

Township of King
Zoning By-law for the Countryside

By-law No. 2022-053

Final | September 2022

Prepared by WSP for the Township of King

Part 2 | Definitions

2.1 Interpretation

- a) For the purpose of this By-law, all words shall carry their customary meaning, as defined in the Webster’s New World Dictionary, except for those defined hereinafter in Section 2.2.
- b) In the event of conflict, *Council*, in consultation with the *Zoning Administrator*, shall have sole discretion for interpreting the meaning of words.
- c) For convenience purposes only, the terms defined in Section 2.2 are italicized throughout this By-law.

2.2 Defined Terms

The following index is provided for convenience only and does not form part of the By-law.

A			
Abattoir	2-5	Automobile Sales and Service	2-8
Accessory	2-5	Automobile Service Station	2-8
Addition	2-5	Automobile Washing Establishment	2-8
Adult Entertainment	2-5	B	
Agricultural Animal Clinic	2-5	Bake Shop	2-8
Agricultural Event Venue	2-6	Bakery	2-8
Agricultural Products Processing Establishment	2-6	Balcony	2-9
Agricultural Research and Training Facility	2-6	Basement	2-9
Agricultural Use	2-6	Basement, Walkout	2-9
Agricultural Use, Value-Added	2-6	Bed and Breakfast	2-9
Agri-tourism Use	2-6	Building	2-9
Air Treatment Control	2-6	Building Inspector	2-9
Airfield	2-7	Building Supply and Equipment Depot	2-9
Alter or Alteration	2-7	By-law Enforcement Officer	2-9
Alternative Energy Facility	2-7	C	
Area of High Aquifer Vulnerability	2-7	Campground	2-10
Area of Influence	2-7	Cannabis	2-10
Area of Operation	2-7	Cannabis Processing Facility, Industrial	2-10
Art Gallery	2-7	Cannabis Production Facility, Agricultural	2-10
Asphalt Plant	2-7	Cannabis Production Site, Medical	2-10
Attached	2-8	Carport	2-11
Auction Establishment	2-8	Cemetery	2-11
Automobile Body Repair Garage	2-8	Chicken Coop	2-11
Automobile Repair Garage	2-8	Chicken, Hen	2-11

Chicken, Rooster	2-11
Child Care Centre	2-11
Child Care, Private Home	2-11
Clinic	2-11
Club	2-11
Cogeneration Facility	2-12
Commercial Use	2-12
Commercial Use, Seasonal	2-12
Commercial Vehicle	2-12
Committee of Adjustment	2-12
Community Centre	2-12
Community Garden	2-12
Concrete Batching Plant	2-12
Conservation Use	2-13
Contractors Yard	2-13
Council	2-13
Crematorium	2-13
Crop Storage	2-13
Crop Storage and Distribution	2-14
Custom Workshop	2-14

D

Day Spa	2-14
Deck	2-14
Dense Non-Aqueous Phase Liquid (DNAPLs)	2-14
District Energy	2-14
Drive-through	2-14
Driveway	2-15
Drugless Practitioner	2-15
Dry Cleaning Distribution Depot	2-15
Dry Cleaning Establishment	2-15
Dwelling	2-16
Accessory Dwelling Unit	2-16
Additional Residential Unit	2-16
Apartment Dwelling	2-16
Boarding or Rooming House Dwelling	2-16
Dwelling Unit	2-16
Manor House Dwelling	2-16
Semi-Detached Dwelling	2-17
Single Detached Dwelling	2-17

E

Encroach	2-17
Enlargement	2-17
Equestrian Facility	2-17
Equine Events Facility	2-17
Erect	2-17
Executive Retreat or Guest House	2-17

Existing	2-18
Extension	2-18

F

Farm Feed and Supply Store	2-18
Farm Help Dwelling	2-18
Farm Help Dwelling, Seasonal	2-18
Farm Implement Sales and Service Establishment	2-18
Farm Micro-Brewery, Cidery or Winery	2-18
Farm Produce Outlet	2-18
Farmers Market	2-18
Financial Establishment	2-19
First Storey	2-19
Fitness Centre	2-19
Floor Area	2-19
Floor Area, Gross	2-19
Floor Area, Ground	2-19
Floor Area, Retail	2-19
Forest Access Lane (Oak Ridges Moraine)	2-19
Forest Management	2-20

G

Garden Centre	2-20
Garden Suite	2-20
Golf Course	2-20
Grade	2-20
Grade, Established	2-20
Greenhouse, Commercial	2-20
Greenhouse, Farm	2-20
Ground-Mounted Solar Facility	2-21
Group Home	2-21

H

Hazardous Lands	2-21
Hazardous Substances	2-21
Hazardous Waste (Oak Ridges Moraine)	2-21
Height	2-21
Home Industry	2-22
Home Occupation	2-22
Hotel	2-22
Hydrologically Sensitive Feature	2-22

I

Impervious Surface	2-22
Industrial Use, Heavy	2-22
Industrial Use, Light	2-22
Inn	2-22

Institutional Residence 2-23
Institutional Use..... 2-23

K

Kennel..... 2-23
Key Natural Heritage Feature 2-23

L

Landform Conservation Area 2-23
Landscaping..... 2-23
Landscaping, Soft..... 2-24
Legally Existing Use..... 2-24
Liquid Industrial Waste (Oak Ridges Moraine).. 2-24
Loading Space 2-24
Long Term Care Home 2-24
Lot 2-25
 Corner Lot 2-25
 Interior Lot 2-25
 Through Lot 2-25
Lot Area 2-25
Lot Coverage..... 2-25
Lot Depth 2-25
Lot Frontage 2-26
Lot Line..... 2-27
 Exterior Lot Line 2-27
 Front Lot Line 2-27
 Interior Side Lot Line 2-27
 Rear Lot Line 2-27
 Side Lot Line 2-28

M

Main Building 2-28
Main Wall 2-28
Manufacturing Establishment, Heavy..... 2-28
Manufacturing Establishment, Light 2-28
Manure Storage Facility 2-28
Marina 2-28
Medical Practitioner..... 2-29
Mineral Aggregate Operation 2-29
Mobile Home 2-29
Model Home 2-29
Motel 2-29
Motor Vehicle 2-29
Municipality 2-29
Mushroom Farm..... 2-29

N

Net Developable Area 2-29
Non-complying..... 2-30
Non-conforming 2-30

O

Oak Ridges Moraine Conservation Plan Area 2-30
Obnoxious Use..... 2-30
Office..... 2-30
On-Farm Diversified Use 2-30
On-Farm Shop or Café 2-30
Open Product Display 2-30
Open Storage 2-30
Organic Solvent 2-31
Overnight Accommodation Use 2-31

P

Park, Private 2-31
Park, Public 2-31
Park, Unserviced..... 2-31
Parking Aisle 2-31
Parking Area..... 2-31
Parking Lot or Parking Garage..... 2-32
Parking Space 2-32
Patio, Commercial..... 2-32
Person..... 2-32
Pet Day Care..... 2-32
Pet Grooming Establishment 2-32
Place of Assembly 2-32
Place of Worship..... 2-33
Planting Strip..... 2-33
Porch..... 2-33
Portable Asphalt Plant 2-33
Portable Concrete Plant 2-33
Porte Cochère 2-33
Premises..... 2-34
Principal or Main..... 2-34
Private Garage..... 2-34
Province or Provincial..... 2-34
Public Authority 2-34

R

Recreational Use..... 2-34
Recreational Use, Low-Intensity 2-34
Recreational Use, Major 2-34
Recreational Vehicle..... 2-34
Region or Regional..... 2-35
Research and Development..... 2-35

Reserve 2-35
 Residential Use 2-35
 Restaurant 2-35
 Restaurant, Take-out 2-35
 Retail 2-35
 Retail, Ancillary 2-36
 Retirement Home 2-36
 Risk Management Plan 2-36

S

Sanitary Sewer 2-36
 School, Commercial 2-36
 School, Private 2-36
 School, Public 2-36
 Scrap Yard 2-37
 Sensitive Land Use 2-37
 Service Shop, Heavy 2-37
 Service Shop, Light 2-37
 Service Shop, Personal 2-37
 Setback 2-37
 Settlement Area 2-37
 Shipping Container: 2-38
 Sight Triangle 2-38
 Site Alteration 2-38
 Site Plan 2-38
 Ski Facility 2-38
 Spa or Resort 2-36
 Stacking Lane 2-39
 Stacking Spaces 2-39
 Storage Depot 2-39
 Storey 2-39
 Storm Sewer or Drainage System 2-39
 Street 2-39
 Street Line 2-40
 Structure 2-40
 Studio 2-40
 Swimming Pool 2-40

T

Taxi Dispatch Office 2-40
 Taxi Station 2-40
 Tourism Information Centre 2-40
 Trail 2-40
 Trailer 2-41
 Transportation, Infrastructure and Utilities 2-41
 Truck or Bus Terminal 2-41

U

Use 2-42

V

Veterinary Clinic 2-42

W

Waste Containment Structure 2-42
 Waste Disposal Facility 2-42
 Watercourse 2-42
 Wayside Pit 2-42
 Wellhead Protection Area 2-42
 Winery, Cidery, Distillery, or Micro-Brewery .. 2-42

Y

Yard 2-42
 Yard, Exterior Side 2-43
 Yard, Front 2-43
 Yard, Interior Side 2-43
 Yard, Rear 2-43
 Yard, Side 2-43

Z

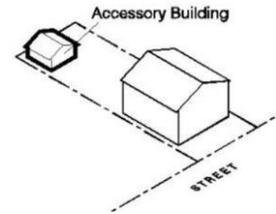
Zone 2-43
 Zoning Administrator 2-44

In this By-law, unless the context otherwise requires,

- Abattoir:** means *premises* where animals are slaughtered for the purposes of processing or rendering.

2. Accessory:

- a) means, in relation to a *building or structure*, a detached *building or structure*, the use of which is naturally and normally incidental to, subordinate to or exclusively devoted to a *principal use or building* and located on the same *lot* therewith and includes a detached *private garage, carport, shed, or cabana*.
- b) means, in relation to a *use*, a *use* naturally and normally incidental to, subordinate to or exclusively devoted to a *principal use* and located on the same *lot* therewith.



3. Addition: means, in reference to a *building or structure*, an expansion of the *building or structure*.

4. Adult Entertainment: means *premises* or part thereof, used in the pursuance of a trade, calling, business or occupation, if:

- a) goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations, and shall include, without limiting the generality of the foregoing, the sale of goods, services, or entertainment in which partial or complete nudity is a feature or characteristic; and/or
- b) services appealing to or designed to appeal to erotic or sexual appetites or inclinations, including body rubs, but excluding any services offered or solicited for the purpose of medical or therapeutic treatment and performed or offered by persons otherwise duly qualified, licensed or, registered to do so under the laws of the *Province*.

5. Agricultural Animal Clinic: means *premises* where animals associated with normal farm practices are given on-site medical or surgical treatment and may include overnight or long-term medical treatment but shall not include a *kennel*. *Accessory office uses, laboratory and/or mobile veterinary services* are also permitted.

6. Agricultural Event Venue: means a *premises used* as a recurring private *place of assembly* for hosting weddings and similar type events, and which may occur within a *building or structure used* as part of a *principal agricultural use*.

7. Agricultural Products Processing Establishment: means *premises used* for the processing of products derived from

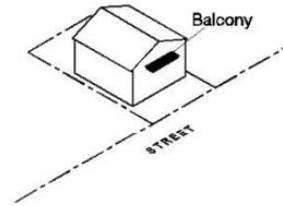
agricultural uses including seed, grain, feed, and forage processing, storage, and transport; fruit and vegetable storage and treatment; an egg grading establishment, and a sawmill, but shall not include an *abattoir*.

8. **Agricultural Research and Training Facility:** means *premises* for the study and research of agriculture and training activities and may include related activities and *uses accessory* to agricultural research.
9. **Agricultural Use:** means the growing of crops, including nursery and horticultural crops; *farm greenhouses*, raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; *equestrian facility*; aquaculture; apiaries; agri-forestry; maple syrup production; and associated on-farm *buildings* and *structures* including, but not limited to livestock facilities, manure storages, and value-retaining agricultural uses.
10. **Agricultural Use, Value-Added:** means any activity or process that is completed by the *farm* operator, which alters the original agricultural product or commodity grown on site and may be supplemented by off-farm inputs, and may include bagging, packaging, grain drying and milling, bio-product production, bundling, pre-cutting, cooking and baking and marketing activities.
11. **Agri-tourism Use:** means farm-related tourism *uses* that promote the enjoyment, education or activities related to the *principal* farm operation on a *lot* such as farm machinery and equipment exhibitions (on a temporary basis), farm tours, petting zoos, hay rides and sleigh rides, processing demonstrations, pick-your-own produce operations, small-scale farm theme playgrounds and small-scale educational establishments that focus on farming instruction, and may include *accessory* small-scale vendors associated with the *agri-tourism use*.
12. **Air Treatment Control:** means the functional *use* of industrial grade multi-stage carbon filtration system, or similar technology, to reduce and/or treat the emission of pollution, particulate and odours expelled from a facility and sized accordingly in relation to the facility it serves as designed by a qualified *person*.
13. **Airfield:** means *premises* for the purpose of landing, storing, taxiing, or taking-off of private or commercial aircraft, pursuant to the regulations of Transport Canada.

14. **Alter or Alteration:** means, in reference to a *building* or *structure*, any change in a bearing wall or 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*.
15. **Alternative Energy Facility:** means a facility for the generation of energy from sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.
16. **Area of High Aquifer Vulnerability:** means an area of high aquifer vulnerability as described by the Oak Ridges Moraine Conservation Plan and as delineated on Schedules “C-3” of this By-law.
17. **Area of Influence:** means lands within the *Oak Ridges Moraine Conservation Plan Area* that relate to *key natural heritage features* or *hydrologically sensitive features* as defined herein and as delineated on Schedule “C-1” of this By-law.
18. **Area of Operation:** means, in relation to an *on-farm diversified use*, all associated *buildings*, *landscaped area*, berms, well and septic systems, *parking areas* and dedicated laneways, and shall exclude *existing laneways* and *parking areas* shared with the *principal agricultural use* on the same *lot*.
19. **Art Gallery:** *premises used* for the preservation, exhibition and/or sale of paintings, sculptures, photographs or other works of art.
20. **Asphalt Plant:** means a *use* of land, *building* or *structure*, or parts thereof, which produces and/or recycles asphalt or similar coated road stone and has equipment designed to heat and dry aggregate and to mix mineral aggregate with bitumen and/or tar, and includes the stockpiling and storage of bulk materials used in the process or finished product(s) manufactured on the premises, the storage and maintenance of equipment, and facilities for the administration or management of the business.
21. **Attached:** means a *building* or *structure* that is otherwise complete in itself, which has a wall or walls above *grade* shared in common with an adjacent *building* or *buildings* and/or depends upon an adjacent *building* or *buildings* for structural support.

- 22. Auction Establishment:** means *premises* in which the *principal* facilities provided are for the storage, displays and subsequent sale of goods and articles, including antiques, farm equipment, and livestock by way of auction.
- 23. Automobile Body Repair Garage:** means a *building* or place used as a *motor vehicle* repair shop including auto body repairs and spray painting and where automobile fuels or lubricants may be stored or kept for sale and where mechanical repairs may be carried on and which may include an *automobile washing establishment* as an *accessory use*.
- 24. Automobile Repair Garage:** means a *building* or place used for the mechanical repair of *motor vehicles* and where the provision of fuels or lubricants is incidental to the *principal use* and which may include an *automobile washing establishment* as an *accessory use*.
- 25. Automobile Sales and Service:** means *premises used* for the display, sale, lease or rental of new and/or used *motor vehicles*, and which may include an *automobile washing establishment* and *automobile repair garage* as *accessory uses*.
- 26. Automobile Service Station:** means *premises* where gasoline or other motor fuels, are kept for sale and for delivery directly into a *motor vehicle*, including electric vehicle (EV) charging stations, and which may also include *retail, automobile washing establishment* and/or *take-out restaurant* as *accessory uses*.
- 27. Automobile Washing Establishment:** means a *building* or part thereof used for the operation of automobile washing equipment which is automatic, semi-automatic and/or coin operated.
- 28. Bake Shop:** means a *building* or part thereof wherein the *principal* activity is the retailing of baked goods, including incidental baking of products for retail sale on the *premises* only.
- 29. Bakery:** means the preparation, baking, storage, wrapping and packing, and other activities associated with the sale and distribution of baked goods.

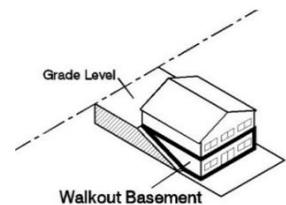
30. Balcony: means a platform with or without roofs and without a foundation *attached* to, and extended horizontally from, one or more *main walls* of a *dwelling* with access to the platform exclusively from within the *dwelling unit*.



31. Basement: means one or more *storeys* of a *building* located below the *first storey*.



32. Basement, Walkout: means that portion of a *building* which is partly underground, but which has more than 50% of the *floor area* not greater than 0.6 m below *grade*, and which has an entrance and exit at *grade level*. This definition shall only apply in an area where natural terrain permits construction of a walkout basement.



33. Bed and Breakfast: means an *accessory use* within an existing *single detached dwelling* that is the *principal* residence of the proprietor of the establishment that provides sleeping accommodation (including breakfast and other meals, services, facilities and amenities for the exclusive *use* of guests) for the traveling or vacationing public.

34. Building: means any *structure* whether temporary or permanent, *used* or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment. Any tent, awning, bin, bunk or platform, silo, vessel or vehicle used for any of the said purposes shall be deemed a *building*.

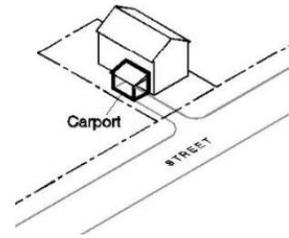
35. Building Inspector: means the officer or employee of the *Municipality* from time to time charged by the *Municipality* with the duty of administrating the provisions of the Building By-law and/or the Building Code Act, as amended.

36. Building Supply and Equipment Depot: means *premises used* for the storage, sale, rental and lease of equipment and supplies used in construction.

37. By-law Enforcement Officer: means the officer or employee of the *Municipality* from time to time charged by the *Municipality* with the duty of administering and/or enforcing the provisions of all municipal by-laws.

38. **Camp:** means one or more *buildings* used for sleeping accommodation, the preparation and servicing of food and/or sports or recreation facilities, and intended for recreation purposes on a temporary or seasonal basis. A camp shall not include a *campground*.
39. **Campground:** means premises consisting of at least five camping sites for the overnight and/or temporary camping or parking of travel/tent trailers, truck campers, or tents for recreational or vacation use and designed for seasonal occupancy only whereby a campground is vacated for a period of not less than 60 consecutive days commencing January 1 of each calendar year.
40. **Cannabis:** means cannabis as defined in subsection 2(1) of the Cannabis Act (Canada), as amended.
41. **Cannabis Processing Facility, Industrial:** means a *premises* for production of secondary products, processing, testing, destroying, packaging and/or shipping of *cannabis* which is authorized by a license issued by and/or registration/registered by the Federal Minister of Health, pursuant to the Cannabis Act (Canada) and its Regulations, as amended, or any successors thereto.
42. **Cannabis Production Facility, Agricultural:** means a *premises* for growing and destroying of *cannabis* for which is authorized by a license issued by and/or registration/registered by the Federal Minister of Health, pursuant to the Cannabis Act (Canada) and its Regulations, as amended from time to time, or any successors thereto. Agricultural cannabis production facility may include the minimum amount of processing, testing, packaging and/or shipping necessary to make the product available for sale and use in accordance with the license and/or registration. Any processing, testing, and packaging beyond the minimum shall constitute an *industrial cannabis production facility*.
43. **Cannabis Production Site, Medical:** means a *premises* for the purpose of producing, processing, testing, destroying, packaging and/or shipping of *cannabis* for medical purposes which is authorized by license and/or registration of the person(s) for which the *cannabis* has been prescribed for medical purposes and/or a designated person by the Federal Minister of Health, pursuant to the Cannabis Act (Canada) and its Regulations, as amended, or any successors thereto.

44. **Carport:** means a roofed *structure* intended for the temporary storage of a *motor vehicle* built in conjunction with and *attached* to a *dwelling*. No more than two (2) sides may consist of a solid or enclosed wall, nor shall there be any type of door where the automobile enters. A carport shall only be *attached* to the *dwelling* on one side, and for the purposes of clarity, a breezeway, *porte cochère* or similar architectural feature of a *building* shall not be considered a carport.
45. **Cemetery:** means a cemetery as defined by the Funeral, Burial and Cremation Services Act, as amended.
46. **Chicken, Hen:** means a domesticated female chicken that is at least four months old.
47. **Chicken, Rooster:** means a domesticated male chicken.
48. **Chicken Coop:** means an accessory building or structure, or any part thereof, that is fixed to the ground and is used for the permanent or temporary keeping and raising of a chicken hen and shall include any wholly or partially enclosed cage or run.
49. **Child Care Centre:** means a child care centre as defined in the Child Care and Early Years Act, as amended.
50. **Child Care, Private Home:** means a place wherein the temporary care of children is provided and is operated as an *accessory use* within a *dwelling* in accordance and licensed under the Child Care and Early Years Act, 2014, as amended, or any successor, or any other applicable *Provincial* legislation, and the provisions of this By-law.
51. **Clinic:** means *premises used* by qualified *medical practitioners*, dentists, osteopaths or other *drugless practitioners*, having treatment rooms, laboratories, administrative offices, waiting rooms and facilities for at least one practitioner and used for the public or private medical, surgical, physio-therapeutic or other human health purpose.
52. **Club:** means *premises used* as a meeting place for members of an organization and includes a lodge, athletic or recreational club, social club, a fraternity or sorority house, legion, and a labour union hall.



- 53. Cogeneration Facility:** means *premises used* for the generation of electricity or mechanical power and thermal energy (heating or cooling) simultaneously produced from one fuel source in the same facility.
- 54. Commercial Use:** means a *premises* the purpose of buying and selling commodities and supplying of services as distinguished from such *uses* as manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar *uses*.
- 55. Commercial Use, Seasonal:** means an area of land *used* on a seasonal basis for retail display and sale and may include such *uses* as a temporary outdoor *garden centre*, produce or other food sales or a display of finished merchandise.
- 56. Commercial Vehicle:** means a *motor vehicle* having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, buses, food trucks, and tractors used for hauling purposes.
- 57. Committee of Adjustment:** means the Committee of Adjustment for the *Municipality* as constituted by the By-law of the Council pursuant to Section 44 of the Planning Act, as amended.
- 58. Community Centre:** means any tract of land or *building* or *buildings* or any part of any *buildings used* for community activities whether *used* for commercial purposes or not.
- 59. Community Garden:** means a communal garden provided for the sole *use* of the public to produce flowers, herbs, fruits or vegetables and activities associated with gardening, but does not include any processing or packaging, commercial sales, or the raising of livestock or animals including poultry.
- 60. Concrete Batching Plant:** means *premises* where concrete or concrete products *used* in building or construction is produced, and includes facilities for the following:
- a) Administration or management of the business;
 - b) Stockpiling of bulk materials used in the production process or of finished products manufactured on the premises; and/or

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

61. Condominium Unit: means an individual unit under the individual ownership in a multiple unit structure with common elements in which:

- a) the unit comprises not only the space enclosed by the unit boundaries but all material parts of the lands within the space;
- b) The common elements means all the property except the units; and
- c) The common element is owned by all of the owners as tenants in common.

62. Conservation Use: means the *use* of land dedicated towards the protection, stewardship and management of natural heritage features and functions, hydrological features and functions, ecological features and functions, and for the purposes of this By-law, includes the *structures of a public authority used only for managing the resource and for managing natural hazards, such as flood and slope control.*

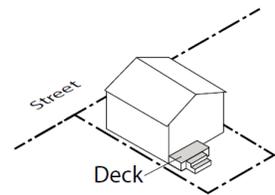
63. Contractors Yard: means *premises used by a general contractor as a depot for the open storage and/or maintenance of equipment, goods, materials and supplies of any kind or for any intended purpose.*

64. Council: means the Council of the Corporation of the Township of King.

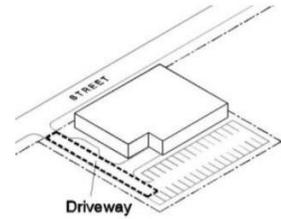
65. Crematorium: means a *building* that is fitted with appliances for the purpose of cremating human remains and that has been approved as a crematorium or established as a crematorium in accordance with the requirements of the Funeral, Burial and Cremation Services Act, 2002, and includes everything necessarily incidental and ancillary to that purpose.

66. Crop Storage: means a *building or structure used for the storage of agricultural crops grown on-site and may include facilities for the wholesale distribution for the crops grown on-site.*

- 67. Crop Storage and Distribution:** means a *building or structure* used for the storage of agricultural crops and may include facilities for wholesale distribution or an *accessory retail* outlet for the sale of such agricultural produce to the general public.
- 68. Custom Workshop:** means a *building* or part of a *building* used by a trade, craft or guild for the manufacture in small quantities of made-to-measure clothes or articles, and includes upholstery but does not include metal spinning, woodworking or furniture manufacture, or any *manufacturing* or any shop or factory otherwise classified or defined in this By-law.
- 69. Day Spa:** means a type of *personal service shop* used for therapeutic treatment of persons, such as massages, beauty treatment, hairdressing services and may include the retail sale of goods incidental to the services of the day spa.
- 70. Deck:** means an *attached* or freestanding platform or series of platforms on a foundation or footings, not covered by a roof or *building* and which has direct access to the ground.
- 71. Dense Non-Aqueous Phase Liquid (DNAPLs):** means chemicals that are both denser than water and do not dissolve readily in water. Because of these traits, DNAPLs tend to sink below the water table and only stop when they reach impenetrable bedrock. This makes them difficult to locate and cleanup. Commonly used DNAPLs include, but are not limited to paint strippers, varnishes, aerosols, and pharmaceuticals.
- 72. District Energy:** means *premises used* to generate, for mass distribution, thermal energy to heat or cool, and without limiting the generality of the foregoing, may include an *alternative energy facility*.
- 73. Drive-through:** means land and associated *structures* used to take orders or provide a service to patrons while remaining in their *motor vehicle*.



74. Driveway: means a vehicular accessway providing access from a street to a *building* or *property*, a *loading space*, a *parking area* or a *private garage*.

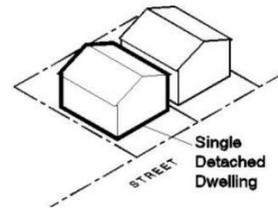


75. Drugless Practitioner: means a drugless practitioner within the meaning of the Drugless Practitioners Act, as amended.

76. Dry Cleaning Distribution Depot: means a *building* or part thereof where articles of clothing or similar items are dropped off and picked up but excludes facilities where the actual dry cleaning of clothing is carried on.

77. Dry Cleaning Establishment: means a *building* or part thereof used for the dry cleaning, dry dyeing or cleaning of clothing and similar articles.

- 78. Dwelling:** means a separate *building* containing one or more *dwelling units*.
- a) **Accessory Dwelling Unit:** means a *dwelling unit* that is *accessory* to a *non-residential use* on a *lot*.
 - b) **Additional Residential Unit:** means a self-contained *unit* in a *single detached dwelling*, or *building* ancillary to a *principal dwelling*, that consists of one or more rooms that are designed, occupied or intended for *use*, including occupancy, by one or more *persons* as an independent and separate residence in which a facility for cooking, sleeping facilities and sanitary facilities are provided for the exclusive *use* of such *person* or *persons*, accessed through a separate entrance.
 - d) **Apartment Dwelling:** means a *building* containing four or more *dwelling units* which have a common entrance from the street level and the occupants of which have the right to use in common halls, and/or stairs and/or elevators and *yards*. Apartment dwelling does not include a *boarding or rooming house dwelling*.
 - e) **Boarding or Rooming House Dwelling:** means a *dwelling* in which lodging with or without meals is supplied for gain to four (4) or more persons other than the lessee, tenant or owner of said dwelling, or any member of his family and which is not open to the general public, but shall not include any other term defined by this By-law.
 - f) **Dwelling Unit:** means one or more habitable rooms, occupied or capable of being occupied as an independent and separate housekeeping establishment, in which separate kitchen and sanitary facilities are provided for the exclusive *use* of the occupant, and which has a private entrance from outside the *building* or from a common hallway or stairway inside the *building* but does not include a tent, cabin, *trailer*, or a room or suite of rooms in an *inn*. A *dwelling unit* may contain *additional residential units*, in accordance with the provisions of this By-law.
 - g) **Manor House Dwelling:** means a *building* that is designed to appear as a detached *dwelling* and is divided vertically



into between three (3) and six (6) *dwelling units* (inclusive), each of which has an independent entrance.

- h) **Semi-Detached Dwelling:** means a *building* that is divided vertically into two *dwelling units* each of which has an independent entrance either directly or through a common vestibule.
- i) **Single Detached Dwelling:** means the *principal detached dwelling unit* on a *lot*.

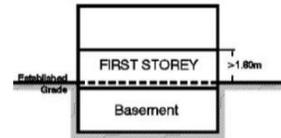
- 79. **Encroach:** means an intrusion of a *building* or *structure* into a required minimum *yard*, as explicitly permitted by this By-law. Encroachment and encroached shall have a corresponding meaning.
- 80. **Enlargement:** means any *alteration* or change to an existing structure resulting in an increase in the existing *floor area*. Enlarge and enlarged shall have a corresponding meaning.
- 81. **Equine Events Facility:** means premises *used* for the staging of equestrian events and shall include an *equestrian facility*.
- 82. **Equestrian Facility:** means the boarding of horses, exercising of horses, and the training of horses and riders, and shall be interpreted as an *agricultural use*.
- 83. **Erect:** means to build, construct, 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*. Erection and erected shall have a corresponding meaning.
- 84. **Executive Retreat or Guest House:** means a single *dwelling unit* for the exclusive use of the owner or for short-term residential accommodation of non-paying guests or employees of the owner. An executive retreat or guest house may also be used for an *accessory* executive meeting and retreat purpose, provided it is in relation to a *principal* business or corporation that is located off-site. An executive retreat or guest house shall not include any other *use* as defined by this By-law.

- 85. Existing:** means existing as of the date of the final passing of this By-law.
- 86. Extension:** means an expansion of a *use* or *enlargement* of a *building* or *structure* beyond its existing dimensions.
- 87. Farm Feed and Supply Store:** means *premises* for the retail sale of goods, merchandise, and livestock feed that are normal and incidental to an *agriculture use* but shall not include a *crop storage and distribution* facility or *agricultural products processing establishment*.
- 88. Farm Help Dwelling:** means a *building* or *structure* for the permanent housing of farm employees of the *principal agricultural use*.
- 89. Farm Help Dwelling, Seasonal:** means a *building* or *structure* for the temporary housing of farm employees of the *principal agricultural use*.
- 90. Farm Implement Sales and Service Establishment:** means the repair and sale of farm implements and agricultural equipment including the sale of fuel, lubricants and related items for agricultural equipment.
- 91. Farm Micro-Brewery, Cidery or Winery:** means *premises used* on a farm for the making of beers, spirits, ciders and wines from grains, hops, crops, and/or fruit grown primarily as part of the *principal agricultural use* and may include an *accessory* tasting and hospitality area and *commercial patio*, and *retail* sales of the products produced on-site.
- 92. Farm Produce Outlet:** means a *use accessory to an agricultural use* which consists of the retail sale of agricultural products, raised, grown, or processed by the property owner or an agricultural operation conducted on the farm.
- 93. Farmers Market:** means *premises* where opened spaces or stalls or sale areas, are leased, rented or otherwise provided to individual vendors principally for the sale of locally sourced agricultural products, including fruit, vegetables, meat, poultry, fish, dairy products, as well as plants and flowers and which may include the accessory sale of a limited range of canned or preserved products or other food products requiring minimal processing such as maple syrup, cheese, butter, refreshments or

baked goods to the general public as well as the sale of handmade crafts and art.

94. Financial Establishment: means an establishment which provides money management services directly to the public, and shall include a bank, trust company, credit union, securities dealer, finance company or stock broker.

95. First Storey: means the *storey* that has its floor closest to *established grade* and its ceiling more than 1.8 m above *established grade*.



96. Fitness Centre: means facilities and exercise equipment are provided for recreational and athletic activities and which may include exercise classes. For clarity, and without limiting the generality of the foregoing, this definition shall not include any *uses* listed in the definition for a *place of entertainment*.

97. Floor Area: means with reference to a *building*, the total habitable *floor area* within a *building* which area is measured between the exterior faces of the exterior walls or from the centre line of a common or party wall, but excluding any *private garage*, breezeway, *porch* or verandah, *balcony*, sun room, attic, *basement*, except that where the natural terrain permits a *walkout basement* and where 25% of the floor area of the *walkout basement* may be considered as habitable *floor area*.

98. Floor Area, Gross: means the aggregate of the *floor areas* of all the *storeys* of a *building* including the *floor area* of any basement, where the *floor areas* are measured between the exterior faces of the exterior walls of the *building* at each floor level but excluding *parking areas* within the *building*.

99. Floor Area, Ground: means the footprint of the first *storey* of a *building* or *structure*, where the area is measured between the exterior faces of the exterior walls at the floor level of such *storey*.

100. Floor Area, Retail: means the *gross floor area* of a commercial *building* devoted to retail purposes.

101. Forest Access Lane (Oak Ridges Moraine): means a one- or two-lane unpaved driveway that is designed to provide access to and within a *woodland* for wildlife, fish and forest management purposes as part of a *resource management use*.

- 102. Forest Management:** means the management of woodlands, including *accessory uses* such as the construction and maintenance of forest access roads and maple syrup production facilities, in accordance with the following:
- a) for the production of wood and wood products, including maple syrup;
 - b) to provide outdoor agri-tourism opportunities;
 - c) to maintain and, where possible, improve or restore conditions for wildlife; and/or
 - d) to protect water supplies.
- 103. Garden Centre:** means a retail establishment devoted primarily to the sale of nursery stock and may also include the sale of related *accessory* supplies, but shall not include a *building supply and equipment depot*. See also **Commercial Greenhouse**.
- 104. Garden Suite:** means a one-unit detached *dwelling* containing bathroom and kitchen facilities that is ancillary to a *single detached dwelling* and that is designed to be portable and temporary.
- 105. Golf Course:** means *premises* operated for the purpose of playing golf and which may include *accessory uses* such as a clubhouse, pro shop, *restaurant*, public hall, driving range, putting green and maintenance facilities.
- 106. Grade:** means the level of proposed or finished ground.
- 107. Grade, Established:** means with reference to a *building* or *structure*, the level of proposed or finished ground adjoining a *building* measured as an average of all exterior walls.
- 108. Greenhouse, Commercial:** means a *building* for the growing of flowers, fruits, vegetables, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same *lot* containing such commercial greenhouse but are sold directly from such *lot* at wholesale or retail but shall not include the retail sale of landscape supply and materials. A commercial greenhouse shall not include a *farm greenhouse* and/or *garden centre*.
- 109. Greenhouse, Farm:** means a *building* for the growing of plants, shrubs, trees and similar vegetation which are transplanted

outdoors on the same *lot* containing such greenhouse in conjunction with the *principal agricultural use* on the same *lot*.

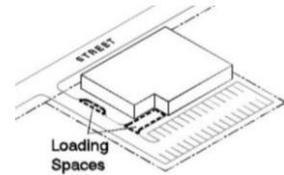
- 110. Ground-Mounted Solar Facility:** means *premises* which provides for the collection, storage, and distribution of solar energy for space heating or cooling, electrical generation, or water heating, where the facility is mounted on the ground, and not roof-mounted.
- 111. Group Home:** means a *dwelling* occupied by not more than 10 persons exclusive of staff, who live as a single housekeeping unit in a facility licensed, approved and supervised in accordance with the requirements of the *Province*. A *group home* does not include an *institutional residence*.
- 112. Hazardous Lands:** means property or lands that could be unsafe for development due to naturally occurring processes. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits.
- 113. Hazardous Substances:** means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety, and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive, or pathological.
- 114. Hazardous Waste (Oak Ridges Moraine):** means the same as in Regulation 347 of the Revised Regulations of Ontario, as amended.
- 115. Height:** means the vertical distance measured from the *established grade* to:
- a) 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, the highest point of the roof surface.
 - b) In the case of a pitched or sloped roof with a slope of more than 15 degrees, the mean height between the eaves and the highest ridge.
 - c) In the case of any *structure* with no roof, the highest point of the *structure*.

- 116. Home Industry:** means an *accessory use* for gain or profit that is *accessory to a dwelling unit or agricultural use*.
- 117. Home Occupation:** means any occupation which is carried on as an *accessory use* and conducted wholly within a *dwelling unit*.
- 118. Hotel:** means a *building* or part thereof used to accommodate a travelling public for gain or profit, by supplying them with sleeping accommodation (with or without meals) but without a stove, and which may include *retail uses*, a *restaurant*, meeting rooms, an exercise room and other amenities for use by guests and which are *accessory* to the hotel. The guest rooms of a hotel are accessed by common corridors, and direct access to the rooms is not provided from the outside. A hotel does not include any other *use* otherwise defined in this By-law.
- 119. Hydrologically Sensitive Feature:** means permanent and intermittent streams, wetlands, kettle lakes, seepage and springs, and as further defined and described in accordance with the Oak Ridges Moraine Conservation Plan.
- 120. Impervious Surface:** means a surface that does not permit the infiltration of water, including but not limited to any *building* or *structure* with a rooftop, a *deck*, *porch*, sidewalk, paved roadway, asphalt, interlocking brick or concrete driveway, walking, or *parking area*.
- 121. Industrial Use, Heavy:** means the *use of building or structure* for the purpose of manufacturing, processing, fabrication, assembly, treatment, packaging and incidental storage of goods and materials, and which may include open storage as an *accessory use*, and which may involve noise, vibration or emissions provided they are in accordance with the *Province's* guidelines.
- 122. Industrial Use, Light:** means the *use of building or structure* for the purpose of manufacturing, processing, fabrication, assembly, treatment, packaging and incidental storage of goods and materials, provided that all activities are conducted within a wholly enclosed *building*, and that the operations do not involve any furnaces or machinery that emit noxious fumes or gases, discharge dirt, dust or particle matter into the air or result in noise or vibration.
- 123. Inn:** means *premises used* to accommodate a travelling public for gain or profit, by supplying them with sleeping accommodation

(with or without meals). The guest rooms of an inn are accessed by common corridors, and direct access to the rooms is not provided from the outside.

- 124. Institutional Residence:** means a *group home* containing or intended to contain more than 10 residents, and licensed, approved and supervised in accordance with the requirements of the *Province*.
- 125. Institutional Use:** means the *use* of land for non-commercial and non-residential purposes, and shall include *public or private schools, places of worship, child care centres, long-term care homes, fire stations, police stations, ambulance dispatch office, ambulance terminals, Provincial, Regional, Federal or municipal government offices* and public works yards, libraries, museums, *public parks, and community centres*.
- 126. Kennel:** means a *structure, shelter, building* or collection of *buildings, a run, or other small structures*, separate from and not including the residential *dwelling*, in which animal(s) are kept and includes those parts of a property referenced, in which dog(s) are housed, maintained, bred, trained and groomed, but does not include a *pet day care* or a location where four (4) or fewer dog(s) are kept and the dogs are licensed and owned by the person residing at that property.
- 127. Key Natural Heritage Feature:** means wetlands, significant portions of the habitat of endangered, rare, and threatened species, fish habitat, areas of natural and scientific interest (life science), significant valleylands, significant woodlands, significant wildlife habitat, sand barrens, savannahs, and tall grass prairies, as further defined and described by the Oak Ridges Moraine Conservation Plan.
- 128. Landform Conservation Area:** means a landform conservation area as described by the Oak Ridges Moraine Conservation Plan and as delineated on Schedule “C-2” of this By-law.
- 129. Landscaping:** means any combination of trees, shrubs, flowers, grass or other horticultural elements, including decorative stonework, screening or other architectural elements, and which does not include *parking areas, patios, walkways, decks, porches, balconies, driveways* or ramps. For the purpose of this definition, landscaped shall have a corresponding meaning.

- 130. Landscaping, Soft:** means an uncovered area of land that is permeable and permits the infiltration of water. For the purposes of providing clarity to this definition and without limiting the generality of the foregoing, soft landscaping can include sod, soil, flower, permeable pavers, loose or uncompacted aggregate including gravel or stone, plantings, gardens, trees or shrubs and swimming pools. Soft landscaping excludes anything that would be impervious to water infiltration, including but not limited to a rooftop, sidewalk, paved roadway, asphalt, interlocking brick or concrete *driveway, walkway or parking area*.
- 131. Legally Existing Use:** means uses legally established prior to the date that the Greenbelt Plan came into force on December 16, 2004.
- 132. Liquid Industrial Waste (Oak Ridges Moraine):** means the same as in Regulation 347 of the Revised Regulations of Ontario, as amended.
- 133. Loading Space:** means an unencumbered area of land which is provided and maintained upon the same *lot or lots* upon which the *principal use* is located and which area:
- a) is provided for the temporary parking of one commercial *motor vehicle* while merchandise or materials are being loaded or unloaded from such vehicle, and such parking shall not be for the purpose of sale or display.
 - b) is suitable for the temporary parking of one commercial *motor vehicle*.
 - c) is not upon or partly upon any *street* or lane, and
 - d) has adequate access to permit ingress and egress of a commercial *motor vehicle* from a street by means of *driveways, aisles, maneuvering areas or similar areas*, no part of which shall be used for the temporary parking or storage of one or more *motor vehicles*.
- 134. Long Term Care Home:** means a long-term care home as defined in the Long-Term Care Homes Act, as amended.



135. Lot: means a parcel or tract of land capable of being conveyed as a separate parcel pursuant to the provisions of the Planning Act, as amended, but shall not include a right-of-way, easement or reserve.

a) **Corner Lot:** means a *lot* situated at the intersection of and abutting on two or more *streets* provided that the angle of intersection of such *streets* is not more than 135 degrees.

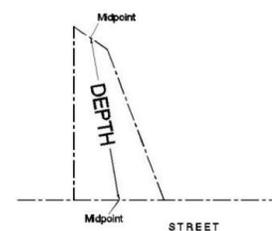
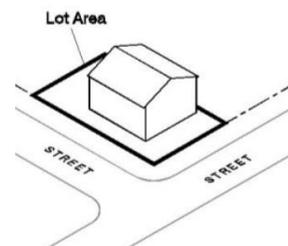
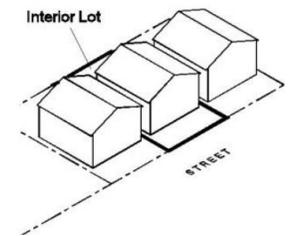
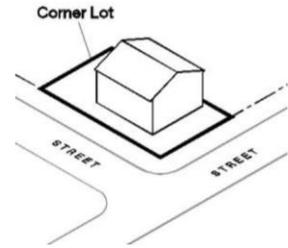
b) **Interior Lot:** means a *lot* situated between adjacent *lots* and having access to one *street*.

c) **Through Lot:** means a *lot* bounded on two opposite sides by *streets*, provided however, that if any *lot* qualifies as being both a *corner lot* and a *through lot* as hereinbefore defined, such *lot* shall be deemed a *corner lot* for the purpose of this By-law.

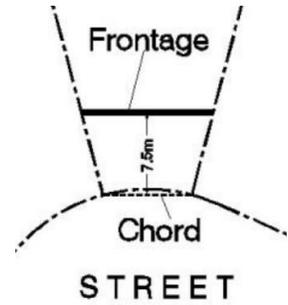
136. Lot Area: means the total horizontal area within the *lot lines* of a *lot*.

137. Lot Coverage: means the percentage of the *lot area*, covered by all *buildings* and *structures* above *grade*, and shall not include the portion of such *lot area* which is occupied by a structure or portion thereof which is completely below *grade*, and for the purposes of this definition, the *lot coverage* in each *zone* shall be deemed to apply only to that portion of such *lot* which is located within said *zone*.

138. Lot Depth: means the horizontal 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*. Where there is no *rear lot line*, the *lot depth* shall be measured from the midpoint of the *front lot line* to the converging point of the *side lot lines*.

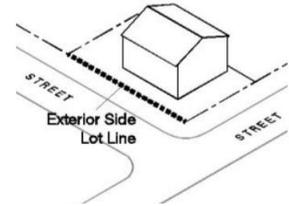


- 139. Lot Frontage:** means the horizontal distance between the *side lot lines* measured at right angles but excluding therefrom any distance between the *side lot lines* traversed by a right-of-way or easement or adjacent to or abutting a *reserve*. Where the *front lot line* is not a straight line, or where the *side lot lines* are not parallel, the lot *frontage* shall be measured by a line 7.5 m back from and parallel to the chord of the *lot frontage*. For the purposes of this By-law, the chord of the *lot frontage* is a straight line joining the two points where the *side lot lines* intersect the *front lot lines*.



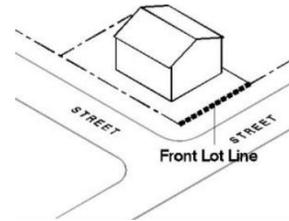
140. Lot Line: means any boundary of a *lot*.

a) Exterior Lot Line: means a *side lot line* which abuts the *street* on a *corner lot*.

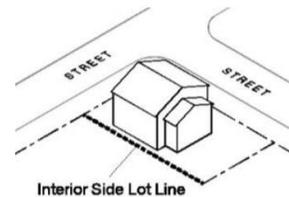


b) Front Lot Line: means the *lot line* that divides the *lot* from the *street*, but,

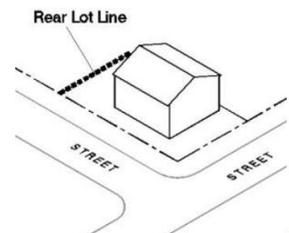
i) in the case of a *corner lot* with two *street lines* of unequal lengths, the *lot line* which is the shorter of the two *lot lines* shall be deemed to be the *front lot line*, and in the case of both *streets* being under the same jurisdiction, or of the same width, the *Municipality* may designate either *street line* as the *front lot line*;



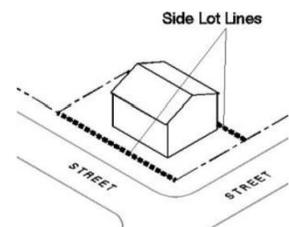
ii) in the case of a *corner lot* with two *street lines* of equal lengths, the *lot line* that abuts the wider street or abuts a *Regional* or *Provincial* road or highway shall be deemed to be the *front lot line*, and in the case of both *streets* being under the same jurisdiction, or of the same width, the *Municipality* may designate either *street line* as the *front lot line*;



iii) in the case of a *corner lot* abutting a 0.3 m *reserve*, the *lot* so abutting the 0.3 m *reserve* shall be deemed an *exterior side lot line* and the other *lot line* abutting the *street* shall be deemed the *front lot line*;



iv) in the case of a through lot, the longer boundary dividing the *lot* from the *street* shall be deemed to be the *front lot line* and the opposite shorter boundary shall be deemed to be the *rear lot line*. In case each of such *lot lines* should be equal length or both are under the jurisdiction of the *Municipality*, the *Municipality* may designate either *street line* as the *front lot line*.



c) Interior Side Lot Line: means any *side lot line* that is not an *exterior side lot line*.

d) Rear Lot Line: means the *lot line* opposite the *front lot line*. In the case of a triangular lot, the *rear lot line* refers to the point of intersection of the *side lot lines*.

- e) **Side Lot Line:** means the *lot line* other than a *front* or *rear lot line*.
141. **Main Building:** means the *building* in which the *principal use* of the *lot* or *building* is carried out.
142. **Main Wall:** means the exterior front, side or rear wall of a *building*, and all structural members essential to the support of a fully or partially enclosed space or roof, where such members are closer to a *lot line* than the said exterior wall.
143. **Manufacturing Establishment, Heavy:** means the assembly or processing of component parts to produce finished products suitable for *retail* trade and which may include food, beverage, tobacco, rubber, leather, textile, wood, printing, metal fabricating and the manufacturing or processing of raw materials or similar industries in accordance with the *Province's* guidelines. A heavy manufacturing establishment may also include an *accessory retail use* of the goods manufactured on the same *lot* as the *principal use* in accordance with the provisions of this By-law.
144. **Manufacturing Establishment, Light:** means the assembly or processing of component parts to produce finished products suitable for *retail* trade and does not include food, beverage, tobacco, rubber, leather, textile, wood, printing, concrete or asphalt batching or recycling plant, metal fabricating and the manufacturing or processing of raw materials or similar industries if these operations involve furnaces or machinery that emit noxious fumes or gases, discharge dirt, dust or particle matter into the air or result in noise or vibration beyond the limits of the property in excess of the *Province's* guidelines or if these operations involve stamping presses. All manufacturing or assembly activities shall be conducted entirely within one or more wholly enclosed *buildings*. A light manufacturing use may also include an *accessory retail use* of the goods manufactured on the same *lot* as the *principal use* in accordance with the provisions of this By-law.
145. **Manure Storage Facility:** means a *premises*, with or without a roof or covering enclosing the surface area of the *premises*, used for the storage of liquid or solid livestock manure.
146. **Marina:** means a commercial establishment where a boat house, boat storage, boat repair facilities, boat rental, pier, dock or jetty facilities or any combination of the foregoing are available for all types of marine pleasure craft and may include a gasoline pump

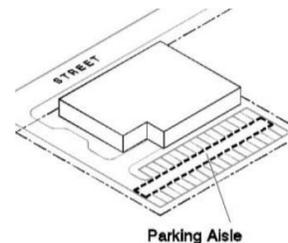
for the fuelling of marine craft and a *building* or *structure* for the retail sale of marine craft, accessories and/or refreshments.

- 147. Medical Practitioner:** means a medical practitioner within the meaning of the Canada Health Act, as amended.
- 148. Mineral Aggregate Operation:** means an operation, other than a *wayside pit*, conducted under a license or permit under the Aggregate Resources Act, and associated facilities used in the extraction, transportation, beneficiation, processing or recycling of mineral aggregate or the production of related by-products.
- 149. Mobile Home:** means a prefabricated *building* which is designed to be towed on its own chassis (notwithstanding that its running gear is or may be removed) and is designed and equipped for year-round occupancy and contains facilities for cooking or for the installation of cooking equipment, as well as sanitary facilities including a flush toilet and shower or bathtub.
- 150. Model Home:** means a *building* which is *used* on a temporary basis as a sales office and/or as an example of the type of *dwelling* that will be for sale in a related development, and which is not and shall not be occupied or *used* for human habitation.
- 151. Motel:** means a *building* or *buildings* or part thereof on the same site used to accommodate the travelling public for gain or profit, by supplying them with sleeping accommodation, with or without meals. The guest rooms of a motel are accessed directly from the outside and may or may not be accessed from common corridors. A motel does not include any other *use* otherwise defined in this By-law.
- 152. Motor Vehicle:** means an automobile, a motorcycle, a motor-assisted bicycle, and any other vehicle propelled or driven otherwise than by muscular power. See also *recreational vehicle*.
- 153. Municipality:** means the Corporation of the Township of King.
- 154. Mushroom Farm:** means a *premises* for the growing of mushrooms in a climatically controlled environment.
- 155. Net Developable Area:** means the total area of a *lot* or portion of a *lot* less any identified *key natural heritage features*, *key hydrologic features* and any related vegetation protection zone, as may be applicable.

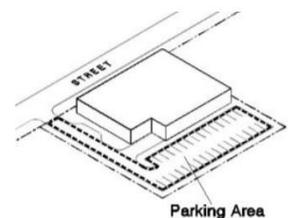
- 156. Non-complying:** means a *lot, building or structure* which does not comply with one or more of the provisions of this By-law as of the date of the final passing thereof.
- 157. Non-conforming:** means a *lot, building, or structure* which does not conform to the permitted *uses* of this By-law as of the date of the final passing thereof.
- 158. Oak Ridges Moraine Conservation Plan Area:** means the area of land designated by Ontario Regulation 140/02, as amended or its successor, as being the Oak Ridges Moraine Area, comprising the land lying within the *Oak Ridges Moraine Conservation Plan Area Boundary*, as indicated by Schedule “A” of this By-law.
- 159. Obnoxious Use:** means a *use* which, from its nature or operation creates a nuisance or is liable to become a nuisance or offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust, contaminants or objectionable odours, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other material. Nothing herein shall be deemed to prohibit animal waste disposed of in accordance with normal farming practices and in accordance with the requirements of the *Province*.
- 160. Office:** means a room or rooms where business may be transacted, a service performed, or consultation given but shall not include the manufacturing of any product.
- 161. On-Farm Diversified Use:** means a type of *use* that is secondary to a *principal agricultural use* on the same *lot* and is limited in area.
- 162. On-Farm Shop or Café:** means a small-scale café or shop that is an *on-farm diversified use*, and may include the sale of antiques and a tack shop, that is *accessory* to the permitted *agricultural uses* on the *lot* and shall primarily include the sale of value-added products produced by the farm.
- 163. Open Product Display:** means an area outside of a *building or structure, used* in conjunction with a business located on the same *lot*, for the orderly display of completely assembled or finished products, merchandise, or the supply of services, made available for sale or rent in conjunction with the *principal use* on the *lot*.
- 164. Open Storage:** means an open area of land *used* for the temporary storage of materials, equipment, or finished goods

which are associated with the *principal use* of the *lot*. *Parking areas* shall not be considered *open storage* and shall not include a *scrap yard*.

- 165. Organic Solvent:** means a substance, usually a liquid, capable of dissolving another liquid and includes but is not limited to carbon tetrachloride, chloroform, methylene chloride (dichloromethane) and pentachlorophenol.
- 166. Overnight Accommodation Use:** means a *building* that is designed as a detached *dwelling unit* or part thereof that provides, for gain or profit, overnight sleeping accommodation for the travelling public, with or without private cooking facilities. An overnight accommodation use shall not include any other *use* defined by this By-law.
- 167. Park, Public:** means land *used* and maintained for active or passive outdoor recreational purposes, such as walking/hiking/cycling *trails*, picnic areas and sports fields, and which may include a refreshment stand. A *park* shall not include a *golf course*.
- 168. Park, Private:** means land *used* as a *park* which is not operated by a *public authority*. A private park shall not include a *golf course* or a *major recreational use*.
- 169. Park, Unserviced:** means a *public park* that provides recreational opportunities and/or facilities, but without outdoor lighting, accessory commercial facilities, *buildings*, paved *parking areas*, or permanent water or *sanitary sewer* facilities.
- 170. Parking Aisle:** means that portion of a *parking area* which is provided and maintained to be used by vehicles to access individual *parking spaces*.



- 171. Parking Area or Parking Lot:** means an area of land which is provided and maintained upon the same *lot* or *lots* upon which the *principal use* is located and which area:
- a) comprises all *parking spaces* of at least the minimum number required according to the provisions of this By-law, and all *driveways*, aisles, maneuvering areas, entrances,

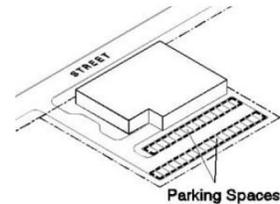


exists, and similar areas used for the purpose of gaining access to or egress from the said *parking spaces*; and

b) does not include the storage of *motor vehicles* for sale.

172. Parking Garage: means a *parking area* that is the *principal use* of a *lot* and is operated to provide parking whether or not for gain or profit.

173. Parking Space: means an area of land which is provided and maintained for the purpose of temporary storage of a *motor vehicle* or *commercial vehicle*.



174. Patio, Commercial: means a space that is not wholly enclosed, whether or not covered, used for the temporary seating of patrons.

175. Person: means an individual, association, firm, partnership, corporation, trust, incorporated company, corporation created under the Condominium Act, organization, trustee or agent, and the heir's executors or other legal representatives of a person to whom the context can apply according to law.

176. Pet Day Care: means *premises* where dog(s) and other domestic pets are boarded during which, the pet(s) are socialized with other pet(s) in an open (meaning without barriers), controlled and secure setting and typically the pet(s) are not kept in individual kennels and runs. The pets boarded in a pet day care are typically boarded for short periods of time and during the majority of the pet's stay the pets are socializing and playing with other pet(s) but does not include a *kennel* as defined herein or a location where four (4) or less dog(s) are kept and the pets are licensed and owned by the person residing at that property as required by the *Municipality* in accordance with all other by-laws.

177. Pet Grooming Establishment: means a *building* or part of a *building used* for the grooming of domestic pets as a commercial business, but does not include any *veterinary clinic*, *pet day care*, *kennel*, any overnight boarding of pets, or any other *use* defined in this By-law.

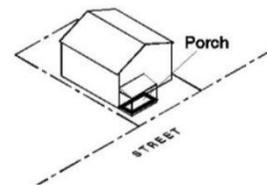
178. Place of Assembly: means a *building* or part thereof used for the gathering of persons, and shall include a banquet hall, conference centre, auditorium, assembly hall, and similar *uses*, and which may

include the incidental preparation and sale of food and beverages on the *premises*.

179. Place of Worship: means a *building* dedicated to religious worship and may include a mosque, synagogue, church, or other such religious institution and may include *accessory uses* such as a *place of assembly*, auditorium, *private school*, convent, parish hall and/or manse, if the manse is located on the same *lot* as the place of worship.

180. Planting Strip: means an area of land abutting a *lot line* used for no other purpose than *landscaping* and which may also include a fence. A *planting strip* may be traversed by walkways or *driveways*.

181. Porch: means an unenclosed, covered platform with direct access to the ground that is *attached* to a *dwelling*.



182. Portable Asphalt Plant: means a facility:

- a) With equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material and includes stockpiling and storage of bulk materials used in the process; and
- b) Which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

183. Portable Concrete Plant: means a facility:

- a) With equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- b) Which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

184. Porte Cochère: means a portico-like *structure* or architectural feature that enables vehicles to pass through a *building*, provide a temporary vehicle parking area and/or to enable passengers to be picked up or dropped off under shelter from the weather. A porte

cochère shall be considered to form part of the associated *main building* and shall not be considered *accessory*.

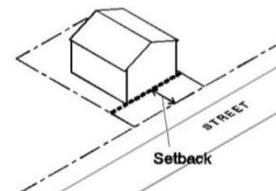
- 185. Premises:** means the land, *buildings* or *structures* occupied, *used* or intended to be occupied or *used*.
- 186. Principal or Main:** means primary, as distinguished from *accessory*, *ancillary*, or incidental.
- 187. Private Garage:** means a *building* or part thereof *accessory* to a residential *use* and *used* for the temporary parking or storage of private passenger *motor vehicles* and wherein neither servicing nor repairing is carried on for remuneration.
- 188. Province or Provincial:** means the Province of Ontario.
- 189. Public Authority:** means Federal, *Provincial*, *Regional*, District or *Municipal* agencies and includes any commission, board, authority or department established by any such agency.
- 190. Recreational Use:** means the *use* of land for *public* or *private parks*, playgrounds, tennis courts, basketball courts, soccer fields, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, picnic areas, indoor and outdoor swimming pools, splash pads, and similar *uses*, together with necessary and *accessory buildings* and *structures* which may include a refreshment booth and pavilion.
- 191. Recreational Use, Low-Intensity:** means *recreational uses* which have minimal impact on the natural environment and require little terrain or vegetation modification and few *buildings* or *structures*, including but not limited to nonmotorized trail uses, natural heritage appreciation, un-serviced camping on public and institutional land, and *accessory uses* to the foregoing.
- 192. Recreational Use, Major:** means *recreational uses* that may require large-scale modification of terrain, vegetation or both and usually also require large-scale *buildings* or *structures*, such as *golf courses*, serviced playing fields, serviced campgrounds, *ski facilities* and other similar *uses*.
- 193. Recreational Vehicle:** means a specially designed vehicle used for recreation purposes, whether or not it is required to be licensed or is jacked up or its running gear removed, including an all-terrain vehicle, a snowmobile, a camper, a motor home, a boat or *trailer*.

A recreational vehicle may provide temporary living, sleeping, or eating accommodation for travel, vacation, seasonal camping or recreational use.

- 194. Region or Regional:** means the Regional Municipality of York.
- 195. Research and Development:** means *premises used* for the purpose of conducting scientific or technical study, analysis, and experimentation or development.
- 196. Reserve:** means a 1 foot or 0.3 m strip of land conveyed to the *Municipality*, the *Region* or the *Province* for the purpose of preventing direct access to a public street from adjoining lands.
- 197. Religious Monastery or Seminary:** means premises for the principal purpose of providing permanent residential accommodation of persons devoted to spiritual pursuit, not for gain or profit and may include accessory *uses* such as a *place of worship* and limited short term overnight accommodations for guests.
- 198. Residential Amenity Space:** means a *building* or *structure* which is provides communal facilities intended to satisfy the recreational or social needs of residents, and may include a swimming pool, tennis court, a community centre, meeting room, and other similar *uses*.
- 199. Residential Use:** means a *premises* for human habitation.
- 200. Restaurant:** means a *building* or part thereof where food is prepared and offered for sale to the public for consumption on site or for take-out.
- 201. Restaurant, Take-out:** means a *building* or part thereof, designed, intended or *used* for the sale of food or refreshments to the general public and from which food or refreshment is made available to the customer from within the *building*, but is intended to be consumed outside of the *building*. A take-out restaurant shall not include a *drive-through*.
- 202. Retail:** means a *building* or part thereof in which goods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public.

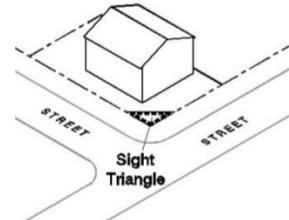
- 203. Retail, Ancillary:** means the part of a *building* or *structure* used for the accessory *retail* sale of goods or items produced on the *premises* in accordance with the provisions of this By-law.
- 204. Retirement Home:** means a retirement home as defined in the Retirement Homes Act, as amended, or its successor.
- 205. Risk Management Plan:** means a site-specific document, approved by a Risk Management Official (RMO), as defined under Part IV of the Clean Water Act, 2006, as amended or its successor, that outlines actions required to address identified significant drinking water threats. A risk management plan regulates how significant drinking water threats are managed.
- 206. Sanitary Sewer:** means a collection of underground pipes or conduits, operated by a condominium corporation, the *Municipality*, *Region* and/or the *Province*, which carries sewage to an approved place of treatment.
- 207. School, Commercial:** means a school of seven or more pupils conducted for gain in such fields as academics, arts, crafts, motor vehicle driving, language, modeling, hairdressing, gymnastics, beauty, culture, dancing, music, golf, yoga, martial arts, photography, business or trade, engineering, computer technology and any other such specialized school conducted for gain. A commercial school shall not include a *private school* or *public school*.
- 208. School, Private:** means a school other than a *commercial school* or *public school*.
- 209. School, Public:** means a public or separate school, a high school, a continuation school, a technical school, a college or university or any other school established and maintained by a *public authority*.
- 210. Spa or Resort:** means premises intended for the overnight accommodation of guests using facilities for the purpose of health and fitness, with or without meals but without private cooking facilities, and may include ancillary commercial uses such as a confectionary and outlets for the sale of sporting goods, sporting apparel, medicinal products and personal sundries. A spa or resort shall not be used for the overnight accommodation of the travelling public.

- 211. Scrap Yard:** means *premises* used for the storage and/or handling of scrap, which may include waste paper, rags, bones, bottles, bicycles, vehicles, tires, metal and/or other scrap material and salvage.
- 212. Sensitive Land Use:** means *buildings* or outdoor spaces where routine or normal activities occurring at reasonably expected times would be subjected to one or more adverse effects from contaminant discharges, fumes, odours, vibrations, noise, or air pollutants generated by a nearby facility. Sensitive land *uses* may be part of the natural or built environmental and may include but are not limited to: residences, *child care centres*, *places of worship*, education and health facilities, *community uses*, *parks* and playgrounds.
- 213. Service Shop, Light:** means a *use* devoted to the service and repair of small appliances, home and office electronics, clothing/shoes, bicycles, jewelry or other small tools and appliances.
- 214. Service Shop, Heavy:** means a shop devoted to the servicing or repair of major appliances, heating/cooling systems, farm equipment and includes the regular place of business of a master electrician, plumber or other similar tradesperson or contractor.
- 215. 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 hairdressing establishment, tattoo parlour, manicure/pedicure salon, coin-operated laundry, tailor shop, a day spa and other similar services. For clarity, and without limiting the generality of the foregoing, a personal service shop shall only include the *retail* sale of goods as an *accessory use*.
- 216. Setback:** means the distance between the *lot line* and the nearest *main wall* of any *building*, *structure*, or *use* as indicated in the context in which the term is used.
- 217. Settlement Area:** means a settlement area as designated by the Township of King Official Plan.



218. Shipping Container: means a new or used standardized metal commercial shipping or cargo container that is fully enclosed and designed to be *used* interchangeably between two or more modes of transportation for the shipment of goods and material. A shipping container does not include a *motor vehicle*.

219. Sight Triangle: means an area free of *buildings* or *structures*, and which area is to be determined by measuring, from the point of intersection or projection of *street lines* on a *corner lot*, the distance required by this By-law along each such *street line* and joining such points with a straight line. The triangular-shaped land between the intersecting *street lines* and the straight line joining the points, the required distance along the *street lines* is the sight triangle.



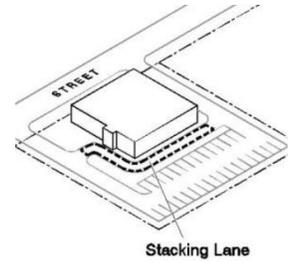
220. Site Alteration: means activities which alter the existing grade of land through the removal, placement, relocation, or movement of fill that would change the landform and natural vegetative characteristics of land, in accordance with the Municipality's Site Alteration By-law.

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

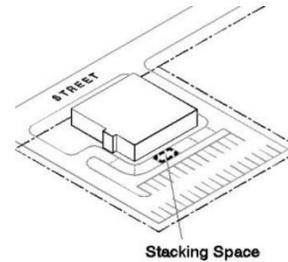
221. Site Plan: means a site plan as approved by or subject to approval by the *Municipality* in accordance with its Site Plan Control By-law, as may be amended from time to time.

222. Ski Facility: means an area of land with trails used by skiers and which may include *accessory uses, buildings, or structures* devoted to the maintenance, administration, and operation of the ski facility, and without limiting the generality of the foregoing, may include *accessory retail* or refreshments. Includes downhill ski, cross-country ski, and water ski facilities.

223. Stacking Lane: means a continuous on-site queuing lane that includes tandem *stacking space* for *motor vehicles* which is separated from other vehicular traffic and pedestrian circulation, by barriers, markings, or signs.

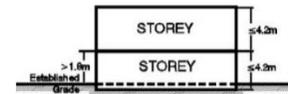


224. Stacking Spaces: means a portion of a *stacking lane* which provides standing room for *motor vehicles* in a queue and, without limiting the generality of the foregoing, includes any part of a queue for a *drive-through restaurant*, an *automobile washing establishment*, a drive-through *financial establishment* or a *drive-through pharmacy* or any use where a *drive-through* is permitted by this By-law.



225. Storage Depot: means *premises used* for the storage of goods, materials, equipment and personal belongings for gain and profit and which may include a commercial self-storage facility.

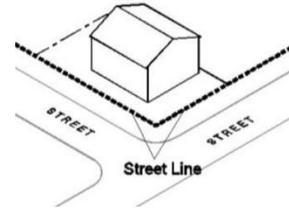
226. Storey: means that portion of a *building* between any floor and the lesser of any ceiling or roof above, provided that all portions of a *building* partly below *grade* level shall not be deemed a storey unless its ceiling is at least 1.8 m above *established grade*. Any portion of a storey exceeding 4.2 m in *height* shall be deemed an additional storey for each 4.2 m or fraction thereof in excess.



227. Storm Sewer or Drainage System: means a collection of underground conduits or open ditches operated and/or maintained by the *Municipality* and/or the *Region*, which carries storm surface waters and natural drainage, but excludes sewage, household or industrial wastes.

228. Street: means any public street, road, laneway, roadway or highway (excluding a right-of-way over common elements through a condominium corporation) assumed and maintained by the *Municipality*, the *Region* or the *Province* and shall include a street on a registered plan of subdivision, where the street has not yet been assumed by the *Municipality* but is being maintained pursuant to a subdivision agreement with a developer entered into pursuant to Section 50 of the Planning Act, as amended, and the developer is not in default of its obligations thereunder.

229. Street Line: means the boundary line of a *street*, representing the dividing line between a *lot* and a *street*.



230. Structure: means anything that is *erected*, built or constructed of parts joined together or any such *erection* fixed to or structurally supported by the soil and/or any other *structure*, and shall include a *deck*, *porch*, and *balcony*.

231. Studio: means a *building* or part thereof used for the portrait and commercial photography, painting, sculpting, or other forms of art and craft making, and which may include the sale of art, crafts and photography created or developed on the *premises*, or the *ancillary retail* sale of equipment used by photographers or artists, and for the purposes of this By-law shall include an *art gallery*.

232. Swimming Pool: means a privately owned outdoor swimming pool which includes any body of water or pool located outdoors on privately owned property contained in part or in whole by artificial means and used or intended to be used for swimming, diving or bathing, but does not include a pond for decorative, landscape, agricultural or storm water management facility or a body of water or pool that is less than 0.5 m in *height* or depth, or a combination thereof.

233. Taxi Dispatch Office: means a *building* or part thereof used as an office to dispatch taxis to their fares but does not include a *taxi station*.

234. Taxi Station: means *premises* used for the parking, cleaning, and minor maintenance of a taxi or vehicle sharing service fleet, and which may include a *taxi dispatch office* as an *accessory use*.

235. Tourism Information Centre: means *premises* used for providing tourism information to the travelling public.

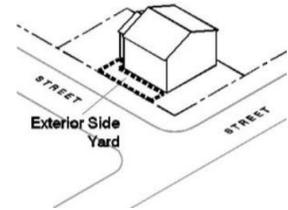
236. Trail: means a pathway, whether or not paved, intended to be used for passive, non-motorized recreational purposes such as walking, hiking, and cycling, and may include associated *accessory structures* such as signage, architectural entryway features, landscaping and benches.

- 237. Trailer:** means a vehicle that is at any time drawn upon a highway by a *motor vehicle*, except an implement of animal husbandry, another vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the *motor vehicle* by which it is drawn.
- 238. Trailer Park:** means premises under single ownership *used* for the parking of tourist trailers on a temporary or seasonal basis from April to October in any calendar year.
- 239. Transportation, Infrastructure and Utilities:** means
- a) streets and public highways;
 - b) transit lines, railways and related facilities;
 - c) gas and oil pipelines;
 - d) sewage and water service systems and lines and stormwater management facilities;
 - e) power transmission lines;
 - f) telecommunications lines and facilities, including broadcasting towers;
 - g) bridges, interchanges, stations, and other structures, above and below ground, that are required for the construction, operation or use of the facilities listed in clauses a) to f); and/or
 - h) rights-of-way required for the facilities listed in clauses a) to g).
- 240. Truck or Bus Terminal:** means *premises used* for the storing, parking, dispatching or loading of *commercial vehicles*, including incidental maintenance and repair of the vehicles on the premises within a wholly enclosed *building*, and without limiting the generality of the foregoing, may include *accessory uses* such as a ticket office, canteen, luggage checking facilities, parcel shipping facilities, storage facilities for the parking of the vehicles and ancillary *offices*, parking for passengers, but shall not include any other *uses* as defined herein.

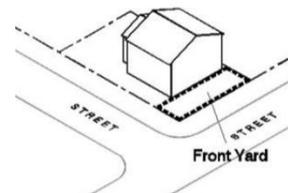
- 241. Use:** when used as a noun, means the purpose for which a *lot* or *building* or *structure* or any combination thereof, is designed, arranged, intended, occupied or maintained and “uses” shall have a corresponding meaning. “Use,” when used as a verb, or “to use,” shall have corresponding meanings.
- 242. Veterinary Clinic:** means *premises* where domesticated animals (excluding livestock) are given medical or surgical treatment for a limited time, within which there may be shelter facilities provided for overnight medical treatment but shall not include a *kennel* or *agricultural animal clinic*.
- 243. Waste Containment Structure:** means an area of land *used* in conjunction with a *use* on the *lot* to store waste in bins or other receptacles and that is fully enclosed by an opaque screening of at least 1.8 m in *height*, and which may contain a gate for access.
- 244. Waste Disposal Facility:** means *premises used* for the disposal of residential, commercial or industrial waste and includes a landfill, waste transfer station, recycling facility and processing facility.
- 245. Watercourse:** means a natural channel for a stream and, for the purpose of this By-law, includes a natural channel for an intermittent stream and natural drainage canals.
- 246. Wayside Pit:** means a temporary pit opened or *used* by or for a public body solely for the purpose of a particular project of road construction and not located on the road right of way.
- 247. Wellhead Protection Area:** means the surface and subsurface area surrounding a water well or well field that supplies a public water system and through which contaminants are reasonably likely to move so as eventually to reach the water well or well field.
- 248. Winery, Cidery, Distillery, or Micro-Brewery:** means the making of beers, spirits, ciders, and wines from grains, hops, crops, and fruit grown in the area, and may include a tasting room, hospitality area, outdoor patio, an on-site *restaurant* and dining facility, and other commercial amenities and *retail* sales of the products produced on site.
- 249. Yard:** means an open, uncovered space on a *lot* appurtenant to a main *building* and unoccupied by *buildings* or *structures* except as specifically permitted in this By-law. In determining required *yard*

measurements, the minimum horizontal distance from the respective *lot lines* shall be *used*.

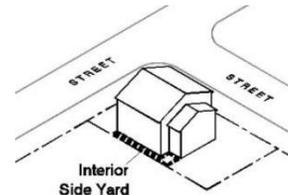
- 250. Yard, Exterior Side:** means the *side yard* of a *corner lot* which *side yard* extends from the *front yard* to the *rear yard* between the *street line* and the nearest wall of any *building* or *structure*. The minimum required *exterior yard* means the minimum *depth* of an *exterior side yard* on a *lot* between the *exterior side lot line* and the nearest wall of any *building* or *structure* on the *lot*.



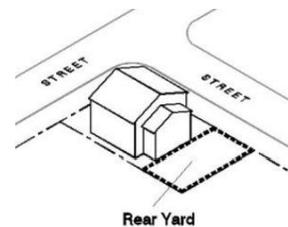
- 251. Yard, Front:** means a *yard* extending across the full width of a *lot* between the *front lot line* and the nearest wall of any *building* or *structure* on the *lot*. The minimum required *front yard* means the minimum *depth* of a *front yard* on a *lot* between the *front lot line* and the nearest *main wall* of any main *building* or *structure* on the *lot*.



- 252. Yard, Interior Side:** means a *side yard* which is not an *exterior side yard*.



- 253. Yard, Rear:** means a *yard* extending across the full width of a *lot* between the *rear lot line* and the nearest wall of any main *building* or *structure* on the *lot*. The minimum required *rear yard* means the minimum *depth* of a *rear yard* on a *lot* between the *rear lot line* and the nearest *main wall* of any main *building* or *structure* on the *lot*.



- 254. Yard, Side:** means a *yard* extending from the *front yard* to the *rear yard* of a *lot* between a *side lot line* which is not a *street line* and the nearest wall of any *building* or *structure* on the *lot*. The minimum required *side yard* means the minimum *width* of a *side yard* on a *lot* between a *side lot line* and the nearest *main wall* of any main *building* or *structure* on the *lot*.

- 255. Zone:** means a designated area of land use shown on Schedule "A" and established and designated by this Bylaw for the purposes of a specific *use* or group of *uses* that are *erected* and maintained in accordance with the provisions of this By-law.

- 256. Zoning Administrator:** means the officer or employee of the *Municipality* from time to time charged by the *Municipality* with the duty of administering the Zoning By-law.