
- Home industry
- Home occupation
- Short-term rental accommodation

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.

9.3 ZONE REQUIREMENTS – RESIDENTIAL USES

Single detached dwelling in accordance with Section 6.1.

Additional dwelling units in accordance with Section 6.2.

Temporary accommodations for seasonal farm workers in accordance with Section 6.3.

9.4 ZONE REQUIREMENTS – NON-RESIDENTIAL USES

(a) Lot Frontage (Minimum)

60 m

(b) Lot Area (Minimum)

8,000 m²

(c) Front Yard (Minimum)

15 m

Except that a portable seasonal farm produce sales outlet is permitted in the front yard during the season of its produce.

(d) Exterior Side Yard (Minimum)

15 m

Except that a portable seasonal farm produce sales outlet is permitted in the exterior side yard during the season of its produce.

(e) Rear Yard (Minimum)

9 m

(f) Interior Side Yard (Minimum)

9 m

(g) Maximum Height

11 m

(h) Exceptions to Non-Residential Provisions

Notwithstanding any provision of this By-law to the contrary, 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) Open Storage of School Buses or Commercial Vehicles

Minimum distance from the front or exterior side lot line is 30 m 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 m.

(j) Accessory Uses, Buildings or Structures, Parking, Planned Width of Street Allowance and all Other General Provisions

In accordance with Section 5.

9.5 SPECIAL PROVISIONS

9.5.1 AP-1 PART LOT 4, CONCESSION 2 (G)

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

- Agricultural use;
- Conservation use;
- Clinic, veterinary;
- Farm produce storage area;
- Kennel;

- Tourist information centre; and,
- Accessory uses, buildings or structures to any permitted use.

9.5.2 AP-2 PART LOT 4, CONCESSION 2 (G)

Notwithstanding any provision of 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 uses, buildings or structures to any permitted use.

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

- | | |
|-----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| • Lot Frontage (Minimum) | 30 m |
| • Lot Area (Minimum) | 4,000 m ² |
| • Front Yard (Minimum) | 10 m |
| • Exterior Side Yard (Minimum) | 9 m |
| • Rear Yard (Minimum) | 12 m |
| • Interior Side Yard (Minimum)
or partial storey | 1.2 m plus 0.5 m for each additional
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 m. |
| • Floor Area (Minimum) | 112 m ² |
| • Lot Coverage (Maximum) | 30% |
| • Height of Building (Maximum) | 11 m |
| • Number of Dwelling Units | 1 |

9.5.3 AP-3 PART LOT 15, CONCESSION 7 (NG)

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

9.5.4 AP-4 PART LOT 23, CONCESSION 5 (NG)

Notwithstanding any provision of 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.

9.5.5 AP-5 PART OF LOT 12, CONCESSION 5 (NG)

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

9.5.6 AP-6 PART LOT 6, CONCESSION 5 (NG)

Notwithstanding any provision of this By-law to the contrary, the maximum total lot coverage of all accessory uses shall not exceed 13% 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.

9.5.7 AP-7 PART OF LOT 7, CONCESSION 7 (G)

Notwithstanding any provision of 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 14.4 except for Section 14.4(i).

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

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

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

Notwithstanding any provision of 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 m
Rear Yard (Minimum)	50 m
Westerly Interior Side Yard (Minimum)	25 m

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.

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

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

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

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

- Farm produce storage area;
- Kennel;

- Parking lot, school buses, and commercial vehicles;
- Terminal, bus or truck; and,
- Home industry.

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

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

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

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

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

Notwithstanding any provision of this By-law to the contrary, the minimum front yard shall be 40 m 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 m². For all other home industry uses, the maximum floor area shall be 190 m². 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 m. 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.

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

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

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

- Agricultural use;
- Conservation use;
- Short-term rental accommodation;
- Home industry;
- Home occupation; and,

- Accessory uses, buildings or structures to any permitted use.

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

Notwithstanding any provision of 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.

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

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

- Agricultural use;
- Conservation use; and,
- Accessory uses, buildings or structures to any permitted use.

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

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

- Agricultural use;
- Conservation use;
- Short-term rental accommodation;
- Home occupation;
- Home industry;
- Naturopathic health and retreat centre; and,
- Accessory uses, buildings or structures 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 m. Further, the placement of additional windows within the north wall of the dwelling shall not be permitted.

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 m from the northerly interior side lot line. Further, the existing driveway width of 3 m for both ingress and egress traffic shall be permitted.

**9.5.19 AP-19 PART OF LOT 7, CONCESSION 8 (NG);
23718 HIGHWAY 48**

Notwithstanding any provision of 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 uses, buildings or structures 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.

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

Notwithstanding any provision of this By-law to the contrary, a recycling facility – motor vehicles and accessory uses, buildings or structures 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 m shall be erected and maintained in place across the entire westerly perimeter of the AP-20 zone.

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

Notwithstanding any provision of 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 use;
- Conservation use;
- Farm produce storage area; and,
- Accessory uses, buildings or structures to any permitted use.

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

Notwithstanding any provision of 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 uses, buildings or structures to any permitted use.

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

Notwithstanding the definition of agricultural use as set out in Section 2.230, 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 m² 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.

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

Notwithstanding any provision of 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; and,
- Notwithstanding any provision of this By-law to the contrary, the maximum width of an access driveway shall be in accordance with the requirements and approval of the respective road authority.

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

Notwithstanding any provision of this By-law to the contrary, the following additional Temporary Uses shall be permitted, until July 18, 2024:

- 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; and,
- Outdoor storage of commercial vehicles.

The following provisions shall apply to the additional temporary uses:

- Notwithstanding any provision of this By-law to the contrary, the additional temporary uses as identified on Schedule 'C-6' shall have a minimum setback of 0.3 m from the interior side lot lines. Further, the total number of leisure vehicles stored on the lot may exceed six;
- 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; and,
- 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.

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

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

- On-farm diversified use.

The following provisions shall apply to the additional permitted use:

- 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 m²;
- The storage of commercial vehicles associated with the on-farm diversified use shall be permitted, provided they are setback a minimum of 30 m from the front lot line and 3 m from any interior side lot line; and,
- 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.

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

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

- Agricultural use;
- Conservation use;
- Farm produce storage area; and,
- Accessory uses, buildings or structures to any permitted use.

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

Notwithstanding any provision of 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 uses, buildings or structures to any permitted use.

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

Notwithstanding any provision of 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.

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

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

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

Notwithstanding any provision of 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.

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

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

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

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

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

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

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

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

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

Notwithstanding any provision of 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.

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

Notwithstanding any provision of 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 10 – ENVIRONMENTAL PROTECTION (EP) ZONE

10.1 PERMITTED RESIDENTIAL USES

- Dwelling legally existing on the effective date of this By-law

10.2 PERMITTED NON-RESIDENTIAL USES

- Conservation use
- Day care, private home
- Existing agricultural use
- Home occupation
- Passive recreational uses, trails and walkways
- Short-term rental accommodation

10.3 ZONE REQUIREMENTS – RESIDENTIAL USES

Legally existing dwelling in accordance with Section 6.

10.4 ZONE REQUIREMENTS – NON-RESIDENTIAL USES

(a) Lot Frontage (Minimum)

60 m

(b) Lot Area (Minimum)

8,000 m²

(c) Front Yard (Minimum)

15 m

(d) Exterior Side Yard (Minimum)

15 m

(e) Rear Yard (Minimum)

12 m

(f) Interior Side Yard (Minimum)

9 m

(g) Height (Maximum)

11 m

(h) Accessory Uses, Buildings or Structures, Parking, Planned Width of Street Allowance and all Other General Provisions

In accordance with Section 5.

10.5 SPECIAL PROVISIONS

10.5.1 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 Sections 6.1 and 5.1, respectively.

10.5.1(a) EP-1(H) VARIOUS PROPERTIES

Notwithstanding any other provision of this By-law to the contrary, a single detached dwelling and accessory uses, buildings and structures shall be permitted in accordance with Sections 6.1 and 5.1, respectively.

Further, notwithstanding any other provision of 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, 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.

10.5.2 EP-2(H) PART LOT 5, CONCESSION 3 (G); S/S SMITH BOULEVARD

Notwithstanding any other provision of this By-law to the contrary, a single detached dwelling and accessory uses, buildings and structures shall be permitted in accordance with Sections 6.1 and 5.1, respectively.

Further, notwithstanding any other provision of 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, 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.

10.5.3 EP-3 PART LOT 2, CONCESSION 8 (NG)

Notwithstanding any other provision of 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 m of the easterly 30 m 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 m.

10.5.4 EP-4 PART OF LOTS 11 & 12, CONCESSION 4 (G)

Notwithstanding any other provision of 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 m from any lot line. Mechanical manure composting shall be prohibited.

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

Notwithstanding any other provision of 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 m shall be required for all buildings and structures.

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

Notwithstanding any other provision of 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 m shall be required for all buildings and structures.

A minimum southerly interior side yard setback of 10 m and a minimum northerly interior side yard setback of 25 m 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.

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

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

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

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

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

Notwithstanding any other provision of 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 m ²
Number of Garden Suites (Maximum)	1
Height (Maximum)	4.7 m
Front Yard Setback (Minimum)	50 m

Rear Yard Setback (Minimum)	310 m
West Interior Side Yard (Minimum)	25 m
East Interior Side Yard (Minimum)	25 m
Number of Parking Spaces (Minimum)	1

The garden suite shall not include a basement.

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, 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.

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

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

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

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

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

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

10.5.13 EP-13 PART LOT 15, CONCESSION 4 (NG)

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

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

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

- Agricultural use
- Conservation use
- Clinic, veterinary
- Day care, private home

- Farm produce storage area
- Home industry
- Home occupation
- Kennel
- Short-term rental accommodation
- Accessory uses, buildings or structures to any permitted use

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

Notwithstanding any other provision of 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.

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

Notwithstanding any other provision of this By-law to the contrary, conservation uses shall be the only permitted use, 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 5.7 shall not apply to the existing barn as indicated on Schedule 'C-10'.

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

Notwithstanding any other provision of this By-law to the contrary, the only permitted uses shall be a single detached dwelling and those uses associated with 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.

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

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

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

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

- One accessory dwelling
- Camp, private
- Clubhouse
- Conservation use

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- Dormitory
- Park
- Recreational cabin
- Recreational trails and activities
- Recreational vehicle
- Accessory uses, buildings or structures 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 m² 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 m² 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 m² 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 one 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 m²; and,
- Save and except in the case of an accessory dwelling, overnight sleeping accommodations within a private camp shall only be permitted between April 15th and October 1st of any calendar year.

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

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

- Conservation use
- Dock
- Recreational trails and activities
- Sauna
- Shooting range
- Accessory uses, buildings or structures 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'.

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

Notwithstanding any other provision of 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 m 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 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.

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

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

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

**10.5.22 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 of this By-law to the contrary, a single detached dwelling and accessory uses, buildings and structures shall be permitted in accordance with Section 6.1 and 5.1, respectively.

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

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

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

The requirements of Section 13.2 shall apply to a private camp except that:

- Two beds in a dormitory shall be equated to one guest room in respect to Section 13.2(b); and,
- Section 13.2(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 m apart.

SECTION 11 – COMMERCIAL RECREATION (CR) ZONE

11.1 PERMITTED RESIDENTIAL USES

- One accessory dwelling for the owner, manager or caretaker of a permitted and established recreational use; or,
- One dwelling unit in a storey above the first storey or within the rear of a building containing a permitted and established commercial use

11.2 PERMITTED NON-RESIDENTIAL USES

- Bowling alley
- Day care, private home
- Golf ball driving range
- Golf course
- Golf course, miniature
- Hawker or pedlar use
- Hotel
- Leisure vehicle sales establishment
- Marina
- Motel or motor hotel
- Motor vehicle fuel bar
- Park
- Place of amusement
- Existing recreational vehicle parks
- Refreshment vehicle, bicycle unit or cart
- Restaurant
- Retail store, convenience
- Short-term rental accommodation
- Tent campground
- Theatre
- Tourist information centre

11.3 ZONE REQUIREMENTS – RESIDENTIAL USES

One accessory dwelling for the owner, manager or caretaker of a permitted and established recreational use shall be in accordance with the provisions of Section 6.1 for a single detached dwelling the RU-C zone.

One dwelling unit in a storey above the first storey or within the rear of a building with a permitted and established commercial use shall be in accordance with the provisions of Section 6.4.

11.4 ZONE REQUIREMENTS – NON-RESIDENTIAL USES

(a) Lot Frontage (Minimum)

120 m

(b) Lot Area (Minimum)

4 ha

(c) Yards (Minimum)

15 m

Except that where a yard abuts a zone permitting a residential use, the minimum yard shall be 30 m.

(d) Lot Coverage (Maximum)

20%

(e) Height of Buildings (Maximum)

11 m

(f) Recreational Vehicle Site

Every recreational vehicle shall be placed on a recreational vehicle site with the minimum dimensions as follows:

Site Frontage	8 m
Site Area	185 m ²
Density	30 recreational vehicle sites per ha

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

- No recreational vehicle site shall be closer than 15 m to a service building;
- Every recreational vehicle site shall be accessible by a driveway which is at least 4 m wide if intended for one-way traffic or 8 m 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 m in length may be stored per recreational vehicle site.

(g) Short-Term Rental Accommodation

Notwithstanding any provision of this By-law to the contrary, a short-term rental accommodation and accessory uses, buildings or structures thereto, shall be subject to the same lot frontage, lot area, and yard provision as a single detached dwelling in a RU-C zone pursuant to Section 6.1.

(h) Accessory Uses, Buildings or Structures, Parking, Planned Width of Street Allowance and all Other General Provisions

In accordance with Section 5.

11.5 SPECIAL PROVISIONS

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

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

- Refreshment booth
- Petting zoo
- Arts and crafts centre
- Pottery studio
- Sale and use of amusement games
- Accessory residential dwelling
- Accessory uses, buildings or structures to any permitted use

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

Notwithstanding any provision of 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 m from the westerly property line and 120 m from the southerly property line.

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

Notwithstanding any provision of this By-law to the contrary, a maximum of one caretaker's/manager's residence in addition to a maximum of 28 hotel/motel units shall be permitted within an existing building as shown in Schedule 'C-13'.

Notwithstanding any provision of this By-law to the contrary, the individual hotel/motel units may contain cooking facilities. Furthermore, the individual hotel/motel units shall be restricted to a maximum floor area of 65 m².

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

Notwithstanding any provision of 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 of this By-law to the contrary, a golf ball driving range and a maximum of four 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 m.

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

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

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

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

The requirements of Section 13.2 shall apply to a private camp except that:

- Two beds in a dormitory shall be equated to one guest room in respect to Section 13.2(b); and,
- Section 13.2(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 m apart.

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

Notwithstanding any provision of 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:

Interior Side Yard (Minimum-north side)	10 m
Interior Side Yard (Minimum-south side)	5 m
Lot Coverage (Maximum)	35%

Any buildings or structures shall have a minimum setback of 20 m 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 building containing a permitted and established non-residential use, 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, but not including outdoor canine runs or animal containment areas
- Club, commercial or private
- Dry cleaning establishment
- Equipment sales establishment
- Garage, mechanical
- Garden centre
- Hawker or pedlar use
- Hotel
- Kennel
- 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
- Place of amusement
- Printing shop

- Refreshment vehicle, bicycle unit or cart
- Restaurant
- Retail store, convenience
- Service shop, heavy, light or personal
- Studio
- Terminal, bus or truck
- Theatre
- 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 m²

12.3 ZONE REQUIREMENTS – RESIDENTIAL USES

In accordance with Section 6.4.

12.4 ZONE REQUIREMENTS – NON-RESIDENTIAL USES

Motor Vehicle Fuel Bar, Mechanical Garage, Hotel, Motel or Motor Hotel

In accordance with Section 13.

Other Uses

(a) Lot Frontage (Minimum)

30 m

Except that in the case of a lot fronting on Highway 48, the minimum lot frontage shall be 45 m.

(b) Lot Area (Minimum)

4,000 m²

(c) Front Yard (Minimum)

12 m

Except that in the case of a lot fronting on Highway 48, the minimum front yard shall be 14 m.

(d) Exterior Side Yard (Minimum)

12 m

Except that in the case of a lot flanking on Highway 48, the minimum exterior side yard shall be 14 m.

(e) Rear Yard (Minimum)

8 m

(f) Interior Side Yard (Minimum)

6 m

Except that where said yard abuts an R zone, its minimum shall be 9 m.

(g) Lot Coverage (Maximum)

30%

(h) Height of Building (Maximum)

11 m

(i) Open Storage

Open storage of goods, materials, boats and vehicles shall be permitted in the 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.

(j) Accessory Uses, Buildings or Structures, Parking, Planned Width of Street Allowance and all Other General Provisions

In accordance Section 5.

12.5 SPECIAL PROVISIONS

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

Notwithstanding any provision of 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 of 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 of 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 m.

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 m 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 m of lands zoned 'RC-3'.

Notwithstanding any provision of this By-law to the contrary,

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

Notwithstanding any provision of 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 of this By-law to the contrary, the minimum rear yard requirement shall be 3.5 m. 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 of 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 of 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
- Cub, commercial or private
- Golf course, miniature
- Restaurant
- Retail use accessory to a hotel or motel
- Service shop, personal
- Theatre
- Tourist information centre
- Accessory uses, buildings or structures 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 of this By-law to the contrary, only the following uses shall be permitted:

- Antique shop or craft shop
- Building supply and equipment establishment

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- Business or professional office
- Clinic, veterinary
- 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 uses, buildings or structures to any permitted use

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

Notwithstanding any provision of 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, 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 m²
- Accessory uses, buildings or structures to any permitted use

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

Notwithstanding any provision of 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 York Region 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
- 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 2.236
- Accessory uses, buildings or structures 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 of this By-law to the contrary, a day nursery shall also be a permitted use.

SECTION 13 – OTHER REQUIREMENTS FOR COMMERCIAL USES

13.1 MOTOR VEHICLE FUEL BAR AND MECHANICAL GARAGES

(a) Lot Frontage (Minimum)

40 m

Except that in the case of a lot fronting on Highway 48, the minimum lot frontage shall be 45 m.

(b) Lot Depth (Minimum)

40 m

(c) Front Yard (Minimum)

15 m

(d) Exterior Side Yard (Minimum)

15 m

(e) Rear Yard (Minimum)

8 m

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 m.

(f) Interior Side Yard (Minimum)

8 m

(g) Lot Coverage (Maximum for all Buildings)

20%

(h) Driveways

Driveways will be governed by the provisions of Section 5.26(h), except that the minimum distance between an interior side lot line and the nearest driveway shall be 3 m.

(i) Fuel Pump Island

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 m.

(j) Accessory Uses, Buildings or Structures, Parking, Planned Width of Street Allowance and all Other General Provisions

In accordance with Section 5.

13.2 HOTEL, MOTEL OR MOTOR HOTEL

(a) Lot Frontage (Minimum)

45 m

Except that where served by municipal sanitary sewers, the minimum lot frontage shall be 25 m.

Except that in the case of a lot fronting on Highway 48, the minimum lot frontage shall be 45 m.

(b) Lot Area (Minimum)

Private Sewage Disposal System

4,000 m² plus an area of 280 m² for the first eight guest rooms and for each additional guest room thereafter.

Municipal Sanitary Sewers

900 m² plus an area of 95 m² for the first eight guest rooms and for each additional guest room thereafter.

(c) Front Yard (Minimum)

12 m

Except that in the case of a lot fronting on Highway 48, the minimum front yard shall be 14 m.

(d) Exterior Side Yard (Minimum)

12 m

Except that in the case of a lot fronting on Highway 48, the minimum exterior side yard shall be 14 m.

(e) Rear Yard (Minimum)

8 m

(f) Interior Side Yard (Minimum)

8 m

(g) Dwelling Unit Area (Minimum)

18 m²

(h) Lot Coverage (Maximum)

35%

(i) Height of Building (Maximum)

11 m

(j) Walls Containing Habitable Room Windows

Walls containing habitable room windows and facing each other shall be a minimum distance apart of 15 m.

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) Number of Buildings per Lot

Limited only by the other provisions of this Section.

(l) Landscaped Open Space (Minimum)

35%

(m) Accessory Uses, Buildings or Structures, Parking, Planned Width of Street Allowance and all Other General Provisions

In accordance with Section 5.

13.3 SPECIAL PROVISIONS

SECTION 14 – RESTRICTED INDUSTRIAL (M1) ZONE

14.1 PERMITTED RESIDENTIAL USES

- One accessory dwelling for the owner, manager or caretaker of a permitted and established non-residential use

14.2 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 5.43
- Cannabis production facility, designated
- Cannabis production facility, licensed
- Commercial use incidental to, and on the same site as, a permitted and established industrial use
- Contractor's or tradesman's shop
- Dry cleaning plant
- Equipment sales establishment
- Garage, mechanical
- Motor vehicle cleaning establishment
- Printing shop
- Public storage building
- Service shop, heavy or light
- Warehouse
- Wholesale establishment

14.3 ZONE REQUIREMENTS – RESIDENTIAL USES

In accordance with Section 6.4.

14.4 ZONE REQUIREMENTS – NON-RESIDENTIAL USES

Garage, Mechanical

In accordance with Section 13.

Other 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 m.

(b) Lot Area (Minimum)

Private Sanitary Services 4,000 m²

Municipal Sanitary Sewers Nil

(c) Front Yard (Minimum)

15 m

(d) Exterior Side Yard (Minimum)

15 m

(e) Rear Yard (Minimum)

11 m

Except that where the rear yard abuts a zone that permits a residential use, the minimum rear yard shall be increased to 15 m.

(f) Interior Side Yard (Minimum)

6 m

Except that where the interior side yard abuts a zone that permits a residential use, the minimum interior side yard shall be increased to 15 m.

(g) Lot Coverage (Maximum)

20%

Except that where served by sanitary sewers, the maximum coverage maybe increased to 50%.

(h) Height of Building (Maximum)

11 m

(i) Open Storage

Not permitted.

(j) Accessory Uses, Buildings or Structures, Parking, Planned Width of Street Allowance and all Other General Provisions

In accordance with Section 5.

14.5 SPECIAL PROVISIONS

14.5.1 M1-1 PART LOT 16, CONCESSION 7 (NG)

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

Lot Frontage (Minimum) 60 m

Lot Area (Minimum) 8,000 m²

Rear Yard (Minimum) 15 m

Interior Side Yard (Minimum) 15 m

Further, a mechanical garage shall not be a permitted use.

14.5.2 M1-6 PART OF LOT 11, CONCESSION 6 (G)

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

Minimum number of loading spaces required 1

Minimum number of parking spaces required 17

Required parking spaces may be located in all yards.

14.5.3 M1-7 PART OF LOT 1, CONCESSION 4 (G)

Notwithstanding any provision of 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 uses, buildings or structures to any permitted use.

14.5.4 M1-8 PART OF LOT 13, CONCESSION 4 (NG)

Notwithstanding any provision of 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 m of the 'M1-8' zone.

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

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

Front Yard (Minimum) 14 m

Interior Side Yard (Minimum) 9 m

14.5.6 M1-12 PART LOT 16, CONCESSION 4 (G)

Notwithstanding any provision of 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 m from the easterly limit of the 'M1-12' zone boundary and within 46 m 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.

14.5.7 M1-14 PART OF LOT 1, CONCESSION 5 (G)

Notwithstanding any provision of 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 5.43
- Commercial use incidental to, and on the same site as, a permitted and established 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 uses, buildings or structures to any permitted use

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

Notwithstanding any provision of 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 m.

14.5.9 M1-18 PART LOT 5, CONCESSION 9 (NG)

Notwithstanding any provision of 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 5.43
- A commercial use incidental to, and on the same site as, a permitted and established industrial use

- Dry industrial use (agriculture related)
- Service shop, light
- Warehouse
- Accessory uses, buildings or structures 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 m².

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.

**14.5.10 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 uses, buildings or structures to any permitted uses

Further, the minimum rear yard and minimum easterly interior side yard shall be 200 m and 30 m, respectively.

In addition, the required parking area for a permitted non-residential use shall be subject to a minimum rear yard setback of 200 m, and a minimum easterly interior side yard setback of 30 m.

14.5.11 M1-25 PART OF LOT 13, CONCESSION 4 (NG)

Notwithstanding any provision of this By-law to the contrary, the minimum front yard setback shall be 8 m.

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 m; and,
- Such open storage shall not cover more than 10% of the lot area.

SECTION 15 – GENERAL INDUSTRIAL (M2) ZONE

15.1 PERMITTED RESIDENTIAL USES

- One accessory dwelling for the owner, manager or caretaker of a permitted and established non-residential use

15.2 PERMITTED NON-RESIDENTIAL USES

- All uses permitted in the M1 zone
- Building supply and equipment establishment
- Bulk fuel storage establishment
- Garage, autobody
- Garage, bus or truck
- Manufacturing or industrial establishment, not necessarily conducted and contained within a building, excluding a salvage yard
- Motor vehicle sales establishment – commercial and recreational vehicles
- Terminal, bus or truck
- Truck driving centre
- Welding shop

15.3 ZONE REQUIREMENTS – RESIDENTIAL USES

In accordance with Section 6.4.

15.4 ZONE REQUIREMENTS – NON-RESIDENTIAL USES

Auto Body Garages

In accordance with Section 13 for a mechanical garage.

Other 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 m.

(b) Lot Area (Minimum)

4,000 m²

Except if served by sanitary sewers, no minimum lot area required.

(c) Front Yard (Minimum)

15 m

(d) Exterior Side Yard (Minimum)

15 m

(e) Rear Yard (Minimum)

11 m

Except that where the rear yard abuts a zone permitting a residential use, the minimum rear yard shall be increased to 15 m.

(f) Interior Side Yard (Minimum)

6 m

Except that where the rear yard abuts a zone permitting a residential use, the minimum side yard shall be increased to 15 m.

(g) Lot Coverage (Maximum)

20%

(h) Height of Building (Maximum)

11 m

(i) Gatehouse

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 m from any lot line.

(j) Open Storage

Open storage of goods, materials and vehicles shall be permitted in the 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.

(k) Accessory Uses, Buildings or Structures, Parking, Planned Width of Street Allowance and all Other General Provisions

In accordance with Section 5.

15.5 SPECIAL PROVISIONS

15.5.1 M2-2 PARTS OF LOTS 1 & 2, CONCESSION 8 (NG)

Notwithstanding any provision of this By-law to the contrary, a recycling establishment limited to construction materials shall be a permitted use.

15.5.2 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.

15.5.3 M2-9 PART OF LOTS 2 & 3, CONCESSION 4 (NG)

Notwithstanding any provision of 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
- Contractor's or tradesman's yard
- Warehouse
- Building supply and equipment establishment
- Accessory uses, buildings or structures to any permitted use

Further, a smelter, smelter related uses or bulk fuel storage establishment shall not be permitted.

15.5.4 M2-10 PART LOT 1, CONCESSION 5 (G); PART 3, PLAN 65R-1719; 2 ELLISVIEW ROAD

Notwithstanding any provision of 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; 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.'

15.5.5 M2-11 PART OF LOT 15, CONCESSION 9 (NG); 4440 BASELINE ROAD

Notwithstanding any provision of 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 m

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Rear Yard (Minimum):	15 m
Interior Side Yard (Minimum):	15 m
Lot Coverage (Maximum):	N/A
Height (Maximum):	N/A
Planting Strip (Minimum):	5 m wide along any portion of a lot line which abuts lands zoned R or RU-C

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 m by 11 m area identified on Schedule 'C-12'. The maximum height of the leftover concrete material shall be 3 m.

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 this By-law.

The following regulations shall apply to new accessory open storage, buildings, and structures:

Front Yard (Minimum):	10 m
Rear Yard (Minimum):	10 m
Interior Side Yard (Minimum):	10 m
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 16 – EXTRACTIVE INDUSTRIAL (M3) ZONE

16.1 PERMITTED RESIDENTIAL USES

- Prohibited

16.2 PERMITTED NON-RESIDENTIAL USES

- Aggregate crushing establishment
- Aggregate recycling establishment
- Aggregate screening establishment
- Aggregate washing establishment
- Asphalt plant
- Batching plant
- Manufacture of concrete products
- Pit
- Quarry

16.3 ZONE REQUIREMENTS – RESIDENTIAL USES

Not applicable.

16.4 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 m.

(b) Building, Structure or Product Stockpile Setback

No building, structure or product stockpile shall be located closer than 30 m 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 and Forestry issues the pit license are zoned R, the setback shall be increased to provide a minimum distance of 90 m from such R zone.

(c) Pit or Quarry Excavation Setbacks

No pit or quarry excavation shall be closer than 30 m to a street and 15 m to a rear or side lot line, except where the abutting property is zoned 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 m 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.

(e) Accessory Uses, Buildings or Structures, Parking, Planned Width of Street Allowances and all Other General Provisions

In accordance with Section 5.

16.5 SPECIAL PROVISIONS

SECTION 17 – STORAGE INDUSTRIAL (M4) ZONE

17.1 PERMITTED RESIDENTIAL USES

- Prohibited

17.2 PERMITTED NON-RESIDENTIAL USES

- Recycling facility, motor vehicles
- Storage depot

17.3 ZONE REQUIREMENTS – RESIDENTIAL USES

Not applicable.

17.4 ZONE REQUIREMENTS – NON-RESIDENTIAL USES

(a) Lot Frontage (Minimum)

30 m

Except that in the case of a lot fronting on Highway 48, the minimum lot frontage shall be 45 m.

(b) Front Yard (Minimum)

60 m

Including the fence mentioned in Section 17.4 (f).

(c) Exterior Side Yard (Minimum)

60 m

Including the fence mentioned in Section 17.4 (f).

(d) Rear Yard (Minimum)

9 m

(e) Interior Side Yard (Minimum)

60 m

(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 m 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 mentioned above, or trees.

For the purpose of this subsection, a fence or wall shall not be considered a building or structure.

(g) Accessory Uses, Buildings or Structures, Parking, Planned Width of Street Allowance and all Other General Provisions

In accordance with Section 5.

17.5 SPECIAL PROVISIONS

17.5.1 M4-2 PART OF LOT 18, CONCESSION 3 (G)

Notwithstanding any provision of 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 6.1.

17.5.2 M4-5 PART LOT 3, CONCESSION 6 (NG)

Notwithstanding any provision of this By-law to the contrary, a recycling facility and public garage, mechanical shall be permitted.

17.5.3 M4-6 PART OF LOTS 2 & 3, CONCESSION 4 (NG)

Notwithstanding any provision of this By-law to the contrary, the following are the only permitted non-residential uses:

- Recycling facility, motor vehicles
- Accessory uses, buildings or structures to any permitted use

Further, a smelter, smelter related uses or bulk fuel storage establishment shall not be permitted.

17.5.4 M4-7 PART OF LOT 3, CONCESSION 6 (NG)

Notwithstanding any provision of 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 any provision of this By-law to the contrary, 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 m 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 18 – DISPOSAL INDUSTRIAL (M5) ZONE

18.1 PERMITTED RESIDENTIAL USES

- Prohibited

18.2 PERMITTED NON-RESIDENTIAL USES

- Recycling facility
- Sewage treatment facility
- Waste disposal site

18.3 ZONE REQUIREMENTS – RESIDENTIAL USES

Not applicable.

18.4 ZONE REQUIREMENTS – NON-RESIDENTIAL USES

(a) Yards (Minimum)

30 m

(b) Accessory Uses, Buildings or Structures, Parking, Planned Width of Street Allowance and all Other General Provisions

In accordance with Section 5.

18.5 SPECIAL PROVISIONS

SECTION 19 – AIRFIELD (A) ZONE

19.1 PERMITTED RESIDENTIAL USES

- One single detached dwelling

19.2 PERMITTED NON-RESIDENTIAL USES

- Aerodrome (private)
- Airport
- Club, private
- Day care, private home
- Home occupation

19.3 ZONE REQUIREMENTS – RESIDENTIAL USES

In accordance with Section 6.1.

19.4 ZONE REQUIREMENTS – NON-RESIDENTIAL USES

(a) Lot Frontage (Minimum)

180 m

(b) Lot Area (Minimum)

20 ha

(c) Yards (Minimum)

60 m

(d) Aerodrome

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:

- No lot having less area than 20 ha shall be used for a private aerodrome;
- No person shall maintain or store more than two aircraft on any lot;
- 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 m from any building used for residential purposes;
- No runway, hangar, or parking/storage of aircraft shall be located closer than 180 m to any residential dwelling located on an adjacent lot, nor 100 m to any lot line; and,
- 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.

(e) Airport

In accordance with the provisions for an aerodrome.

(f) Exceptions to Non-Residential Provisions

Notwithstanding Sections 19.4(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.

(g) Accessory Uses, Buildings or Structures, Parking, Planned Width of Street Allowance and all Other General Provisions

In accordance with Section 5.

19.5 SPECIAL PROVISIONS

SECTION 20 – OPEN SPACE (OS) ZONE

20.1 PERMITTED RESIDENTIAL USES

- Prohibited

20.2 PERMITTED NON-RESIDENTIAL USES

- Conservation use
- Existing cemetery
- Golf course
- Park
- Refreshment booth

20.3 ZONE REQUIREMENTS – RESIDENTIAL USES

Not applicable

20.4 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 m.

(b) Yards (Minimum)

9 m

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 m.

(c) Lot Coverage (Maximum)

20%

(d) Height of Building (Maximum)

11 m

(e) Accessory Uses, Buildings or Structures, Parking, Planned Width of Street Allowance and all Other General Provisions

In accordance with Section 5.

20.5 SPECIAL PROVISIONS

SECTION 21 – INSTITUTIONAL (I) ZONE

21.1 PERMITTED RESIDENTIAL USES

- One accessory dwelling or dwelling unit for the owner, manager or caretaker of a permitted and established non-residential use

21.2 PERMITTED NON-RESIDENTIAL USES

- Auditorium
- Church
- Clinic, health care
- Club, private
- Day care, private home
- Day nursery
- Existing cemetery
- Hospital, private or public
- Nursing home
- School, private or commercial
- School, public

21.3 ZONE REQUIREMENTS – RESIDENTIAL USES

In accordance with Section 21.4.

21.4 ZONE REQUIREMENTS – NON-RESIDENTIAL USES

(a) Lot Frontage (Minimum)

Nursing Home 45 m

Except that where served by municipal sanitary sewers, the minimum lot frontage shall be 30 m

Other Uses 30 m

Except that in the case of a lot fronting on Highway 48, the minimum lot frontage shall be 45 m.

(b) Lot Area (Minimum)

Private Sewage Disposal System

All Uses 4,000 m²

Plus an area of 280 m² for the first eight beds and for each additional bed thereafter, in a nursing home.

Municipal Sanitary Sewers

Nursing Home 900 m²

Plus an area of 95 m² for the first eight beds and for each additional bed.

Other Uses 1,800 m²

(c) Front Yard (Minimum)

15 m

Except that in the case of a lot fronting on Highway 48, the minimum front yard shall be 14 m.

(d) Exterior Side Yard (Minimum)

11 m

Except that in the case of a lot flanking Highway 48, the minimum exterior side yard shall be 14 m.

(e) Rear Yard (Minimum)

12 m

Except that where the rear yard abuts a zone that permits a residential use, the minimum rear yard shall be 15 m.

(f) Interior Side Yard (Minimum)

5 m

Except that where the interior side yard abuts a zone that permits a residential use, the minimum interior side yard shall be 8 m.

(g) Dwelling Unit Area (Minimum)

18 m²

(h) Lot Coverage (Maximum)

35%

(i) Height of Building (Maximum)

12 m

(j) Walls Containing Habitable Room Windows – Nursing Home

Walls containing habitable room windows and facing each other shall be a minimum distance apart of 15 m.

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) Number of Buildings per Lot

Limited only by the other provisions of this Section.

(l) Landscaped Open Space (Minimum)

School, Public	Nil
Other Uses	35%

(m) Open Storage

The storage of goods or material shall only be permitted in a wholly enclosed building.

(n) Accessory Uses, Buildings or Structures, Parking, Planned Width of Street Allowance and all Other General Provisions

In accordance with Section 5.

21.5 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 Town, 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.

READ and enacted this ___ day of _____, 2023.

Margaret Quirk, Mayor

Rachel Dillabough, Town Clerk