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Phase 2 Definitions Report

Town of Whitby Comprehensive Zoning By-law Study

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Prepared For:



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1 Introduction



This report forms part of the Whitby Zoning By-law Review Study, a comprehensive phased undertaking that sets out to update Whitby's existing Zoning By-laws into a new single Comprehensive Zoning By-law for the Town. The overall intent of the Zoning By-law Review Study is to create a new Comprehensive Zoning By-law that will implement the Official Plan, that is clear, concise and easy to read and that provides necessary land use and built form direction while being flexible in implementation where appropriate.

Phase 1 of the Study consisted of a thorough review of the Town's existing Zoning By-laws, Zoning By-Law #1784 ("1784"), Zoning By-Law #2585 ("2585") and Oak Ridges Moraine Zoning By-Law #5581-05 ("5581-05"), as well as an identification of issues and opportunities.

Phase 2 focuses on analyzing the issues identified in the Phase 1 reports in order to develop options and recommendations.

The objective of this report is to build on the definitions analysis conducted in Phase 1 of this study. Specifically this report examines the definitions identified in Phase 1 for further review.

Section 1: Introduction – Introduces the Phase 2 Definitions Report and provides a brief overview of the Phase 1 Report.

Section 2: Best Practice Review – Provides recommendations on the definitions that were flagged for further consideration in Phase 1 of this Study, based on comparison against other municipalities' definitions.

Section 3: Conclusions and Next Steps – Provides a summary of the report and addresses next steps for the Study.

1.1 Summary of the Phase 1 Report

In the Phase 1 Definitions Report, all of the existing definitions from the three Zoning By-laws were compared in a table and categorized into the following:

- **Carry Forward:** One of the existing definitions is to be brought forward into the new Zoning By-law;
- **Carry Forward with Edits:** One of the existing definitions is to be brought forward, with some revisions;
- **Consider Further:** The need for the definition or further review of the appropriate wording of the definition will be considered in more detail in Phase 2 of this Study; and
- **Delete:** The definition is no longer needed and is recommended to be deleted.

As is noted in the Phase 1 report, the analysis was preliminary. As the ultimate draft Comprehensive Zoning By-law is prepared, likely definitions that were identified as Carry Forward, may be deemed to not be needed. Both terms categorised as “Carry Forward” and Carry Forward with Edits” may ultimately need further revisions based on how the term is ultimately used in the new Comprehensive Zoning By-law. Definitions flagged as “deleted” may ultimately be included if deemed necessary. As the project moves forward, the list of definitions will shift to align with those required to interpret the by-law as it is written, ensuring that new definitions are added, as needed, and those not used in the by-law are deleted.

The definitions marked as “Consider Further” were generally made up of two categories:

- Definitions that may or may not be ultimately needed as determined through the writing of the draft Comprehensive Zoning By-law; and
- Definitions that could be improved upon.

It is the second of the two categories above that is the focus of this report, where a review of best practices could identify where definitions could be improved upon.

2 Best Practice Review



Those definitions that could be improved upon were compared to similar definitions from other municipalities in a best practice review that is included in **Table 1**. In addition, where a comment on a specific definition was received from the public or agencies, these definitions were also included in the best practice review in **Table 1**.

Table 1 includes:

- The existing definitions in the Whitby Zoning By-laws;
- The Phase 1 comment which describes what additional review is required in Phase 2;
- Examples of definitions from other municipal Zoning By-laws; and
- A recommendation on how to revise the definition.

Six municipalities with relatively recent Zoning By-laws were chosen to be part of the best practice review including Ajax, East Gwillimbury, Grimsby, Newmarket, St. Catharines and Vaughan.

Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
ACCESSORY BUILDING	N/A	N/A	Means any building the use of which is normally incidental to, and subordinate to, the use of the main building or to the principal use of the lot on which such accessory building is located. Such accessory building shall be separate from the main building.	This definition was flagged in Phase 1 to consider further in relation to the definition of accessory structure.	Accessory Building or Structure Shall mean a detached building or structure that is subordinate to and customarily incidental to the principal building, structure or use on the same lot.	Accessory Building or Structure A detached building or structure, the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to the main use or building, and located on the same lot.	Accessory Building or Structure Means a building or structure naturally and normally incidental to, subordinate to or exclusively devoted to a principal use or building and located on the same lot as the principal building or use, and includes a detached garage and a detached carport.	Building or Structure, Accessory Means a detached building or structure, the use of which is incidental, subordinate and exclusively devoted to a main building or main use on the same lot. By-law 2011-25.	Accessory Structure Means a detached building, structure or pool that is incidental and secondary to the principal use(s) on the same lot.	Accessory Means incidental, subordinate, and devoted exclusively to a principal use, building or structure, as applicable within the context in which the term accessory is used.	Of the definitions, 5581-05 is considered clear and succinct. Use 5581-05 definition and the term “accessory building” but revise to include both a building and structure. Recommended definition: “Means any detached building or structure, the use of which is normally incidental to, and subordinate to, the use of the main building or to the principal use on the same lot.”

Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
ACCESSORY APARTMENT /ACCESSORY BUILDING	Means a separate, self-contained area within a dwelling house, used or intended to be used by one or more persons, which contains cooking, eating, living, sleeping and sanitary facilities.	Means a separate, self-contained area within a dwelling, used or intended to be used by one or more persons, which contains cooking, eating, living, sleeping and sanitary facilities.	N/A	This definition was flagged in Phase 1 to compare against other examples in order to improve clarity.	Accessory Apartment Shall mean a separate dwelling unit that is located within the structure of a detached, semi-detached, linked villa, or duplex dwelling unit and which is subordinate or incidental to the principal dwelling.	Accessory Apartment A separate dwelling unit that is subsidiary to and contained within a single-detached, semi-detached, duplex, townhouse, back to-back townhouse, or stacked townhouse dwelling unit.	Secondary suite Means a second dwelling unit wholly within a permitted detached or semi-detached dwelling.	Dwelling Unit, Accessory Means a separate dwelling unit that is located within the structure of a detached or semidetached dwelling unit and which is clearly subordinate or incidental to the principal dwelling.	Dwelling Unit, Interior Accessory Means a separate dwelling unit that is contained within the principal dwelling.	Secondary Suite Means a dwelling unit that is accessory to a principal dwelling unit.	<p>The Vaughan example is clear and simple. It's use is recommended, updated to clarify where an accessory apartment can exist. Consistent with the Planning Act, the term "additional dwelling unit" should be used.</p> <p>Recommended definition: "Means a dwelling unit that is accessory to a principal ground oriented dwelling unit and may be located within or in a separate building than the principle dwelling unit."</p>

Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
ACCESSORY STRUCTURE	Means any structure the use of which is normally incidental to, and subordinate to, the use of the main building or to the principal use of the lot on which such accessory structure is located, but does not include a structure used for human habitation, or any occupation for gain or profit. Such accessory structure shall be separate from the main building.	Same as 2585	Means any structure the use of which is normally incidental to, and subordinate to, the use of the main building or to the principle use of the main building or to the principal use of the lot on which such accessory structure is located. Such accessory structure shall be separate from the main building.	This definition was flagged in Phase 1 to consider further in relation to the definition of accessory building.	Same as Accessory Building.	Same as Accessory Building.	Same as Accessory Building.	Same as Accessory Building.	Same as Accessory Building.	Same as Accessory Building.	Delete this definition in favour of accessory building.

<p>ASSEMBLY HALL</p>	<p>Means a building or part of a building in which facilities are provided for such purposes as meetings for civic, educational, political, religious, or social purposes and shall include a banquet hall or private club.</p>	<p>Same as 2585.</p>	<p>N/A</p>	<p>This definition was flagged in Phase 1 to consider further in relation to the definition of banquet hall.</p>	<p>Place Of Assembly Shall mean a premises in which facilities are provided for the gathering of people.</p>	<p>N/A</p>	<p>Club Means a building or part of a building used as a meeting place for members of an organization, including an athletic, social or recreational club, a lodge, a fraternity or sorority house and a labour union hall or other similar organization.</p>	<p>Place of Assembly Means a premises in which facilities are provided for the gathering of people.</p>	<p>Place of Assembly/ Banquet Hall Means premises providing a room or room to accommodate gatherings of people for events including but not limited to trade shows, banquets, weddings and conventions, and does not include a Place of Worship.</p>	<p>Place of Assembly Means premises used to accommodate the gathering of people for events such as trade shows, banquets, conferences, meetings, seminars, workshops or other similar events and may include accessory food preparation, but shall not include a place of worship as a meeting place for members of an organization and shall include a lodge, a fraternity or sorority house, a banquet hall, a labour union hall or similar organization.</p>	<p>The term "Place of Assembly/Banquet Hall is recommended, similar to St. Catharines. Update definition and clarify that food services can be provided.</p> <p>Recommended definition: "Means a premises used to accommodate the gatherings of people for events such as meetings for civic, educational, political, religious, or social purposes, trade shows, banquets, weddings, conferences and conventions, and shall include a banquet hall or private club, labour union halls, lodges legion halls, fraternal organizations, and may also include venues where food and beverages are prepared and served."</p>
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Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
PRIVATE CLUB/ FRATERNAL ORGANISATION	Means a building, or structure, or portion thereof, used as a place of assembly for an organization, and shall include a lodge, a service club, a fraternity or sorority, or a labour union.	Means a building or structure, or portion thereof, used as a place of assembly for an organization which shall include a police club, a lodge, a service club or a labour union.	N/A	This definition is reviewed in relation to the definition of assembly hall above.	N/A	Club, Private: Means a building or part of a building used as a meeting place for members of an organization, such as a lodge, fraternity, sorority house or labor union hall, not operated for commercial gain.	Club Means a building or part of a building used as a meeting place for members of an organization, including an athletic, social or recreational club, a lodge, a fraternity or sorority house and a labour union hall or other similar organization.	N/A	N/A	N/A	Combine use with assembly hall above.

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	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
BANQUET HALL	N/A	Means a building or part of a building used for the purpose of catering to banquets, receptions, weddings or similar functions for which food and beverages are prepared and served.	N/A	This definition was flagged in Phase 1 to consider further in relation to the definition of assembly hall.	Banquet Facility Shall mean a premises for the purpose of catering to banquets, receptions, weddings or similar functions for which food and beverages are prepared and served.	Banquet Hall An establishment used for catering to banquets, weddings, receptions or similar functions for which food and beverages may be prepared and/or served, but does not include a restaurant or a trade and convention centre.	N/A	Banquet Facility Means a premises used for the purpose of catering to large groups of people for which food and beverages are prepared and served.	Same as Assembly Hall.	Banquet Hall Means premises used to accommodate gatherings for specific events and may include the incidental preparation and sales of food and beverages.	Delete in favor of assembly hall.

Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
AUTOMOBILE SERVICE COMPOUND	N/A	<p>1784 Exceptions Means a vehicle storage area associated with a public garage, where each vehicle is temporarily parked on the ground. Such use shall, notwithstanding any other provision of this By-law, be located any closer than 100 m from the front yard or 3.0 m from any other property or greenbelt zone and shall not have an area exceeding 4,000 m². (M1A-AC-1:Exception 1)</p>	N/A	<p>This definition was flagged in Phase 1 to remove regulations from the definition, as well as to consider how it relates to the public garage definition and whether vehicle storage should be permitted.</p>	N/A	N/A	N/A	N/A	N/A	N/A	<p>This definition should be deleted and rather the site specific exception in which it is found should be updated to permit accessory outdoor car storage not exceeding 4,000 sq.m. This additional permission is required as that magnitude of outdoor parking would not be considered as-of-right as a typical accessory use.</p>

<p>AUTOMOBILE SERVICE STATION / AUTOMOBILE SERVICE CENTRE /PUBLIC GARAGE</p>	<p>Automobile Service Centre means a building or place where motor vehicle fuel, oil, grease, and other related products are sold on a retail basis, where minor repairs are made or performed and where motor vehicles may be greased and oiled.</p> <p>PUBLIC GARAGE means a building or part of a building in which motor vehicles are repaired, maintained, serviced, or equipped and where motor vehicle grease and other related products, except motor vehicle fuel, are sold or kept for sale but does not</p>	<p>Automobile Service Station Same as 2585.</p> <p>AUTOMOBILE SERVICE CENTRE means a building or structure comprised of one or more of the following uses: a public garage; automobile service shop; an automobile collision centre; and a motor vehicle rental agency.</p> <p>PUBLIC GARAGE Same as 2585.</p>	<p>Public Garage Same as 2585.</p>	<p>This definition was flagged in Phase 1 as the concept of a service station selling gas and repairing vehicles is outdated. The use should be separated into two: Gas Bar which is defined separately in the by-law and Automotive Service Centre/Public Garage.</p>	<p>Motor Vehicle Service Centre Shall mean a premises used for the sale of gasoline or other motor fuels delivered directly into a motor vehicle; the servicing, repairing or equipping essential to the actual operations of motor vehicles; the performance of diagnostic services on motor vehicles; the sale to the motoring public of goods usual to the trade; and may include a motor vehicle washing establishment.</p>	<p>Motor Vehicle Repair Garage An establishment where services are performed on motor vehicles for compensation and may include the installation of exhaust systems, repair of the electrical systems, transmission repair, brake repair, radiator repair, tire repair and installation, rustproofing, motor vehicle diagnostic centre, major and minor mechanical repairs, oil changes or similar use.</p>	<p>Automobile Service Garage Means a building or place where motor vehicles are serviced or repaired.</p>	<p>Motor Vehicle Service Shop Means a premises used to conduct repairs of motor vehicles of a mechanical or structural nature and may include an associated towing service, and motor vehicle rentals but does not include a motor vehicle body shop or impound yard. May also include a premises used to conduct diagnostic services, minor repairs, equipping of motor vehicles or in which the replacement of incidental parts and services to motor vehicles are completed while the customer waits.</p>	<p>Motor Vehicle Repair Garage Means a premises where mechanical repairs on motor vehicles and/or boats including routine maintenance, painting and body repairs are performed and may include a motor vehicle gas station.</p>	<p>Motor Vehicle Repair Means premises used for the mechanical repair, equipping, maintenance, or servicing of motor vehicles.</p>	<p>These three terms, automobile service station, automobile services centre and public garage, should be combined as one. The term "automobile service station" will be kept, but it will be defined as per the existing definition of public garage.</p> <p>Recommended definition: "Means a building or part of a building in which motor vehicles are repaired, maintained, serviced, or equipped but does not include a car wash, a gas bar, an automobile sales establishment or a motor vehicle paint and body shop. "</p>
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	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
	include a car wash, an automobile sales establishment or a motor vehicle paint and body shop.										

<p>CLINIC</p>	<p>Means a building or part of a building in which two or more medical practitioners, dentists or drugless practitioners provide consultation, diagnosis, and/or treatment of patients, and includes joint usage of facilities such as accessory administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies or other similar functions, but shall not include accommodation for in-patient care or facilities for surgical procedures which require hospitalization according to criteria approved by the College of</p>	<p>Means a building or part of a building in which two or more medical practitioners, dentists or drugless practitioners provide consultation, diagnosis, and/or treatment of patients, and includes joint usage of facilities such as accessory offices, waiting rooms, treatment rooms, laboratories, pharmacies or other similar functions, but shall not include accommodation for in-patient care or facilities for surgical procedures which require hospitalization according to criteria approved by the College of Physicians</p>	<p>Same as 2585.</p>	<p>This definition was flagged in Phase 1 to consider if the number of practitioners should be regulated, what type of professionals should be included, and if there are opportunities to simplify and clarify.</p>	<p>Medical Clinic Shall mean a premises containing two or more offices where medical, dental, and/or therapeutic diagnosis and treatment is provided to the general public without overnight accommodation and may include accessory dispensary facilities.</p>	<p>Medical Office An establishment used for the medical, dental, surgical and/or therapeutic treatment of human beings including clinics operated by a number and/or variety of medical professionals, but does not include a hospital.</p>	<p>Clinic Means a building or part thereof used by qualified medical practitioners, dentists, osteopaths, or other drugless practitioners.</p>	<p>Medical Clinic Means a walk-in premises where members of the medical profession provide diagnosis and treatment to the public without overnight accommodation and may include accessory dispensary facilities.</p>	<p>N/A</p>	<p>Clinic Means premises used for the examination, diagnosis and/or treatment of outpatients and/or health professionals, including a massage establishment, as well as accessory uses such as associated laboratories, facilities and equipment, drug and optical dispensing to outpatients, and the accessory sales of medical supplies and equipment.</p>	<p>Vaughan's definition is considered clear and concise. Can update to clarify that the use does not include a hospital. Recommended definition: "Means premises, used for the examination, diagnosis and/or treatment of outpatients by regulated health professionals, including a massage establishment, but does not include a hospital." Recommend not addressing number of practitioners in the definition. If number of practitioners needs to be regulated for the purpose of home based businesses, that should be done in the general provisions section for that use.</p>
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Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
	Physicians and Surgeons.	and Surgeons.									
CONSERVATION AREA	Means land owned, operated and/or managed by the local Conservation Authority for the purposes of promoting conservation, restoration, development and management of natural resources, recreation and education.	Same.	N/A	This definition was flagged in Phase 1 to review other example definitions in order to identify opportunities to simplify.	N/A	N/A	N/A	N/A	N/A	N/A	No similar definitions were noted in the other municipal by-laws. Will keep definition if needed in the new Comprehensive Zoning By-laws. It may not be necessary to define "conservation areas" as those owned/operated or managed by the conservation authority.

Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
DECK	Means an uncovered and unenclosed platform, whether attached to another structure or building, or not attached to another structure or building, that is load bearing and used for pedestrian passage, seating or recreation.	Same as 2585.	Same as 2585.	This definition was flagged in Phase 1 as clarification is needed for decks that are not attached to a building, as well as decks that are partially covered.	N/A	Deck Structure without a roof that rests upon the ground or is supported by a foundation that extends from the ground, which may be intended for use as an outdoor amenity area and may include a pergola or canopy, but does not include a balcony, patio or porch.	Deck Means a raised platform 0.6 metres or more above grade attached to the exterior wall of a building and with direct access from within a building and from grade.	Deck Means a platform, with no solid roof or walls, which is constructed on piers or a foundation above finished grade adjacent to a ground floor or walkout basement wall, is used as an outdoor living area, and shall include stairs and privacy screening up to 2.0 metres in height measured from the deck floor to the highest part of the privacy screen including any ornamental features.	Deck Means a platform structure without a roof which may or may not be attached to one or more walls of a building but shall not include a landing or stairs.	N/A	Use a combination from best practices: Recommended definition: "Means an uncovered and unenclosed platform structure, constructed above finished grade, and which may or may not be attached to a building, and used as an outdoor amenity area."

<p>DRY CLEANING ESTABLISHMENT</p>	<p>Means a building or part of a building, where dry cleaning, dying, cleaning, or pressing of articles of clothing and fabrics is carried on.</p>	<p>Means a building or part of a building, where dry cleaning, dying, cleaning, or pressing of articles of clothing and fabrics is carried on.</p> <p>Village of Brooklin (1784) means a building or structure, or portion thereof, where dry cleaning, dying, cleaning, or pressing of articles of clothing and fabrics is carried on, and in which only non-inflammable solvents are used which emit no odours or fumes, and in which no noise or vibration causes a nuisance or inconvenience within or</p>	<p>N/A</p>	<p>This definition was flagged in Phase 1 to investigate if the reference to non-inflammable solvents is typical.</p>	<p>Dry Cleaning Establishment Shall mean a premises in which the business of laundry or dry cleaning is undertaken and where the cleaning, drying, ironing and finishing of such goods is conducted.</p>	<p>N/A</p>	<p>Dry Cleaning Facility Means premises in which articles of fabric are subjected to the process of dry cleaning, dry dyeing or cleaning in a laundry plant and for the pressing and distribution of any such articles or goods that have been subjected to such process.</p>	<p>Dry Cleaning Establishment Means a premises in which the business of laundry or dry cleaning is housed and where the cleaning, drying, ironing, and finishing of such goods are conducted.</p>	<p>N/A</p>	<p>N/A</p>	<p>Reference to inflammable solvents appears not to be the norm. Carry forward existing definition from 2585 and 1784, but revise to provide clarity and clarify that it is not a laundromat.</p> <p>Recommended definition: "Means a building or part of a building, where dry cleaning, dying, cleaning, pressing or repairing of articles of clothing and fabrics is carried on but excludes a laundromat."</p>
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Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
		without the premises.									
DWELLING	Means a building, occupied or capable of being occupied as a home, residence, or sleeping place by one or more persons, containing one or more dwelling units.	Same as 2585.	Same as 2585.	This definition was flagged in Phase 1 to consider opportunities to simplify.	Dwelling Shall mean a building, occupied or capable of being occupied as a home, residence, or sleeping place by one or more persons, containing one or more dwelling units.	N/A	Dwelling Means a separate building containing one or more dwelling units.	N/A	N/A	Dwelling Means a building containing one or more dwelling units.	Recommend simplifying the definition to match Vaughan's, owing to the simplicity. Recommended definition: "Means a building containing one or more dwelling units."

Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
DWELLING, BLOCK TOWNHOUSE / BLOCK TOWNHOUSE DWELLING / BLOCK TOWNHOUSE	Means a building containing a minimum of three and a maximum of eight dwelling units, wherein each dwelling unit is separated from the adjacent dwelling unit by a common wall, and each dwelling unit has its own entrance from the outside and a private garage, carport, or parking space and sharing common vehicular access to a public street by a driveway, but shall not include a street townhouse dwelling.	Same.	N/A	This definition was flagged in Phase 1 to consider opportunities to simplify.	Dwelling, Multiple Attached Shall mean a dwelling that is divided vertically into three (3) or more dwelling units, each of which has independent entrances, to the front and rear of the dwelling.	N/A	Dwelling, Block Townhouse means a building or structure that is vertically divided into a minimum of three dwelling units, each of which has an independent entrance from grade to the front and rear of the building, and each of which are divided vertically above grade by a common wall adjoining dwelling units or a garage above grade and where all dwelling units are located on one lot and accessed from a private street, laneway or common condominium driveway.	N/A	N/A	Dwelling, Block Townhouse Means a street townhouse dwelling in which the dwelling units do not have individual frontage on a public road or private road. A block townhouse dwelling does not include any type of multiple-unit townhouse dwelling.	Suggest wording based on a combination of definitions. Recommended definition: “means a dwelling that is divided vertically into three (3) or more dwelling units, each of which has independent entrances dwelling and in which the dwelling units do not have individual access onto a public street.”

Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
DWELLING, FOURPLEX	Means a building, other than a converted dwelling or an apartment building containing four dwelling units where each unit has two vertical common walls and a private entrance from the outside.	Same as 2585.	N/A	This definition was flagged in Phase 1 to consider if all four units should be required to be at ground level, as currently described.	N/A	N/A	Dwelling, Fourplex Means a separate building containing only four dwelling units of which not more than two dwelling units are on the ground floor.	Dwelling, Fourplex Means a building that is divided horizontally or a combination of horizontally and vertically into four dwelling units, each of which has an independent entrance either directly to the outside or through a common vestibule.	Dwelling, Fourplex Means a building that is divided vertically and horizontally into four dwelling units each with an entrance either independent to the exterior or through a common vestibule.	N/A	Recommend using St. Catharines definition owing to simplicity and clarity, but with some refinements. Recommended definition: "Means a building that is divided horizontally or horizontally and vertically into four dwelling units, each of which has an independent entrance to the exterior of the building or through a common vestibule."
DWELLING, SINGLE DETACHED	Means a separate building containing only one dwelling unit.	Same.	Same.	This definition was flagged in Phase 1 to consider how accessory units will be addressed.	DWELLING, DETACHED Shall mean a dwelling containing only a dwelling unit or a dwelling unit and one accessory apartment.	DWELLING, SINGLE-DETACHED A building containing only one dwelling unit. This may also include an accessory apartment where permitted by the By-law.	Dwelling, Single detached Means a separate building containing not more than one dwelling unit.	Dwelling, Detached Means a building containing only one primary dwelling unit exclusive of any accessory dwelling unit.	Dwelling, Detached Means a building containing one principal dwelling unit.	Dwelling, Single Detached Means a building designed to be a single dwelling unit, and may include a secondary suite as an accessory use, where expressly permitted by this By-law.	Recommend Vaughan's definition with refinements. Recommended definition: "Means a building containing a primary dwelling unit, and up to one additional dwelling units, where expressly permitted by this By-law." Primary dwelling should also be defined as follows: means the largest dwelling unit in a building.

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	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
DWELLING UNIT, BACHELOR	Means a dwelling unit designed for occupancy by one person and consisting of a bed-living room, a bathroom and a kitchen or kitchenette.	N/A	N/A	This definition was flagged in Phase 1 to remove reference to only a single person inhabiting the unit.	N/A	N/A	N/A	N/A	N/A	N/A	<p>Recommend updating definition to remove number of people.</p> <p>Recommended definition: "Means a dwelling unit consisting of one room for living and sleeping, a bathroom and a kitchen or kitchenette."</p>

EQUIPMENT SALES AND RENTAL - LIGHT	Means a building or part of a building or structure in which light machinery and equipment, such as air compressors and related tools and accessories; augers; automotive tools; cleaning equipment; light compaction equipment; concrete and masonry equipment; electric tools and accessories; fastening devices such as staplers and tackers; floor and carpet tools; gasoline generators; jacks and hydraulic equipment; lawn and garden tools; ladders; moving equipment; painting and	N/A	N/A	This definition was flagged in Phase 1 to be updated and to clarify what "heavy machinery" is.	N/A	N/A	N/A	Light Equipment Sales and Rental Means a premises in which light machinery and equipment are offered or kept for sale, rent, lease or hire under agreement for compensation and which may include an accessory service shop.	N/A	N/A	Use can be broadened to permit a greater range of equipment. Recommended definition: "Means a premise in which machinery and equipment are offered or kept for sale, rent, lease or hire under agreement for compensation and which may include an accessory service shop."
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Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
	decorating equipment; pipe tools and accessories; plumbing tools and accessories; pumps; hoses; scaffolding; welding equipment; and other similar tools and appurtenances are offered or kept for sale, rent, lease or hire, but shall not include the sale or rental of heavy machinery and/or equipment.										

<p>ESTABLISHED FRONT BUILDING LINE</p>	<p>N/A</p>	<p>Village of Brooklin (1784) Means the average front yard as measured from the street line to the main wall of existing buildings situated on two lots on the same side of the same street which abut the property at the time of application for a building permit. In the case of a corner lot, or where one or both of the abutting lots are vacant, the next adjacent non-vacant lot shall be used in calculating the Established Front Building Line. In a Residential Zone, that portion of the main wall containing an integral garage or</p>	<p>N/A</p>	<p>This definition was flagged in Phase 1 to consider best practices and improve clarity.</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>Building Line, Established Means the average distance from the street line to existing buildings in any block where more than one-half (1/2) the frontage has been built upon, at the date of the final passing of this By-Law.</p>	<p>N/A</p>	<p>N/A</p>	<p>A combination of examples are used as a base. Recommended definition: “Means the average distance from the street line to the main wall of existing buildings situated on the two lots that abut each side of the property. In the case of a corner lot, or where one or both of the abutting lots are vacant, the next adjacent non-vacant lot shall be used in calculating the Established Front Building Line.”</p>
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Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
		carport may be setback beyond the Established Front Building Line required for the dwelling unit, where a required parking space is provided in a driveway.									

<p>ERECT</p>	<p>When used in this By-law includes building, construction, reconstruction and relocation and, without limiting the generality of the word, also includes: (a) any preliminary physical operation, such as excavating, filling or draining; (b) altering any existing building or structure by an addition, enlargement, extension or other structural change; and, (c) any work for the doing of which a building permit is required under the Building By-law of The Corporation. ERECTED and ERECTION shall have a</p>	<p>N/A</p>	<p>N/A</p>	<p>This definition was flagged in Phase 1 to undertake a best practice review to identify a more concise definition.</p>	<p>N/A</p>	<p>N/A</p>	<p>Erect Means, with reference to a building or structure, to build, construct, reconstruct or enlarge, and includes: i) Any physical operation such as excavating, filling, grading or draining preparatory to building, construction, reconstruction; and ii) The moving of a building or structure from one location of another. “Erected” and “erection” have a corresponding meaning.</p>	<p>N/A</p>	<p>N/A</p>	<p>Erect Means to build, construct, reconstruct, alter or relocate, and shall include any construction preparatory works in relation to a building or structure, such as excavating, berming, grading, piling, cribbing, filling or draining, and structurally altering any building or structure by an addition, deletion, enlargement or extension.</p>	<p>Used Vaughan’s wording, simple and concise, with refinements. Recommended definition: "Means to build, construct, reconstruct, enlarge, extend, alter or relocate, and shall include any construction preparatory works in relation to a building or structure, such as excavating, berming, grading, piling, cribbing, filling or draining, and structurally altering of any existing building or structure."</p>
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Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples					Recommendations	
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines		Vaughan
	corresponding meaning.										
EXISTING	Means existing on the date of passing of this By-law.	N/A	Means lawfully in existence on November 15, 2001, and for greater certainty does not include a use, building or structure that is in existence on that date without being lawful.	This definition was flagged in Phase 1 to consider further. In the context of the ORM, this definition will need to be tied to November 15, 2001. However, in other cases, the date of the passing of the new by-law may not be appropriate. In addition, in site specifics, a different date may apply.	Existing Shall mean existing as of the date of the final passing of this By-law.	N/A	Existing Means a use, building, structure or lot in existence on the date of the passing of this by- law.	Existing Means existing as of the date of the final passing of this By-Law.	N/A	Existing Means legally existing as of the effective date of this By- law.	The Zoning By-law 2585 definition is a standard definition and should be maintained. The Zoning By-law 5581-05 definition arises due to requirements in the ORM Plan so it should also be maintained. The new Zoning By-law will describe where the ORM definition from Zoning By-law 5581-05 is to be applied.

<p>GAS BAR</p>	<p>Means a building or structure or a group of buildings or structures designed and located in a manner so as to facilitate the dispensing of motor vehicle fuel and other related products within a kiosk, including confectionary items, sundry foods, prepared packaged foods, soft drinks, and a single banking machine or automated teller provided the sale of these items is accessory to the operation of the gas bar. A gas bar shall not include facilities for the preparation of food, service bays or other facilities for</p>	<p>Same.</p>	<p>N/A</p>	<p>This definition was flagged in Phase 1 to consider the need for this term in relation to the definition of Automobile Service Station.</p>	<p>Motor Vehicle Gas Bar Shall mean premises where gasoline or other motor fuels and oil are kept for sale and delivery directly into a motor vehicle, and does not include a motor vehicle repair facility, motor vehicle washing establishment or a motor vehicle service centre.</p>	<p>Motor Vehicle Gas Bar An establishment used for the sale of motor vehicle fuels and motor vehicle accessories, and may also include accessory retail sales of convenience foods and beverages, car washes, propane filling station, but does not include a motor vehicle repair garage.</p>	<p>Gas Station Means a building or structure used for the dispensing of motor vehicle fuels and accessories and may include an accessory convenience store.</p>	<p>Motor Vehicle Service Station Means a premises where gasoline or other motor fuels are kept for sale and delivery directly into a motor vehicle but does not include a motor vehicle repair facility or motor vehicle service shop.</p>	<p>Motor Vehicle Gas Station Means premises for the retail sale of gasoline, diesel fuel, lubricants and associated automotive fluids and may include a propane filling station.</p>	<p>Fueling Station Means premises where fuels, motor vehicle fluids, and power stations are available.</p>	<p>Grimsby's definition is the most simplistic. Recommended definition: "Means a building or structure used for the dispensing of motor vehicle fuels and accessories."</p>
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Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
	the repairing of automobiles or the changing of oil or the greasing of motor vehicles.										
GREENHOUSE	N/A	N/A	N/A	This definition was flagged in Phase 1 to consider new urban agricultural practices i.e. hydroponics, aquaponics, and vertical farming.	N/A	Greenhouse A building used for the growing of flowers, fruits, vegetables, plants, shrubs, trees and other similar agricultural products, under glass, fiberglass or plastic, that are used as inputs on the farm or may be sold either on-site or offsite and does not include a medical marihuana production facility.	Commercial Greenhouse Means a structure used to cultivate or grow floral, vegetable or other horticultural produce in a climatically controlled environment and made primarily of translucent building material usually of plastic or glass but shall not include greenhouses which are less than 46.5 square metres in area and are accessory to a residential use.	N/A	Greenhouse Means a building or structure used for the cultivation and propagation of plants.	N/A	Greenhouse is not currently defined. A comment was received about defining greenhouses. If determined to be needed, the St Catharines definition, as modified, is recommended. Recommended definition: “Means a building or structure used for the cultivation and propagation of plants and made primarily of translucent building material.”

<p>HEIGHT and HEIGHT OF BUILDING / HEIGHT, BUILDING / HEIGHT OF BUILDING</p>	<p>Means the vertical distance between the average elevation of the finished surface of the ground at the front of the building and, a) in the case of a flat roof, the highest point of roof surface or the parapet, whichever is the greater; b) in the case of a mansard roof, the deck roof line; and c) in the case of a gable, hip or gambrel roof, the mean heights between the eaves and ridge, exclusive of any accessory roof construction such as a chimney, tower, steeple or television antenna.</p>	<p>Means the vertical distance between the average elevation of the finished surface of the ground at the front of the building and, in the case of a flat roof, the highest point of the roof surface or the parapet, whichever is the greater, in the case of a mansard roof, the deck roof line, and in the case of a gable, hip or gambrel roof, the mean heights between the eaves and ridge exclusive of any accessory roof construction such as a chimney, tower, steeple, or television antenna.</p> <p>West Whitby SP Area</p>	<p>Same as 2585.</p>	<p>This definition was flagged in Phase 1 to consider how it might apply to structures and to either specifically include or exclude a parapet.</p>	<p>Height (Amended by By-law 86-2005, 38-2008) Shall mean the vertical distance from the average level of the established grade of the street in front of the building to:</p> <p>a) the highest point of any exterior wall of a flat roofed building; unless the building is located in a Downtown Central Area Zone or Village Core Mixed Use zone, in which case the measure shall exclude the height of any parapet rising above the roof deck.</p> <p>b) the mean height between the eaves and ridge of a pitched roof; or</p> <p>c) the deck roof line of a mansard roof. When no grade has been</p>	<p>Height With reference to a building or structure, the vertical distance measured from the established grade of such building or structure to:</p> <p>a) The highest point of the roof surface or the parapet, whichever is the greater, of a flat roof. Any roof having a flat portion that is greater than 15% of the total roof area is deemed to be a flat roof;</p> <p>b) The decline of a mansard roof;</p> <p>c) The mean level between eaves and the highest ridge of a gabled, hip or gambrel roof or any other type of pitched roof;</p> <p>d) In case of a structure with no roof, the highest point of the said structure.</p> <p>Notwithstandin</p>	<p>Height Means, with reference to a building, the vertical distance measured from the finished grade of the front wall of such building to:</p> <p>a) in the case of a flat roof, the highest point of the roof surface, or the parapet, whichever is the greater, and</p> <p>b) in the case of a pitched roof, a point midway between the eaves and the ridge, but in calculating the height of a building, any construction used as ornament or for the mechanical operation of the building such as a mechanical penthouse, or a chimney, tower, cupola or steeple is</p>	<p>Height Means the vertical distance measured between the average finished grade and any of the following:</p> <p>1) on a flat roof, the highest point of the roof surface or the parapet, whichever is the greater;</p> <p>2) the decline of a mansard roof;</p> <p>3) on a gabled, hip, gambrel or any other type of pitched roof, the mean distance between the eaves and ridge of a roof; or</p> <p>4) the highest point of a structure without a roof.</p>	<p>Height Means the vertical distance of a building or structure from grade</p>	<p>Height Means in reference to a building or structure, the vertical distance measured from established grade to:</p> <p>i. In the case of a flat roof, including any roof where more than half of the roof area has a slope of 15 degrees or less above the horizontal, the highest point of the roof surface or parapet, whichever is the greater;</p> <p>ii. in the case of a sloped roof, the mean height between the eaves and the ridge; or,</p> <p>iii. In the case of any structure with no roof, the highest point of the structure.</p>	<p>Use West Whitby example as a base.</p> <p>Recommended definition: "Means the vertical distance between the finished grade level and, in the case of a flat roof, the highest point of the roof surface or parapet, whichever is greater, in the case of a mansard roof, the deck roof line, in the case of a gable, hip or gambrel roof, the mean heights between the eaves and ridge, in the case of an accessory building, the highest point of the ridge, or in the case of a structure, the highest point of a structure without a roof, all exclusive of any accessory roof construction such as a chimney, tower, elevator tower, HVAC equipment, steeple, antenna or communication dish."</p>
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Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples					Recommendations	
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines		Vaughan
		<p>(1784) means the vertical distance between the finished grade level and, in the case of a flat roof, the highest point of the roof surface, in the case of a mansard roof, the deck roof line, and in the case of a gable, hip or gambrel roof, the mean heights between the eaves and ridge exclusive of any accessory roof construction such as a chimney, tower, steeple, antenna or communication dish.</p>			<p>established the level of the crown of the street upon which the building fronts at right angles to the mid point of that building shall be considered the established grade.</p>	<p>g the above, the following is not to be included in the calculation of height for the purposes of this definition: any ornamental features including towers, steeples, cupolas, ornamental domes and other roof structures which are used only as an ornament and all stairways, solar panels and all heating, ventilation and air conditioning equipment (HVAC) that is not enclosed with walls.</p>	<p>not to be included.</p>				

HOTEL	Means a building or structure or portion thereof or two or more connected or detached buildings, in which rooms are provided for rent as places of abode on a temporary or transient basis, and may contain a restaurant, convention centre, meeting rooms, or public halls, and may include, as an accessory use retail facilities provided for the convenience of hotel patrons, but shall not include an apartment dwelling, bed and breakfast establishment, boarding or lodging house, retirement home, or	Same.	N/A	This definition was flagged in Phase 1 to ensure the list of exclusions is comprehensive to the final uses defined in the new by-law. The definition could also be simplified.	Hotel Shall mean a commercial establishment offering accommodation to the travelling public on a daily rate basis and may include such accessory facilities as a restaurant, banquet facilities, meeting rooms, swimming pool and a fitness establishment.	Hotel / Motel An establishment containing lodging rooms for the travelling public and may include accessory meeting facilities, recreation facilities, a restaurant, public hall, and retail stores which are incidental and subordinate to the primary lodging function and located in the same building.	Motel or hotel Means a building or buildings consisting of a number of individual rental units, used for catering to the needs of the travelling public by furnishing sleeping accommodation with or without food.	Hotel Means a commercial establishment offering accommodation to the travelling public on a daily rate basis and may include such accessory uses as a restaurant, banquet facilities, meeting rooms, swimming pool and a fitness establishment.	Hotel/Motel Means a building(s) that provides temporary accommodation to the public for a period not exceeding 28 consecutive days, and may include independent cooking facilities and ancillary uses such as but not limited to restaurants, retail and service commercial uses, meeting and convention facilities, banquet facilities, recreation and entertainment facilities, and may also include one dwelling unit.	Hotel Means premises used for the temporary sleeping accommodation of the public, and may include accessory uses such as a restaurant, retail store, meeting rooms, business service facilities, public hall, swimming pool and fitness facilities. Hotel (Small Scale) Means a hotel containing no more than 20 guest rooms.	Ajax's simplified definition is preferred to the existing definitions. Recommended definition: "Means a building or structure wherein accommodation is offered to the travelling public on a daily rate basis and may include such accessory facilities as a restaurant, banquet facilities, meeting rooms, and recreational facilities."
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Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
crisis residence.											

INDUSTRIAL USE	N/A	N/A	N/A	N/A	N/A	<p>Industrial Use An establishment used for the indoor warehousing of goods and materials, the assembly of manufactured goods, the manufacturing of goods, the repair and servicing of goods, data processing, and similar uses, research laboratories, and printing establishments, but does not include uses such as, a motor vehicle repair garage, a motor vehicle body shop or a motor vehicle gas bar.</p>	<p>Industrial Means the manufacturing of goods, the assembly of manufactured goods, the warehousing of goods and materials, and/or the repair and servicing of goods and similar uses.</p>	<p>Use, Industrial Means the use of land, buildings or structures for the purpose of manufacturing or assembling of goods, warehousing, transportation terminals, construction and other similar uses.</p>	<p>Industry, Heavy: means premises used for: a) the manufacture or processing of products from raw materials; b) the production or use of flammable, explosive or other hazardous materials; c) outdoor processing of products and materials; d) warehouse or storage</p> <p>Industry, Light: means premises used for: a) the manufacture, processing, assembly, or packaging of finished parts or products from previously prepared materials; b) the repair or servicing of products. c) building supply storage</p>	N/A	<p>Recommend implementing Grimsby's simple and clear definition.</p> <p>Recommended definition: "Means the manufacturing of goods, the assembly of manufactured goods, the warehousing of goods and materials, and/or the repair and servicing of goods and similar uses."</p>
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Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
									and wholesale d) warehouse and storage Light Industry does not include obnoxious, dangerous or offensive trades.		
INTERNAL ROADWAY	N/A	Means a private thoroughfare over private property which provides vehicular and pedestrian access from the street to the parking areas and spaces within the residential property on which it is located.	N/A	This definition was flagged in Phase 1 to revisit how this is defined for the comprehensive treatment of access to freehold townhouses on private roads or to condominium townhouses.	Lane Shall mean a thoroughfare which affords a means of access to abutting lots and which is not intended for general traffic circulation.	Lane A right of way, which may be public or private, that is not intended for general traffic circulation and which provides motor vehicle access to an abutting property, but does not include an aisle	N/A	Lane Private Means a private thoroughfare	N/A	Lane Means a private right-of-way providing a means of access to lots abutting thereon, and is not owned by a public authority. Road, Private Means a private right-of-way providing a means of access to lots abutting thereon, and is not owned by a public authority.	A combination of best practices provides a clearer definition that would provide access to freehold lots as well as in a condominium. Recommended definition: “Means a private right-of-way providing a means of access to abutting lots, buildings, parking spaces or parking areas.”

Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
KIOSK	Means a building or structure having a gross floor area not exceeding 75 m2 and used for the housing of recording and supervisory equipment related to the operation of a gas bar, for the storing of products kept for sale related to a gas bar and for providing washroom facilities to be used in conjunction with a gas bar. A maximum of 18.5 m2 of the gross floor area of the kiosk may be devoted to the sale of convenience items.	Same.	N/A	This definition was flagged in Phase 1 to review as very few gas stations still have kiosks but rather small convenience stores.	N/A	N/A	N/A	N/A	N/A	N/A	This definition is no longer needed with the proposed definition of gas bar.

Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
LAUNDRY	N/A	Means a building or part of a building where clothing is washed, cleaned or pressed on a commercial basis, and shall include a dry cleaning plant or depot, but excluding a laundrette, coin-operated laundry or Laundromat where facilities are provided for the cleaning of clothing on a self-service basis.	N/A	This definition was flagged in Phase 1 to consider in relation to the dry cleaning establishment definition.	N/A	N/A	N/A	N/A	N/A	N/A	Delete. Refer to update of dry cleaning.

<p>LIGHT MANUFACTURING</p>	<p>N/A</p>	<p>West Whitby Secondary Plan Area (1784) means a building or part of a building for the altering, assembling, fabricating, processing, treating, or repairing of goods, wares, merchandise, substances, articles, or products.</p>	<p>N/A</p>	<p>This definition was flagged in Phase 1 to explore whether the term "light" is needed as there is no definition for simply "manufacturing".</p>	<p>Manufacturing, Light Shall mean the use of buildings or structures primarily for the purpose of manufacturing, processing, fabrication, assembly, treatment, packaging, and incidental indoor storage of goods and materials and may include accessory sales and distribution of such products but does not include basic industrial processing from raw materials, all such activities conducted wholly within one or more buildings. A food processing use shall be considered a light manufacturing use provided that no animal or animal by-products are used with or as</p>	<p>Industrial Use An establishment used for the indoor warehousing of goods and materials, the assembly of manufactured goods, the manufacturing of goods, the repair and servicing of goods, data processing, and similar uses, research laboratories, and printing establishments, but does not include uses such as, a motor vehicle repair garage, a motor vehicle body shop or a motor vehicle gas bar.</p>	<p>Industrial Means the manufacturing of goods, the assembly of manufactured goods, the warehousing of goods and materials, and/or the repair and servicing of goods and similar uses.</p>	<p>Manufacturing, Light Means the use of buildings or structures primarily for the purpose of manufacturing, processing, fabrication, assembly, treatment, packaging, or distribution and incidental indoor storage of goods and materials and may include accessory sales of such products but does not include basic industrial processing from raw materials. All such activities shall be conducted wholly within one or more buildings.</p>	<p>Industry, Light Means premises used for: a) the manufacture, processing, assembly, or packaging of finished parts or products from previously prepared materials; b) the repair or servicing of products. c) building supply storage and wholesale d) warehouse and storage Light industry does not include obnoxious, dangerous or offensive trades.</p>	<p>Manufacturing or Processing Facility Means premises for the manufacturing, assembly, processing, altering, treating, repair of products, materials or goods.</p>	<p>St. Catharines is the clearest of the example provisions and is recommended. Recommended definition: "Means premises used for: the manufacture, processing, assembly, or packaging of finished parts or products from previously prepared materials, the repair or servicing of products, or warehouse and storage Light industry does not include obnoxious, dangerous or offensive trades." For additional clarity, "heavy manufacturing" should also be defined. Recommended definition: "Means premises used for: a) the manufacture or processing of products from raw materials; b) the production or use of flammable, explosive or other hazardous materials; or c) outdoor processing of products and materials;"</p>
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Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
					a result of the use.						
MIXED USE BUILDING	N/A	West Whitby Secondary Plan Area (1784) means a building in a Mixed Use Zone containing residential uses and at least one other non-residential use.	N/A	This definition was flagged in Phase 1 to examine further the appropriateness of this definition as the Zoning By-law is developed, as varying policies of mixed use buildings vs. sites are implemented.	N/A	N/A	N/A	Dwelling, Mixed Use Building Means a building containing 4 or more dwelling units and a non-residential use. A mixed use building is not an apartment building.	N/A	Mixed-use Development Means premises, including one or more buildings, located on the same lot and used for more than one principal use, including any combination of residential, commercial, community, or employment uses, in accordance with the permitted uses of this By-law.	Definition to be considered further as the zoning by-law is developed to better describe and understand the realm of uses considered as part of a mixed use building.

Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
PHYSICIAN	Means a person licensed under The Medical Act.	N/A	N/A	This definition was flagged in Phase 1 to remove reference to the Medical Act. Also, need to consider where and how non-physician practitioners such as midwives, naturopaths etc. are contemplated by the by-law.	NA	NA	NA	NA	NA	NA	Recommend deleting this definition. The term should be replaced with "Regulated health professional".
PORCH	Means a covered and unenclosed platform, whether attached to another structure or building, or not attached to another structure or building, that is load bearing and used for pedestrian passage, seating or recreation.	Same.	Same.	This definition was flagged in Phase 1 to consider as a gazebo would meet this definition, though it is probably not the intent.	Porch (As amended by By-law 83-2004) Shall mean a platform with a foundation that is fully roofed, unenclosed, permanent and projecting from the front exterior wall of the building.	Porch A structure with a roof and at least one side that is open and unenclosed that may be accessed by stairs from grade.	Porch Means a roofed deck or portico structure attached to the exterior wall of a building. A basement may be located under the porch.	Porch Means a platform with a foundation that is unenclosed, permanent and projecting from the front or exterior wall of the building and which provides access to the ground floor of the dwelling by way of stairs from the established grade of the lot.	Porch Means a platform structure attached to a main wall or walls of a building having a roof.	Porch Means a structure abutting the main wall of a building having a roof and is open to the air on at least one side.	Vaughan and Grimsby's definitions are recommended owing to their clarity and simplicity. Recommended definition: "Means a structure attached to the exterior wall of a building having a roof and open to the air on at least one side."

Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
RECREATIONAL USE (OUTDOOR)	N/A	N/A	N/A	This term was flagged in Phase 1 to be introduced into the Zoning By-law.	Recreation Facility Shall mean a premises designated and equipped for the conduct of outdoor sports and leisure time activities such as sports fields but shall not include facilities for any indoor recreational activities.	N/A	N/A	Outdoor Recreation Facility Means a premises designated and equipped for the conduct of outdoor sports and leisure time activities such as sports field.	N/A	Passive Recreational Use Means outdoor recreational facilities including walking or hiking trails, interpretative or educational signage, lookouts, boardwalks, benches, shade structures, bicycle paths, and associated parking areas, but shall not include trails for use by motorized vehicles, formalized play fields, or buildings.	The combination of definitions is recommended. Recommended definition: “Means outdoor recreational facilities including sports fields, courts and pitches, as well as walking or hiking trails, interpretative or educational signage, lookouts, boardwalks, benches, shade structures, bicycle paths, and associated parking areas, but shall not include trails for use by motorized vehicles.”

<p>RECREATION COMPLEX (INDOOR)</p>	<p>Means any building or structure that provides for one or more of the following uses: organized sport or recreational games and events, a pool including slides or similar recreational play activities, a place of entertainment , a rink, an assembly hall, an eating establishment provided it is integral to the recreation complex, racquet courts, fitness facilities or similar recreational uses.</p>	<p>N/A</p>	<p>N/A</p>	<p>This definition was flagged in Phase 1 to consider in relation to the definition of recreation facility definition.</p>	<p>Community Centre Shall mean a building or structure owned and/or operated by the Town of Ajax that provides facilities for indoor recreational activities and other community facilities such as meeting rooms or a library for use by the general public.</p>	<p>Community Centre A facility owned and operated by the Town or a non-profit community service group that provides social, recreational or other similar facilities for use by the general public. Examples of facilities include cultural facilities, libraries, and sports/fitness facilities (such as arenas, indoor swimming pools, gymnasiums, tennis courts, and playing fields).</p>	<p>Community Recreational Centre Means a multi-purpose facility owned and operated by the Town of Grimsby, which offers a variety of programs and facilities of a recreational, cultural, community service, information and / or instructional nature.</p>	<p>Community Centre Means a building or structure owned and/or operated by the Town of Newmarket that provides facilities for indoor recreational activities and/or other community facilities for use by the public.</p>	<p>Cultural Facility Means premises used for the purpose of educational entertainment including but not limited to museums, libraries, art galleries and community centres, and may include ancillary office, restaurant, retail and service commercial uses.</p>	<p>Community Facility Means premises used for indoor and outdoor recreational, institutional, social, or cultural activities, and may include a health and fitness centre, library, or museum.</p> <p>Active Recreational Use Means outdoor recreational facilities, with or without an accessory building or structure, including sport fields, parks and playgrounds, tracks, and outdoor swimming pool, but shall not include a golf course, amusement park, or campgrounds</p>	<p>The definition should focus on indoor recreational facilities and be broad enough to encompass all such indoor facilities whether publicly or privately owned. The term should be called recreational centre.</p> <p>Recommended definition: "Means a building or structure used for various forms of indoor sports, recreation, exercise, health and fitness."</p>
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<p>RECREATIONAL CLUB OR FACILITY</p>	<p>Means a building or part of a building wherein recreational facilities are provided and shall include a private club.</p>	<p>Same.</p>	<p>N/A</p>	<p>This definition was flagged in Phase 1 to consider in relation to the recreation complex definition.</p>	<p>Commercial Fitness Centre Shall mean a private club in which facilities are provided for recreational athletic activities and shall include associated facilities such as a sauna, office space, retail shop and related lounge facilities.</p>	<p>Commercial Recreation Use A privately owned sports or recreation establishment operated for use by private members and/or the general public for compensation and includes uses such as, but not limited to a swimming pool, tennis courts, squash courts, curling club, and volleyball courts, as well as a commercial fitness centre.</p> <p>Commercial Fitness Centre An establishment where physical fitness and recreation equipment and/or instruction is provided for use by the general public for compensation.</p>	<p>Commercial Fitness Centre Means a commercial indoor facility that provides fitness equipment, exercise classes, instructor training and/or space for fitness or athletic training.</p>	<p>Commercial Recreation Centre Means a commercial establishment in which facilities are provided for recreational athletic activities and may include associated facilities such as a sauna, office space, yoga studio, retail shop and related lounge facilities but shall not include a private club. May also include premises where leisure activities are offered for gain or profit such as a cinema, arts theatre, billiard or pool rooms, bowling alley, or similar activity for the enjoyment of the public but shall not include an adult entertainment</p>			<p>Delete in favour of above noted recommendation for recreation complex definition.</p>
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Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
								parlour or a nightclub.			
RESIDENTIAL CHARACTER	N/A	Village of Brooklin (1784) means the design and maintenance of buildings so that no evidence is apparent from the exterior that any use not of a residential nature is being conducted therein. This definition shall not be construed to exclude the erection of signs as allowed by By-law # 1878-85 as amended or replaced.	N/A	This definition was flagged in Phase 1 to consider application of the term as its enforcement may be problematic.	N/A	N/A	N/A	N/A	N/A	N/A	This term is recommended to be deleted as no other examples were found and enforcement of this provision may be an issue.

<p>RESIDENTIAL SALES OFFICE</p>	<p>Means a fully enclosed, permanently affixed or portable building or structure, used only for the purposes of displaying the architectural design, materials and interior design or decorating of homes, the layout and features of a draft approved or registered plan of subdivision or condominium including zoning information, and for the purpose of selling new homes to the general public. The items displayed and homes offered for sale shall be restricted to those in the draft approved or registered</p>	<p>Same.</p>	<p>N/A</p>	<p>This definition was flagged in Phase 1 to examine opportunities to simplify.</p>	<p>Sales Pavilion Shall mean a permanent building intended for temporary use as a sales pavilion for residential units prior to being used for a different permitted use.</p> <p>Temporary Sales Structure Shall mean a temporary structure or trailer used as a sales office for the sale of residential, commercial or industrial lots.</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>Temporary Sales Office Means a building or structure used for the sole purpose of selling or leasing land or buildings associated with a Draft Plan of Subdivision, Draft Plan of Condominium, or Site Plan, and where the building or structure satisfies all other requirements of this By-law.</p>	<p>Recommend using Vaughan's definition with some modifications as it is simple and clear.</p> <p>Recommended definition: "Means a building or structure used for the purpose of selling or leasing land or buildings associated with a Draft Plan of Subdivision, Draft Plan of Condominium, or Site Plan"</p>
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Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples					Recommendations	
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines		Vaughan
	plan of subdivision or condominium which the sales office is located.										
RETAIL NURSERY	means a building or part of a building in which nursery plants and shrubs, fertilizer and other gardening accessory supplies are kept and offered for retail sale, and shall also include a structure in the nature of an enclosed area for the display of nursery plants and shrubs but shall not include anything in the nature of a greenhouse or a garden for the purpose of growing any such plants or shrubs.	Same	N/A	This definition was flagged in Phase 1 to examine opportunities to simplify.	GARDEN CENTRE Shall mean the use of land, buildings or structures for the growing of flowers, plants, shrubs, or trees and shall also include the retail sale of such goods, products and equipment as are normally associated with gardening or landscaping.	GARDEN CENTRE an establishment used primarily for the display and sales of plants, gardening and landscaping supplies and equipment. An outdoor display and sales area is considered a permitted accessory use, subject to the provisions in Section 4.22.	N/A	Garden Centre Means a premises or portion of a premises, used for the display and retail sale of flowers, plants, trees and shrubs and shall also include the retail sale of such goods, products and equipment as are normally associated with gardening or landscaping.	N/A	Garden Centre Means premises used for the sale of nursery stock and incidental goods and materials.	Newmarket's definition is preferred as it is clear and concise with refinements. Recommended definition: "Means building or structure, used for the display and retail sale of flowers, plants, trees shrubs and other products and equipment normally associated with gardening or landscaping."

Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
RETAIL STORE	means premises where goods or commodities are stored, offered or kept for sale at retail or on a rental basis to the public and includes storage on or about the premises of limited quantities of goods or commodities sufficient only to service the store.	Same	Same	This definition was flagged in Phase 1 to examine opportunities to simplify.	RETAIL STORE Shall mean a building or part thereof which is not otherwise defined in this By-law, in which goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail directly to the public.	RETAIL STORE an establishment in which goods, wares, merchandise, substances, articles or things are displayed, rented or sold directly to the public but does not include adult specialty store or any use otherwise defined by this By-law.	Retail Store means a building or part thereof in which goods, wares, merchandise, substances, articles or things are offered or kept for sale by retail directly to the public.	Retail Store Means a premises in which goods and merchandise are offered or kept for retail sale or rental to the public. This definition shall not include any establishment otherwise defined in this By- Law.	Retail Store Means a building or part thereof where goods, wares, and new or used merchandise is offered for sale to the public.	Retail Means premises where goods, wares, merchandise, substances, articles or things are offered and kept for sale directly to the public.	Ajax’s definition is the clearest as it outlines that the use does not include any retail store otherwise defined, such as supermarkets, which will be defined separately. Recommended definition: “Shall mean a building or part thereof which is not otherwise defined in this By-law, and in which goods, wares, merchandise, substances, articles or other items are offered or kept for sale to the public.”

Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
SCHOOL, PRIVATE	means a school, other than an elementary, secondary or commercial school, under the jurisdiction of a private non-profit board of trustees or governors, a religious organization or a charitable organization, used primarily for the instruction of students receiving education and the term private school shall include a Montessori school.	Same 2585		This definition was flagged in Phase 1 to examine opportunities to consider if there is a need for a private school definition separate from a school definition.	SCHOOL Shall mean a provincially approved institution for academic instruction and may include a public, private or separate school, college or university.	SCHOOL, PRIVATE a building or part of a building, which may also include ancillary outdoor areas, used as an academic school. For the purposes of this definition, school portables are only permitted on the same lot as the main building used for the private school.	School means a school under the jurisdiction of a School Board or any other school established and maintained at public or private expense whether or not the same is also a boarding school, and includes any dormitory building accessory to such school but does not include a commercial school.	School, Elementary Means a Provincially approved institution for academic instruction for kindergarten to grade eight including a publicly funded, private fee paying or a Montessori school.		School, Commercial Means premises where instruction or training is provided to students for gain or for profit.	No need to distinguish between private or public school. Should eliminate term and update definition of school as follows to address private schools. Recommended definition for school: "Means a provincially approved institution for academic instruction and may include a public, private or separate school."

<p>VEHICLE, RECREATIONAL</p>	<p>means any vehicle or recreational equipment that provides for short term occupancy and is used for recreation, travel or vacationing which is designed to be towed or propelled by a motor vehicle or self-propelled and includes such vehicles as an all-terrain vehicle, boat, motor home, pop-up camper, snowmobile, tent trailer, travel trailer, truck camper and water craft but does not include a mobile home.</p>	<p>Same</p>		<p>This definition was flagged in Phase 1 to examine opportunities to differentiate better between a mobile home and a recreational vehicle and a trailer.</p>		<p>RECREATIONAL VEHICLE a) a motor vehicle that is primarily designed to provide temporary living quarters for recreational camping, travel or seasonal use, whether it has its own motor power or is mounted on or towed by another vehicle, and includes motorized homes, travel trailers, fifth wheel travel trailers, tent trailers and campers whether or not the camper is or is not attached to a truck or other motor vehicle and does not include a mobile home or a manufactured home; and/or, b) Personal watercraft, snowmobiles, all-terrain vehicles and other similar</p>	<p>Vehicle means a car, truck, motorcycle, trailer, mobile home trailer, recreational vehicle including boats, motorcycle, snowmobile, or any other vehicle required to be licensed.</p>	<p>Recreational Vehicle Means: 1) a vehicle or trailer which may provide short term occupancy that is intended and used exclusively for travel, recreation and vacationing, designed to be towed or propelled by a motor vehicle or self-propelled, and includes such vehicles commonly known as travel trailers, camper trailers, truck campers, motor homes or other similar travel vehicles but does not include a mobile home; and/or 2) boats, personal watercraft, all-terrain vehicles and other similar vehicles used</p>	<p>Recreation Vehicle Means a vehicular portable unit designed for travel, camping or recreational use, including but not limited to travel trailer, truck camper, motorhome, fifth wheel, and tent trailer.</p>	<p>Recreational Vehicle Means any vehicle requiring a license and intended for recreational purposes, including travel trailers, camper trailers, truck campers, motor homes, boats, snowmobiles, all-terrain vehicles, or other similar vehicles, but does not include a trailer used in conjunction with the recreational vehicles listed.</p>	<p>For simplicity, St. Catharine’s definition is recommended. Recommended definition: “Means a vehicle or trailer designed to provide temporary living quarters for recreational camping, travel and vacationing and includes travel trailer, truck camper, motorhome, fifth wheel trailer, tent trailer or other similar vehicle or trailer.”</p>
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Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
						vehicles used for recreational purposes.		for recreational pursuits; and 3) a trailer designed to carry any of the items listed in Sections 1) and 2) of this definition.			

Definition	Zoning By-law			Phase 1 Comment	Best Practice Review Examples						Recommendations
	2585	1784	5581-05		Ajax	East Gwillimbury	Grimsby	Newmarket	St. Catharines	Vaughan	
WELLNESS CENTRE		means an establishment devoted to the actively sought goal of good health and includes the teaching and practice, in both individual and group sessions, of a range of holistic, alternative and integrative natural health practices and may include facilities and programs for meditation, acupuncture, shiatsu, massage therapy, yoga, and healthy eating.		This definition was flagged in Phase 1 to examine overlap of definition with other defined uses.						<p>Health and Fitness Centre Means premises in which facilities are provided for the promotion of physical health and well-being, and may include accessory uses such as a spa, sauna, fitness centre, yoga studio, massage establishment or the accessory retail sale of refreshments and other goods related to the use.</p>	Delete in favour of above noted recommendation for recreation centre.

3 Next Steps



Table 1 outlines the recommendations for the definitions that were identified in Phase 1 as requiring further consideration. For most of these definitions, a recommendation is provided in the Report. For some definitions, it is premature to make a recommendation until a better understanding of how the defined term will be used in the Zoning By-law, which will be determined during drafting of the new Comprehensive Zoning By-law.

The recommendation in the Phase 1 Definitions Report and in this Phase 2 Report are preliminary and may be updated as the draft Comprehensive Zoning By-law is prepared in Phase 3 of this study.

