

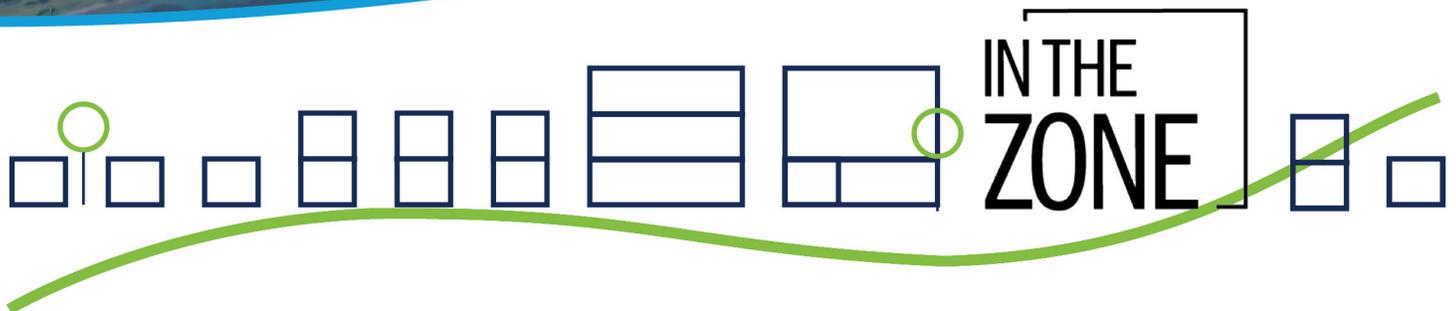
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Definitions Analysis Report

Town of Whitby Zoning By-law Review Study

February 2020



Prepared For:



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Appendix A: Definition Comparison

1 Introduction



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

Following separate Residential, Commercial, Mixed Use, Employment and Other Zone Reports, the objective of this report is to review and evaluate the definitions included in the Town of Whitby's zoning by-laws. The undertaking includes a review of the definitions within existing Zoning By-Law #1784 ("1784"), Zoning By-Law #2585 ("2585") and the Oak Ridges Moraine Zoning By-Law #5581-05 ("5581-05").

The purpose of this report is to understand and outline how the Town's current zoning definitions are organized and structured within each zoning by-law. The definitions reviewed in this report will assist in determining what definitions are required to interpret the provisions in Whitby's new Comprehensive Zoning By-law.

Section 2 of this report explains where definitions are found in the existing zoning by-laws.

Section 3 of this report includes a comparison table of the existing definitions across the three by-laws and provides a high level description and summary of the key findings

Section 4 identifies definitions in the Official Plan which may be relevant to the zoning by-law.

Section 5 explains the next steps in the Study.

2 Structure of Definitions in Existing Zoning By-Laws



2.1 Zoning By-law 1784

Definitions are found in both their own section (Section 2) within Zoning By-law 1784, as well as in site specific exceptions in section (Section 12).

In addition to the definitions in Section 2, Zoning By-law 1784 contains subsections for the Village of Brooklin Central Core Area (Section 13) and the West Whitby Secondary Plan Area (Section 14), each of which contain additional definitions which apply to these areas.

2.2 Zoning By-law 2585

Similar to Zoning By-law 1784, Zoning By-law 2585 also includes definitions in a list in the definitions section (Section 2) as well as sometimes in the site specific exceptions.

Zoning By-law 2585 also contains a subsection for the Downtown Secondary Plan area (Section 26) which contains additional definitions that apply in this area.

2.3 Zoning By-law 5581-05

In the Oak Ridges Moraine Zoning By-law #5581-05, defined terms are only found in the definitions section (Section 3).

3 Comparison of Existing Definitions



The comparison of existing definitions was undertaken using two tables.

The table in **Appendix A** compares and analyzes each definition. Where multiple definitions for each defined term are found in the various zoning by-laws and site specific exceptions, it lists each of the different versions of the definition. The table includes definitions found in each zoning by-law's Definition Section, those found in the special areas, including the Downtown, Brooklin and West Whitby and in the site specific exceptions.

The table then provides recommendations on the existing definitions.

Based on our previous zoning by-law review experience and best practices noted in other contemporary zoning by-laws, the following considerations were used to review the definitions and prepare recommendations:

- Common terms do not need to be defined, especially where a typical dictionary definition appropriately captures the intent;
- The definitions should be easy to read and understand;
- Terms that are no longer relevant can be deleted;
- Terms that are not used in the zoning by-law do not need to be defined;
- Simplicity and flexibility can be achieved by not over defining uses, for example, in defining very specific uses that can be captured by “retail store”;
- Definitions should not regulate a matter or contain numerical regulations; and
- Definitions should not be located in site specific exceptions; they should apply comprehensively in the by-law.

This table forms only the initial analysis of appropriate definitions. As the project moves forward, this list of definitions will shift to align with those required to interpret the by-law as it is written, ensuring that new definitions are added, as needed, and those not used in the by-law are deleted.

Tables 1, 2, 3 and 4 list the recommendations for each definition, based on the following categories:

- **Carry Forward:** One of the existing definitions is to be brought forward into the new zoning by-law.

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

Table 1: Summary of Carry Forward Recommendations

- Accessory apartment
- Accessory use /accessory
- Adult entertainment establishment
- Adverse effect
- Ancillary retail sales
- Animal shelter
- Angular plane
- Apartment building/apartment dwelling house / apartment dwelling
- Bakeshop or confectionary shop / bakeshop
- Balcony
- Basement
- Bed and breakfast establishment
- Boarding and lodging house / boarding or lodging house
- Body rub establishment
- Building
- Car wash
- Commercial school / school, commercial
- Conservation use
- Contractor's yard
- Council
- Craft brewery
- Dry cleaner's distribution station
- Dwelling unit, block townhouse
- Dwelling, back to back townhouse
- Dwelling unit, back to back townhouse
- Dwelling house, semi-detached / dwelling, semi-detached / semi-detached dwelling house / common wall semi detached dwelling
- Dwelling, stacked / dwelling, stacked townhouse
- Dwelling unit, stacked townhouse
- Dwelling unit, street townhouse
- Dwelling unit
- Exterior wall
- Farm implement dealer / agricultural implement sales and service outlet
- Financial institution
- First floor height
- First storey
- Flood plain
- Floor plate area
- Food store
- Funeral establishment
- Gateway area
- Group home
- Home based business
- Home industry
- Impervious surface
- Improved public street
- Kennel
- Lane
- Laundromat
- Liquid industrial waste
- Live work dwelling
- Livestock facilities
- Livestock housing capacity
- Livestock unit
- Loading space
- Long term care home / long term care facility
- Lot
- Lot area
- Lot, corner
- Lot, through corner
- Lot coverage / coverage, lot / lot building coverage
- Lot frontage / frontage, lot
- Lot line, rear
- Lot line, side
- Lot, through
- Marina
- Mineral aggregate
- Mineral aggregate operation
- Mobile home
- Model home

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- Motor vehicle paint and body shop
 - Museum
 - Nursery school / day nursery / day care establishment
 - Obnoxious
 - Office / offices
 - Parking area
 - Parking space, tandem / tandem parking space
 - Parking structure
 - Personal service establishment
 - Pet grooming/ animal care establishment
 - Pit
 - Place of worship / church
 - Portable asphalt plant
 - Premises
 - Principal use
 - Private amenity space
 - Private club / fraternal organization
 - Private street
 - Quarry
 - Rapid infiltration basin/column
 - Recreational trailer sales establishment / recreational vehicle sales and service establishment
 - Retirement home
 - Salvage yard
 - School
 - Self storage warehouse
 - Service shop
 - Shopping centre
 - Storey
 - Storey, first
 - Street line
 - Structure
 - Studio / artist or photographic studio
 - Supermarket
 - Taxi establishment
 - Topsoil processing
 - Trailer
 - Use
 - Vehicle
 - Vehicle, commercial/ commercial motor vehicle
 - Veterinary clinic
 - Visibility triangle
 - Wall exterior
 - Warehouse facility
 - Wayside pit or wayside quarry / wayside pit
 - Woodland
 - Yard, front
 - Yard, rear
 - Yard, side, exterior / yard, exterior side / exterior side yard
 - Yard, side, interior / yard, interior side

Table 2: Summary of Carry Forward with Edits Recommendations

- | | | | |
|--|---|--|--|
| <ul style="list-style-type: none"> • Agricultural uses • Agricultural-related uses • Aisle • Automobile sales establishment / new automobile sales dealership • Canopy • Carport • Catering service establishment • Common wall • Community centre • Crisis residence • Deck • Driveway • Dwelling house, duplex /dwelling, duplex • Dwelling house, triplex / dwelling, | <ul style="list-style-type: none"> semi-detached triplex • Dwelling, street townhouse / street townhouse dwelling • Eating establishment • Eating establishment, take out • Equipment sales and rental - light • Finished grade level • Front wall • Garden suite • Golf course • Green roof • Gross floor area • Gross leasable area (g.l.a.) • Ground floor area | <ul style="list-style-type: none"> • Habitable room • Landscaped open space • Lot depth • Lot, interior • Lot line • Lot line, front • Medical marihuana production facility • Motor vehicle rental • Non-complying • Non-conforming / non-conforming use • Open storage / outside storage • Parcel of tied land • Park • Parking lot • Parking space | <ul style="list-style-type: none"> • Parking space, accessible • Patio • Permit • Place of entertainment • Podium • Point tower • Private garage • Regional industrial warehouse and distribution centre • Sight triangle • Street • Waiting space • Yard • Yard depth or setback • Zero decimal three metre reserve |
|--|---|--|--|

Table 3: Summary of Consider Further Recommendations

- Accessory building
- Accessory structure
- Activity building
- Arterial road
- Assembly hall
- Automobile parts store
- Automobile service compound
- Automobile service station / service station, automobile / automobile service centre
- Banquet hall
- Boat and marine accessory sales establishment
- Boat and recreational vehicle sales establishment
- Building, main
- Cemetary
- Clinic
- Collector road
- Conservation area
- Convenience retail store / convenience store
- Department store
- Dry cleaning establishment
- Dwelling
- Dwelling, block townhouse / block townhouse dwelling / block townhouse
- Dwelling, converted
- Dwelling, fourplex
- Dwelling house, link / dwelling link / dwelling, link
- Dwelling house, semi-detached duplex / dwelling, semi-detached duplex or semi-detached duplex / dwelling, semi-detached duplex
- Dwelling house, split level / dwelling, split level
- Dwelling, single detached
- Dwelling unit, bachelor
- Established front building line
- Erect
- Escort service
- Existing
- Floor space index
- Food preparation plant
- Forest management
- Gas bar
- Guest room / guest suite
- Height, apartment building, long term care facility or retirement home
- Hazardous waste
- Health care complex
- Height and height of building / height, building / height of building
- Home improvement centre
- Home supply centre
- Hotel
- Internal roadway
- Kiosk
- Laundry
- Light manufacturing
- Local road
- Manufacturing floor area
- Mixed use building
- Outdoor events venue/facility
- Person
- Physician
- Photocopy shop
- Planting strip
- Plumbing supply centre
- Pool supply centre
- Porch
- Public agency
- Public road authority
- Public service
- Recreation complex
- Recreational club or facility

- Religious organization
- Residential character
- Residential sales office
- Retail nursery
- Retail store
- Retail warehouse facility
- Retail/wholesale automotive parts store
- School, private
- Site
- Storey, one-half / storey, half
- Technology industry
- Tourist establishment
- Vehicle, motor
- Vehicle, recreational
- Water supply plant
- Wellness centre

Table 4: Summary of Delete Recommendations

- Amusement machine
- Angle of divergence
- Animal agriculture
- Apartment building, seniors
- Assisted apartment dwelling house
- Audio/visual centre
- Automobile dealership complex/ block/new automobile sales dealership
- Boarder
- Buffer area
- Building by-law / building code
- Building inspector
- Caretakers residence
- Catalogue store
- Cellar
- Cemetary maintenance building
- Cemetary office
- Chapel
- Cluster housing
- Columbarium
- Contracting equipment
- Corporation
- County
- Courtyard
- Crematorium
- Crisis centre
- Dentist
- Downtown zone
- Drive-through service
- Drugless practitioner
- Dwelling, common wall semi-detached
- Dwelling, non-profit
- Dwelling, low density cluster
- Dwelling, street townhouse bungalow / street townhouse bungalow dwelling
- Dwelling unit area
- Ecological functions
- Exterior walls facing and parallel to each other
- Funeral services
- Group housing
- Health club
- Highway number 401
- Home based business - bed and breakfast
- Home for the aged
- Hospital
- Integral carport
- Integral private garage
- Landscaping
- Laundry shop
- Living room
- Lubritorium
- Major electrical supply centre
- Mausoleum
- Merchandise distribution centre
- Motel

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- Music or dance studio
 - Nave
 - Official plan
 - Official sign
 - Park, private
 - Park, public
 - Pet daycare
 - Place of amusement
 - Place of entertainment and assembly
 - Private hospital / hospital, private
 - Professional and business office
 - Public administrative office
 - Public garage
 - Public hospital / hospital, public
 - Public library
 - Public parking lot
 - Redevelopment
 - Required living room windows
 - Retail sport goods centre
 - Retail warehouse - entertainment
 - Riding stables
 - Roof
 - Sanitary sewer / sanitary sewers
 - Satellite dish
 - Single family town house dwelling
 - Single family semi-detached dwelling
 - Sporting goods store
 - Storm sewer
 - Telecommunication services
 - Theatre
 - Underground parking area
 - Video or computer rental establishment
 - Village of Brooklin zone
 - Wall, connecting
 - Warehouse sales outlet / retail warehouse outlet
 - Retail warehouse facility with food sales
 - Water supply
 - Yard, side

A majority of the definitions in the current Zoning By-laws are recommended to be carried forward. The remaining definitions in the existing Zoning By-laws are outdated and require revision, no longer apply and will need to be deleted or have to be considered further in Phase 2 of the study. Some of the current definitions also contain regulations that are not applicable and will have to be revised accordingly.

In Phase 2, for the definitions where further consideration is needed, a best practice review to inform how other municipalities have addressed these will be undertaken.

4 Official Plan



The definitions in the Official Plan were also reviewed to ensure consistency between the two documents and identify any additional definitions that should be carried forward into the zoning by-law.

Two definitions in the Official Plan are recommended to be used in the zoning by-law.

- The definition of Accessory Use which reads, "The use of any land, building, or structure which is normally incidental to, subordinate to, and exclusively devoted to, the principal use located on the same lot."

The Official Plan definition is the clearest compared to the existing zoning definitions as it refers to a "use of a building, structure, or lot".

- The definition of home industry reads: "Small-scale industrial use, primarily serving the agricultural community, which is an accessory use to a farm or rural residential lot, and includes such uses as carpentry, metalworking, welding, electrical work or blacksmithing, but shall not include auto repair or paint shop or furniture stripping."

This definition should be included in the zoning by-law.

5 Next Steps



The purpose of this report is to identify and summarize the definitions and differences between multiple definitions for the same term. The report explores how terms are defined, how they should be revised or carried forward and where these definitions are found in each of the current zoning by-laws.

This information will ensure that Whitby's new Comprehensive Zoning By-law, can be properly interpreted.

As the study considers the uses and provisions required in the new Comprehensive Zoning By-law, in Phase 2 of the Study, other additional definitions may be identified or the recommended definitions further refined. In addition, as part of Phase 2, a best practice review of how other municipalities' address the difficult definitions that require further consideration will occur.

Appendix A: Definition Comparison



	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
ACCESSORY APARTMENT	means a separate, self-contained area within a dwelling house, used or intended to be used by one or more persons, which contains cooking, eating, living, sleeping and sanitary facilities.	means a separate, self-contained area within a dwelling, used or intended to be used by one or more persons, which contains cooking, eating, living, sleeping and sanitary facilities.		Same as 1784		Same as 1784	Dwelling house in by-law 2585 is an outdated term. Use definition from 1784 that does not reference dwelling house.	Carry forward.
ACCESSORY BUILDING			means any building the use of which is normally incidental to, and subordinate to, the use of the main building or to the principal use of the lot on which such accessory building is located. Such accessory building shall be separate from the main building.				Consider further need for this definition in relation to accessory structure.	Consider further appropriate definition.
ACCESSORY STRUCTURE	means any structure the use of which is normally incidental to, and subordinate to, the use of the main building or to the principal use of the lot on which such accessory structure is located, but does not include a structure used for human habitation, or any occupation for gain or profit. Such accessory structure shall be separate from the main building.	Same as 2585	means any structure the use of which is normally incidental to, and subordinate to, the use of the main building or to the principle use of the main building or to the principal use of the lot on which such accessory structure is located. Such accessory structure shall be separate from the main building.	Same as 2585		Same as 2585	Consider further need for this definition in relation to accessory building.	Consider further appropriate definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	2585 Exceptions	Comment	Action
ACCESSORY USE /ACCESSORY	means a use that is normally incidental, subordinate and exclusively devoted to the principal use, building or structure situated on the same lot.	Same as 2585	Same as 2585			Means a use of a building, structure, or lot which is normally incidental to, and subordinate to the principle use of the building, structure, or lot, but shall not include a dwelling unit.	Same as Downtown Secondary Plan	when used to describe a use, building or structure means a use, building or structure that is normally incidental, subordinate and exclusively devoted to a main use, building or structure and located on the same lot therewith. (274)	<p>The OP definition is: "The use of any land, building, or structure which is normally incidental to, subordinate to, and exclusively devoted to, the principal use located on the same lot. "</p> <p>The OP definition is the clearest as it refers to a "use of a building, structure, or lot" but does not exclude a dwelling unit. Definitions in site specifics can suitably be captured under this new definition.</p> <p>Carry forward definition from OP.</p>	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
ACTIVITY BUILDING		means an accessory building or structure in which facilities are provided for the common and exclusive use of the residents of the dwelling(s) which are located on the same lot on which the activity building is situate, where the facilities include but are not limited to those for laundry, mailboxes, meeting or recreational rooms, but shall not include facilities for commercial purposes.					Will need to look at the context of this definition but it is likely not needed as it is covered by accessory structure definition.	Consider further need for this term.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
ADULT ENTERTAINMENT ESTABLISHMENT	means premises used for entertainment including activities, facilities, performances, exhibitions, viewings or encounters designed to appeal to erotic or sexual appetites or inclinations of any person but shall not include a body rub establishment.	Same	Same				No changes needed.	Carry forward.
ADVERSE EFFECT	means one or more of: <ul style="list-style-type: none"> • impairment of the quality of the natural environment for any use that can be made of it; • injury or damage to property or to plant or animal life; • harm or material discomfort to any person; • an adverse effect on the health of any person; • impairment of the safety of any person; • rendering any property or plant or animal life unfit for human use; • loss of enjoyment of normal use of property; and, <ul style="list-style-type: none"> • interference with the normal conduct of business 	Same	Same				This definition is from the PPS. Carry forward definition from 2585.	Carry forward.
AGRICULTURAL USES			means: (a) growing crops, including nursery and horticultural crops; (b) raising livestock and other animals, including poultry and fish, for food and fur; (c) aquaculture; (d) agro-forestry and maple syrup production; and, (e) animal agriculture.				This is close to the PPS definition but not entirely. Revise to be consistent to first part of PPS definition. "Animal agriculture" is a separately defined term that is not needed, as it is captured already in subsection b).	Carry forward with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
AGRICULTURAL-RELATED USES			means commercial and industrial uses that are small-scale, directly related to a farm operation and required in close proximity to the farm operation.				The PPS has a more up to date definition. Revise to reflect PPS definition.	Carry forward with edits.
AISLE	means an unobstructed and maintained surfaced vehicular way of access from a driveway to a parking space or loading space in a parking area.	Same					Could be simplified by removing "unobstructed and maintained surfaced". Carry forward definition with revisions.	Carry forward, with edits.
AMUSEMENT MACHINE				means any machine or device for playing any game of skill and/or chance which is used for entertainment or amusement to the player of the device and without limiting the generality of the foregoing, includes a pinball machine, electronic game, video game, and shooting gallery but shall not include pool tables, billiard tables, and bowling alleys or any machine that would render the premises a common gaming house with the meaning of The Criminal Code of Canada.			This term is obsolete and should be deleted.	Delete definition.
ANCILLARY RETAIL SALES					means retail uses associated with but clearly subordinate to a principal use.		Definition is important for application in employment zones. Apply West Whitby definition to entire by-law.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	Comment	Action
ANGLE OF DIVERGENCE							means the interior acute angle formed by and lying between such two exterior walls or their projection. (R-4-A, I-2)	This definition is cumbersome to understand. Consider whether the exception can be reworded so that it is not needed. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
ANIMAL AGRICULTURE			means growing, producing and raising farm animals including, without limitation: (a) livestock, including equines, poultry and raites; (b) fur-bearing animals; (c) bees; (d) cultured fish; (e) deer and elk, and, (f) game animals and birds.				This definition is not needed. It is addressed by the definition of agricultural use. Delete definition.	Delete definition.
ANIMAL SHELTER		means a lot or building or part thereof used for the care and adoption of abandoned, abused, or neglected animals including any outdoor amenity areas.					Carry forward definition.	Carry forward.
ARTERIAL ROAD				means a street designated as an Arterial Road right-of-way in the Official Plan.		means a street designated as an Arterial Road right-of-way in the Official Plan	Will need to look at the context of this definition to see if it is needed or whether the definition of 'street' works in the context.	Consider further need for this term.
ANGULAR PLANE					means an imaginary flat surface projecting over a lot, at an inclined angle measured up from the horizontal.		Important definition to regulate building height and should be considered broadly. Apply West Whitby definition to entire by-law.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	2585 Exceptions	1784 Exceptions	1784 Exceptions	Comment	Action
APARTMENT BUILDING/APARTMENT DWELLING HOUSE / APARTMENT DWELLING	means a building that contains four or more dwelling units that share a common external access to the outside through a common vestibule and a common corridor system.	Same as 2585			means a building that contains four or more dwelling units that share a common external access to the outside through a common vestibule and a common corridor system, and may contain other uses permitted in the zone in which it is permitted.		shall mean a building other than a converted dwelling, located on a lot or blocks within the lot containing more than four dwelling units, each of which has a vertical and horizontal common wall and a common entrance area. (R5A-1)	means the whole of a building that contains four or more dwelling units which have a common entrance either from a yard or landscaped open space and are served by a common corridor and the occupants of which units have the right to the use, in common with others entitled thereto, of the corridors, stairs and yards, or one or more of them, or by an individual entrance from a yard or landscaped open space and which units are divided horizontally and/or vertically. (R5A-7, R5A-9, R5A-10, R5A-11)	Same as 2585 exception R5A-7 (R5A-7)	means the whole of a building that contains four or more dwelling units which units have a common entrance from the street level and are served by a common corridor and the occupants of which units have the right to use in common the corridors, stairs, yards, or one or more of them. (Exception (V)(ix))	West Whitby definition is concise and provides flexibility for shared uses. All other definitions can be captured by West Whitby definition.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
APARTMENT BUILDING, SENIORS	means an apartment building where each dwelling unit is occupied by at least one person who is 60 years of age or older.	Same					Concerned current definition would be considered to be zoning of people because it is based on age. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
ASSEMBLY HALL	means a building or part of a building in which facilities are provided for such purposes as meetings for civic, educational, political, religious, or social purposes and shall include a banquet hall or private club.	Same as 2585			means a building or part of a building in which facilities are provided for such purposes as meetings for civic, educational, fraternal or social purposes, conferences, conventions and trade shows and may include ancillary banquet facilities.		Consider further in relation to the term banquet hall.	Consider further appropriate definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	Comment	Action
ASSISTED APARTMENT DWELLING HOUSE							means the whole or part of an apartment dwelling house as defined in this by-law that is constructed and/or operated using financial assistance from the Provincial and/or Regional governments, or their agents. (R5A-2)	The Zoning By-law should not be regulating this unless necessary to implement inclusionary zoning. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
AUDIO/VISUAL CENTRE	means a building or part of a building with a minimum gross floor area of 450 m ² (4844 ft ²), wherein electronic equipment, components and parts and accessories are displayed and kept for sale or rent and may include the servicing of the same.	means a building or part of a building with a minimum gross floor area of 450 m ² (4800 ft ²), wherein electronic equipment, components and parts and accessories are displayed and kept for sale or rent and may include the servicing of the same.					This is an antiquated use and this definition is no longer needed as it is captured by retail store. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	1784 Exceptions	1784 Exceptions	Comment	Action
AUTOMOBILE DEALERSHIP COMPLEX/BLOCK/NEW AUTOMOBILE SALES DEALERSHIP		shall be composed of a minimum of two (2) building sites on a lot for the development and use of new automobile sales dealerships. Each dealership shall have a minimum lot area of 0.8 hectares and/or two (2) contiguous lots served by a common internal roadway and where each lot has a minimum lot area of 0.8 hectares.		means a lot, or a portion of a lot, having minimum area of 3.0 hectares which can accommodate at least three (3) new automobile or motor vehicle sales establishments having a minimum area of 0.8 hectares per dealership and/or three (3) contiguous lots served by common internal roadways and where each lot has a minimum area of 0.8 hectares. (M1A-AC-1:Exception 1)			means a complex composed of a minimum three building sites on a lot for the development and use of new or used automobile or motor vehicle sales establishments and each dealership shall have a minimum lot area of 0.8 hectares and / or three contiguous lots served by a common internal roadway and where each lot has a minimum lot area of 0.8 hectares. (274)	shall be composed of a minimum of three (3) building sites on a lot for the development and use of new automobile or motor vehicle sales establishments. Each dealership shall have a minimum lot area of 0.8 hectares and/or three (3) contiguous lots served by a common internal roadway and where each lot has a minimum lot area of 0.8 hectares. (M1A-AC-1:Exception 1)	for the purpose of this By-law # 4949-01 shall be composed of a minimum of two (2) building sites on a lot, for the development and use of new automobile sales dealerships. (16-A)	These terms were implementing an old Official Plan policy that is no longer in the Official Plan. They also contain regulations which should not be in a definition. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
AUTOMOBILE PARTS STORE	means a building or part of a building wherein motor vehicle parts and accessories and related service equipment are kept for sale at retail and/or wholesale.	Same					This distinction may not be needed, retail store may suffice.	Consider further need for this term.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	Comment	Action
AUTOMOBILE SALES ESTABLISHMENT / NEW AUTOMOBILE SALES DEALERSHIP	means a lot, a building or part of a building where new and/or used motor vehicles are kept for display and sale, and may include as an accessory use the repair and service of motor vehicles and/or the sale of vehicle parts.	means a lot, a building or part of a building where new and/or used motor vehicles are kept for display and sale, and may include as an accessory use the repair and service of motor vehicles and/or the sale of vehicle parts. New Automobile Sales Dealership means premises used by a business establishment for the sale or lease of new vehicles displayed or stored on site, or any combination of these.	Same as 2585				means a building or part of a building where new automobiles and motor vehicles are kept for sale, including the servicing of same. (M1A-1)	The definition does not need to differentiate between new and/or used, and does not need to reference sale or lease separately. Simplify to the following: means a lot, a building or part of a building where vehicles are kept for display and sale and may include as an accessory use the repair and service of motor vehicles and/or the sale of vehicle parts.	Carry forward with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	1784 Exceptions	Comment	Action
AUTOMOBILE SERVICE COMPOUND							means a vehicle storage area associated with a public garage, where each vehicle is temporarily parked on the ground. Such use shall, notwithstanding any other provision of this By-law, be located any closer than 100 m from the front yard or 3.0 m from any other property or greenbelt zone and shall not have an area exceeding 4,000 m ² . (M1A-AC-1:Exception 1)	Any regulations should be removed from this definition. Further consideration is needed in relation to the public garage definition and whether vehicle storage is permitted. Consider this definition further in relation to that of a public garage.	Consider further appropriate definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	1784 Exceptions	Comment	Action
AUTOMOBILE SERVICE STATION / SERVICE STATION, AUTOMOBILE / AUTOMOBILE SERVICE CENTRE	means a building or place where motor vehicle fuel, oil, grease, and other related products are sold on a retail basis, where minor repairs are made or performed and where motor vehicles may be greased and oiled.	Same as 2585				Means a building or structure or portion thereof from which is offered for sale to the general public, gasoline and/or other motor vehicle fuels, oil, grease and accessories for motor vehicles may be oiled or greased or where minor repairs essential to the actual operation of motor vehicles are executed or performed but shall not include a car wash or public garage.	means a building or structure comprised of one or more of the following uses: a public garage; automobile service shop; an automobile collision centre; and, a motor vehicle rental agency. (M1A-AC-1:Exception 1)	The concept of a service station selling gas and repairing vehicles is outdated. The use should be separated into two. Gas Bar and automotive service centre. This latter part of the definition should be combined with Public Garage. Combine the service component with the Public Garage definition.	Consider further appropriate definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
BAKESHOP OR CONFECTIONARY SHOP / BAKESHOP	means a building or part of a building where baking goods or confectionary products are prepared and sold on the premises, but which does not include a manufacturing plant.	means a building or part of a building where baking goods or confectionary products are prepared and sold on the premises, but which does not include a manufacturing plant. Or "Bakeshop" means a building, or structure, or portion thereof wherein baked goods are manufactured and sold on a retail basis to the general public for consumption off the premises.	means a building or part of a building where baking goods or confectionary products are prepared and sold on the premises, but which shall not include manufacturing plant.	means a building, or structure, or portion thereof wherein baked goods are manufactured and sold on a retail basis to the general public for consumption off the premises.		Same as Village of Brooklin	The Village of Brooklin's definition is the clearest and simplest of the examples and should be carried forward.	Carry forward.
BALCONY	means an unenclosed platform, either covered or uncovered, attached to a structure or building, cantilevered or supported by columns or brackets, that is load bearing and used for pedestrian passage, seating or recreation.	Same as 2585	Same as 2585		means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.		Use West Whitby's definition as it is the most modern.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
BANQUET HALL		means a building or part of a building used for the purpose of catering to banquets, receptions, weddings or similar functions for which food and beverages are prepared and served.					Consider further in relation to the term assembly hall.	Consider further appropriate definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	Comment	Action
BASEMENT	means any storey below the first storey.	Same as 2585					means that portion of a building between two floor levels which is partly underground but which has at least one half of its height, from finished floor to finished ceiling, above the adjacent finished grade. (168-f)	Carry forward definition from 2585/1784. Note, definition in site specific 168 in by-law 2585 does not correspond. Should reword exception as needed.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
BED AND BREAKFAST ESTABLISHMENT	means a dwelling unit occupied as the principal residence of a person or persons in which a maximum of three guest rooms are available for temporary accommodation for the travelling public, and in which meals may be served to those persons, but shall not include a boarding or lodging house or a home based business	Same as 2585	Same as 2585				Carry forward definition.	Carry forward.
BOARDER				means a person who lives in rented living accommodation which has no individual kitchen facilities or areas for food preparation.		Same	This is a commonly defined term and is not needed. Do not carry forward.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
BOARDING AND LODGING HOUSE / BOARDING OR LODGING HOUSE	means a building, or structure, or portion thereof, licensed by the Town where the owner or lessee supplies for compensation, with or without meals, lodging to a boarder or boarders as the principal use, and may include an accessory dwelling unit for the owner or caretaker, but shall not include a hotel, motel, a bed and breakfast establishment, or any other residential use unless otherwise defined herein.		Same	Same		Same	Carry forward definition.	Carry forward.
BOAT AND MARINE ACCESSORY SALES ESTABLISHMENT	means a building or part of a building in which boats, motors, boat trailers, marine accessories and related parts and equipment are kept and offered for sale including wholesales and servicing.						There is no need for this and the following definition. They should be combined. Combine with Boat and Recreational vehicle sales establishment.	Consider further appropriate definition.
BOAT AND RECREATIONAL VEHICLE SALES ESTABLISHMENT	means a building or part of a building wherein boats, motors and recreational vehicles are displayed and kept for sale at retail or wholesale and may include the sales of marine and trailer parts and accessories and may include the servicing of boats, motors, recreational vehicles and accessory parts. The outside storage of boats and recreational vehicles shall be permitted in the rear yard only, being to the rear of the main building.	Same					This should be combined with the above definition but the part on where outside storage is permitted is a regulation and should not be in the definition.	Consider further appropriate definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
BODY RUB ESTABLISHMENT	means any premises where the kneading, manipulating, rubbing, massaging, touching, or stimulation, by any means, of a person's body or part thereof is performed, offered or solicited but shall not include: <ul style="list-style-type: none"> • medical or therapeutic treatment given by a person duly qualified, licensed or registered to do so under the laws of the Province of Ontario; and, • alternative health care services, such as shiatsu and reflexology, given by a person duly qualified to provide such services through completion of formal courses and education and training in the provision of such service offered by an organization or institution that has the qualifications to provide such services. 	Same	Same				Carry forward definition.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	1784 Exceptions	Comment	Action
BUFFER AREA							means landscaped areas including berms, drainage facilities and driveway access. (16-P)	No need for this independently defined term. Re-write exception to remove need for defined term. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
BUILDING	means a structure occupying an area greater than 10 m2 consisting of any combination of walls, roof and floor or a structural system serving the function thereof, including all associated works, fixtures and service systems used for shelter, accommodation, or enclosure of persons, animals, goods or equipment.	Same	Same				Carry forward definition.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	Comment	Action
BUILDING BY-LAW / BUILDING CODE	means any building by-law within the meaning of The Planning Act.						means the building by-law as amended of The Corporation of the Town of Whitby enacted pursuant to The Planning Act and all other enabling legislation referred thereto. (R-3-B)	The term "building by-law" is not used in the Planning Act. Delete definition. The building code definition in R-3-B can also be deleted with the exception reworded to convey intent.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
BUILDING INSPECTOR	means the officer or employee of The Corporation for the time being charged with the duty of enforcing the provisions of the Building By-law of The Corporation.						Don't need to define. The section that describes enforcement can provide similar wording to this. Delete definition.	Delete definition.
BUILDING, MAIN	means the building or buildings located on a lot in which is conducted the principal use of the lot.	Same as 2585	means the building in which is carried on the principal purpose for which the building lot is used, and in the residential zone the dwelling is the main building.				2585 and 1784's definitions are clearer than 5581-05. However, further consideration is needed as to whether this term is ultimately needed.	Consider further need for this term..

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
CANOPY	means an unenclosed structure designed and located in a manner so as to provide shelter and protection over a pump island or group of pump islands.	Same	Same				The term could be updated as term "canopy" does not have implied relationship to pump islands, though the definition does. Rename as "Kiosk Canopy".	Carry forward with edits.
CARPORT	means a roofed building or structure attached to a main building used for the parking of one or more private vehicles of the occupants of the building and which has one or more walls common with the main building and which has at least one open wall.	Same					The words "of the occupants of the buildings" and "private" are not necessary.	Carry forward with edits.
CARETAKERS RESIDENCE				means a dwelling unit occupied by the owner, or a full-time caretaker or watchman employed by those who carry on the principal use on the lot to which the dwelling unit is an accessory use.		Means a dwelling unit occupied by the owner, or a full-time caretaker or watchman by those who carry on the principal use on the lot to which the dwelling unit is an accessory use.	This does not need to be defined as this is no longer a common use. Delete definition.	Delete definition.
CAR WASH			means a building or structure or portion thereof used for the operation of automobile washing equipment which is automatic, semi-automatic or coin operated.	Same		Same	Carry forward definition.	Carry forward.
CATALOGUE STORE	means a building or part of a building with a minimum gross floor area of 450 m2 (4844 ft2), where orders are accepted for the purchase of goods and wares listed in a catalogue provided by the establishment and in which some or all of the goods so listed may also be available within the establishment for sale.	means a building or part of a building with a minimum gross floor area of 450 m2, where orders are accepted for the purchase of goods and wares listed in a catalogue provided by the establishment and in which some or all of the goods so listed may also be available within the establishment for sale.					This use can be deleted as these are not seen anymore.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
CATERING SERVICE ESTABLISHMENT	means a building or part of a building where food and beverages are prepared for consumption off the premises, and are not served to customers on the premises or for immediate take-out consumption, but shall not include an eating establishment.	Same	Same				The "but" at the end should be "and" .	Carry forward with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	1784 Exceptions	Comment	Action
CELLAR	means a basement as defined herein.	Same as 2585					means that portion of a building between two floor levels which is partly or wholly underground and which has more than one-half its height from finished floor to finished ceiling, below adjacent finished grade. (168-f)	Same as exception from 2585 (168-f)	The differentiation between cellar and basement was previously needed to determine when a bedroom or other habitable space was permitted but that is addressed by the building code and there is no longer a need to differentiate between a basement and cellar. Delete in favor of using the word basement.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
CEMETARY		means land set apart or used for the interment of the dead or in which human bodies have been buried, including a prayer garden;					This is commonly defined term that does not require a definition, however, it is sometimes used to regulate pet cemeteries. .	Consider further need for definition.
CEMETARY MAINTENANCE BUILDING		means a building or part of a building used for the shelter, storage, care, repair or equipping of vehicles, machinery and equipment used in the operation of a cemetery;					This term would be covered by accessory uses and accessory buildings and can be deleted.	Delete definition.
CEMETARY OFFICE		means a building or part of a building in which one or more persons are employed in the administrative direction or management of a cemetery and related uses;					This term would be covered by accessory uses and accessory buildings and can be deleted.	Delete definition.
CHAPEL		means a building or part of a building used for services, introspection, reflection or worship;					This term is not needed. It can be captured by the broader "place of worship" definition. Delete definition.	Delete definition.
CLINIC	means a building or part of a building in which two or more medical practitioners, dentists or drugless practitioners provide consultation, diagnosis, and/or treatment of patients, and includes joint usage of facilities such as accessory administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies or other similar functions, but shall not include accommodation for in-patient care or facilities for surgical procedures which require hospitalization according to criteria approved by the College of Physicians and Surgeons.	means a building or part of a building in which two or more medical practitioners, dentists or drugless practitioners provide consultation, diagnosis, and/or treatment of patients, and includes joint usage of facilities such as accessory offices, waiting rooms, treatment rooms, laboratories, pharmacies or other similar functions, but shall not include accommodation for in-patient care or facilities for surgical procedures which require hospitalization according to criteria approved by the College of Physicians and Surgeons.	Same as 2585				2585's definition is somewhat more precise in referencing "administrative" offices. "Drugless practioner" reference will need to be updated as the Act that this defined term refers to no longer is in effect. Opportunities to clarify and simplify this term should be considered in Phase 2.	Consider further appropriate definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	1784 Exceptions	Comment	Action
CLUSTER HOUSING							means a group or an arrangement of dwelling units contained within one or more buildings (each of which building has at least 3 dwelling units) or an arrangement of 3 or more dwelling units attached (either above or below grade) to each other side by side, either by a common party wall or a garage, and are all located on the same lot which lot is retained under one ownership; provided however that this definition shall not exclude or prohibit the sale of any of the dwelling units under the provisions of the Condominium Act.	This definition only applies in a site specific exception and the house form is not typical. Either another defined housing form could likely address it or could be described without need for a unique definition. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
COLLECTOR ROAD				means a street designated as a Collector Road right-of-way in the Official Plan.		Same as 1784	Will need to look at the context of this definition to see if it is needed or whether the definition of 'street' works in the context.	Consider further need for this term.
COLUMBARIUM		means a structure designed for the purpose of storing the ashes of human remains that have been cremated, in sealed compartments;					This is a common term and does not need to be defined. Delete definition.	Delete definition.
COMMERCIAL SCHOOL / SCHOOL, COMMERCIAL	means a building or part of a building where specialized instruction is provided for profit or gain and may include for example a business school, trade school, driving school, drama school, music school, martial arts school or tutoring school.	Same					Carry forward.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
COMMON WALL	means a wall above the finished grade level of which 50% or more of its length or height is constructed for the purposes of separating two or more dwelling units within a building including a vertical extension thereof	Same "Wall, Common" means a vertical wall separating two dwelling units where such wall extends above and below the ground and is mutually common to both dwelling units.		Same			It is not clear what is meant with the "vertical extension thereof" and it is not needed for the definition. The 50% requirement is not needed either as any portion of a wall separating two units would be a common wall. Carry forward second 1784 definition.	Carry forward with edits.
COMMUNITY CENTRE	means a building or part of a building generally operated by or on behalf of a public authority in which facilities are provided for community activities including but not limited to arts, crafts, charitable, educational, recreational and social activities.	Same as 2585.	means a building or part of a building in which facilities are provided for such purposes as meetings for civic, educational, political, religious, or social purposes and shall include a banquet hall or private club.				1784 and 2585's definition is more succinct and clear than 5581-05 but reference to operated by a public authority is not needed. Carry forward definition from 2585/1784, with edits.	Carry forward with edits.
CONSERVATION AREA	means land owned, operated and/or managed by the local Conservation Authority for the purposes of promoting conservation, restoration, development and management of natural resources, recreation and education.	Same					To review further example definitions as part of Phase 2, as a means of simplifying.	Consider further appropriate definition.
CONSERVATION USE			means a use dedicated towards the preservation of fish and wildlife habitat including woodlot management and structures for flood and/or erosion control. This use shall not include administration and/or operational facilities.				If this term is defined, will have to ensure it is broadly permitted. Carry forward definition.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
CONTRACTING EQUIPMENT		means machinery used for building and development.					This term is only used once in the by-law in one site specific and does not need to be defined. Delete definition.	Delete definition.
CONTRACTOR'S YARD	means any portion of a lot used for the storing of equipment and materials used in the construction and/or restoration industries and may include a premises where a contractor performs shop or assembly work.	Same	Same				Carry forward definition.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	Comment	Action
CONVENIENCE RETAIL STORE / CONVENIENCE STORE	means a building or part of a building wherein food, drugs, periodicals, magazines and similar items, including household items, required for day to day use by the residents of or persons employed in the immediate neighbourhood which are kept for sale at retail.	Same as 2585					shall mean a retail store with a floor space not exceeding 75 m2 and designed primarily for the use and convenience of the residents of the four apartment buildings located on Block "C" on Plan M-959. (Exception 41)	The definition should not have a regulation for size. Referring to people in the immediate neighbourhood is not enforceable. This type of use would be covered by retail store and may not be necessary to define separately.. Consider further the need for this definition.	Consider further the need for this definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
CORPORATION	means The Corporation of the Town of Whitby.						This term does not need to be defined, rather the "Town of Whitby" should be referred to for clarity. Delete definition.	Delete definition.
COUNCIL	means the Council of The Corporation of the Town of Whitby.						Carry forward definition.	Carry forward.
COUNTY	means the Corporation of the County of Ontario.						This is an older reference that is no longer relevant. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	1784 Exceptions	Comment	Action
COURTYARD							means a private courtyard, access to which is only through the building containing the dwelling unit. (Institutional Exception q)	This is a common term with limited application in the by-law that does not need to be defined. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	Comment	Action
CRAFT BREWERY					means a building or part of a building where beverages are prepared and offered for retail sale to the public for consumption on or off the site and where the use is of a small-scale and may be associated with a restaurant.		means a building or part of a building where beverages are prepared and offered for retail sale to the public for consumption on or off the site and where the use is of a small-scale and may be associated with an eating establishment. (D(NR)-2)	This is a more and more prevalent use. Carry forward definition from West Whitby.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
CREMATORIUM		means a building used for the purposes of the cremation of human remains, and includes everything incidental or ancillary thereto.					This is a commonly defined term and does not need to be defined. Delete definition.	Delete definition.
CRISIS CENTRE				means building or portion thereof containing offices wherein counselling or support services are provided to persons who, by reason of their emotional, mental, social, or physical state require such specialized services on an immediate emergency basis. A crisis centre shall not include a clinic or any residential use including a crisis residence.		Means building or portion thereof containing business and professional offices wherein counseling or support services are provided to persons who, by reason of their emotional, mental, social, or physical state require such specialized services on an immediate emergency basis. A crisis centre shall not include a clinic or any residential use.	This use would be captured under an office. Delete definition.	Delete definition.
CRISIS RESIDENCE				means a dwelling unit that is licensed and/or approved for funding under Provincial or Federal statute for the temporary accommodation of three or more persons, exclusive of staff, living under supervision in a single housekeeping unit who, by reason of their emotional, mental, social, or physical condition or legal status, require a group living arrangement on a short term basis for their well-being, and in which counselling or support services are provided. A crisis residence in this By-law shall not include: a group home, a clinic, a boarding or lodging house, a long term care facility, or a retirement home.		means a dwelling unit that is licensed and/or approved for funding under Provincial or Federal statute for the temporary accommodation of three or more persons, exclusive of staff, living under supervision in a single housekeeping unit who, by reason of their emotional, mental, social, or physical condition or legal status, require a group living arrangement on an immediate emergency basis for their well-being, and in which counseling or support services are provided. A crisis residence in this By-law shall not include: a group home, a clinic, a boarding or lodging house, a foster home, a Long Term Care Home, a home for the aged, or a retirement home.	The definition from the Downtown Secondary Plan area in 2585 is more comprehensive than in the Village of Brooklin in 1784. Carry forward definition from Downtown Secondary Plan, but remove reference to home for the aged.	Carry forward, with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
DECK	means an uncovered and unenclosed platform, whether attached to another structure or building, or not attached to another structure or building, that is load bearing and used for pedestrian passage, seating or recreation.	Same	Same				The last part "used for pedestrian passage, seating or recreation" should be deleted. Carry forward definition.	Carry forward, with edits.
DENTIST	means a dentist within the meaning of The Dentistry Act.						This definition is not needed, this is a common term. Delete definition.	Delete definition.
DEPARTMENT STORE		means a retail establishment containing a minimum gross floor area of 5000 m ² organized into a number of individual departments and primarily engaged in the sale to the public of a wide variety of commodities, including clothing, hardware, home furnishings and household appliances.					Delete the size requirement. That should be in a regulation. This type of use is somewhat dated and could be covered by retail store. Consider further the need for this definition.	Consider further the need for this definition.
DOWNTOWN ZONE						means any one or more of the zones classified in this By-law with a classification which concludes with the suffix "-DT".	With the realignment of zones, this will likely not be needed. Delete definition.	Delete definition.
DRIVEWAY	means an unobstructed and maintained surfaced vehicular way of access from a public street to facilities such as a parking area, parking space, aisle, loading area, private garage, carport, parking structure, building or structure.	Same as 2585			means an unobstructed and maintained surfaced vehicular way of access from a street, lane or internal roadway to facilities such as a parking area, parking space, aisle, loading space, private garage, carport, parking structure, building or structure.		Doesn't account for driveways where there is no parking provided, such as a drop off loop at a school or the entrance to an apartment building. Add reference to "drop off/pick up areas to the West Whitby definition.	Carry forward with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
DRIVE-THROUGH SERVICE				means a building or structure, or portion thereof, used for the serving of food or beverages to the public, where the public is situated within a motor vehicle.		Same	This is a common term that does not need to be defined. Delete definition.	Delete definition.
DRUGLESS PRACTITIONER	means a drugless practitioner within the meaning of The Drugless Practitioners Act.						This will require an update as the Drugless Practitioners Act was repealed in 2015. Delete definition.	Delete definition.
DRY CLEANER'S DISTRIBUTION STATION	means a building used for the purpose of receiving articles or goods of fabric to be subjected to the process of dry cleaning, dry dyeing or cleaning elsewhere and for the pressing and distribution of any such articles or goods which have been subjected to any such process.	Same as 2585		means building or structure, or portion thereof, used for the collection, storage, and return of articles of clothing and fabrics which are dry cleaned, dyed, cleaned, or pressed elsewhere, and may include as an accessory use, the repair or alteration of clothing and fabrics.		Same as Village of Brooklin	The Village of Brooklin's definition is the clearest of the examples. Carry forward definition from Village of Brooklin in 1784.	Carry forward.
DRY CLEANING ESTABLISHMENT	means a building or part of a building, where dry cleaning, dyeing, cleaning, or pressing of articles of clothing and fabrics is carried on.	means a building or part of a building, where dry cleaning, dyeing, cleaning, or pressing of articles of clothing and fabrics is carried on		means a building or structure, or portion thereof, where dry cleaning, dyeing, cleaning, or pressing of articles of clothing and fabrics is carried on, and in which only non-inflammable solvents are used which emit no odours or fumes, and in which no noise or vibration causes a nuisance or inconvenience within or without the premises.			Not clear if reference to non-inflammable solvents is typical and should be carried forward. Consider further appropriateness of current definitions.	Consider further appropriate definition.
DWELLING	means a building, occupied or capable of being occupied as a home, residence, or sleeping place by one or more persons, containing one or more dwelling units.	means a building, occupied or capable of being occupied as a home, residence, or sleeping place by one or more persons, containing one or more dwelling units.	Same as 2585				Need further consideration if/how buildings vs. dwelling units will be described. Consider further appropriate definition.	Consider further appropriate definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	2585 Exceptions	Comment	Action
DWELLING, BLOCK TOWNHOUSE / BLOCK TOWNHOUSE DWELLING / BLOCK TOWNHOUSE	means a building containing a minimum of three and a maximum of eight dwelling units, wherein each dwelling unit is separated from the adjacent dwelling unit by a common wall, and each dwelling unit has its own entrance from the outside and a private garage, carport, or parking space and sharing common vehicular access to a public street by a driveway, but shall not include a street townhouse dwelling.	Same			Same		Same	means one or more buildings or structures each of which contain a minimum of three dwelling units attached above grade but not exceeding nine dwelling units, which are located on the same lot retained under one ownership, providing however, that this definition shall not exclude the sale of any such dwelling unit under the provisions of the Condominium Act. (R5A-1, R5A-10, R4A)	Need further consideration if/how buildings vs. dwelling units will be described. Consider further appropriate definition.	Consider further appropriate definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
DWELLING UNIT, BLOCK TOWNHOUSE					means a dwelling unit in a block townhouse dwelling.		Carry forward.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	1784 Exceptions	Comment	Action
DWELLING, BACK TO BACK TOWNHOUSE					means a building containing a minimum of 6 and a maximum of 16 dwelling units that are divided vertically by common walls, including a common rear wall, and each dwelling unit has an independent entrance from the outside.		Same (R5A-12)	Same.(R4A*-3)	Carry forward.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
DWELLING UNIT, BACK TO BACK TOWNHOUSE					means a dwelling unit in a back to back townhouse dwelling.		Carry forward.	Carry forward.
DWELLING, COMMON WALL SEMI-DETACHED		means a building on a lot or lots, divided by a common wall to contain two dwelling units, each unit having its own entrance from the outside.					This term and definition should be deleted in favor of semi-detached dwellings.	Delete definition.
DWELLING, CONVERTED	means a building located on a lot which was originally designed to provide one or more dwelling units, which is converted within the outside walls of the original building so as to provide therein additional dwelling units.	Same as 2585	means a dwelling, altered to make a greater number of dwelling units, which converted dwelling or dwelling to be converted, was erected prior to the first day of January, A.D. 1930, and where each dwelling unit shall have a minimum net floor area of 70 square metres, exclusive of public or common halls and stairways and the thickness of the outside walls.				Further consideration of this use and term needs to be examined in Phase 2.	Consider further need for this term.
DWELLING, FOURPLEX	means a building, other than a converted dwelling or an apartment building containing four dwelling units where each unit has two vertical common walls and a private entrance from the outside.	Same as 2585					The definition says each unit needs to have two vertical common walls which means that all four units are at ground level. Should be considered further in Phase 2 based on best practices.	Consider further appropriate definition.
DWELLING HOUSE, DUPLEX /DWELLING, DUPLEX	means the whole of a dwelling house that is divided horizontally into two separate family dwelling units each of which has an independent entrance either directly from the outside or through a common vestibule.					means a building other than a converted dwelling, located on a lot, divided horizontally to contain two dwelling units, each of which has a private entrance from outside or a private entrance from a common internal hallway or stairway.	Term should simply be "duplex". Use Downtown Secondary Plan definition from 2585, as it is clearer, except reference to converted dwelling should be deleted.	Carry forward with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
DWELLING HOUSE, LINK / DWELLING LINK / DWELLING, LINK	means one of a group of not more than eight single detached dwellings but not less than three single detached dwellings attached to each other, side by side, each of which dwelling house; (a) has a separate front and rear entrance or separate front and side entrance; (b) is attached on one or both sides by either a common party wall above grade or a private garage or a privacy fence or wall to another dwelling house in the same row; and, (c) contains a private garage within or contiguous to each unit.	means one of a group of not more than seven and not less than three dwelling units, each dwelling having a frontage on a street, and each dwelling attached to the adjacent dwelling by a common or connecting wall and with each dwelling unit having its own entrance from the outside, driveway from the street, and a private garage, carport, or parking area.				means a building containing a minimum of three dwelling units on a lot or lots, with each dwelling unit having frontage on a public street and each separated from the adjacent unit above grade or below grade.	This is an antiquated and rarely implemented use, but the use does exist in the municipality. Consider further need for this definition.	Consider further need for this definition.
DWELLING, NON-PROFIT				means an apartment or block townhouse dwelling provided or funded under a Federal or Provincial housing program (as defined by that program).		Same	This is antiquated. Delete definition.	Delete definition.
DWELLING, LOW DENSITY CLUSTER		means a building or group of buildings on a lot, each group containing a minimum of one and a maximum of four attached dwelling units, and with each dwelling unit having its own entrance from the outside and a driveway, private garage, carport, or parking area and sharing common vehicular access to a public street by an internal roadway.					This is an antiquated use and this definition may no longer be needed. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	2585 Exceptions	1784 Exceptions	Comment	Action
DWELLING HOUSE, SEMI-DETACHED / DWELLING, SEMI-DETACHED / SEMI-DETACHED HOUSE / COMMON WALL SEMI DETACHED DWELLING	means one of a pair of two attached single detached dwellings with a common masonry wall dividing the pair of family dwelling houses vertically, each of which has an independent entrance either directly from the outside or through a common vestibule.	means a building on a lot or lots, divided by a common wall or a connecting wall to contain two dwelling units, each unit having its own entrance from the outside.			means a dwelling unit in a building that is divided vertically into two dwelling units that share a common wall.	means a building other than a converted dwelling, located on a lot or lots, divided vertically by a party or common wall to contain two dwelling units.	means one or a pair of two attached single detached dwellings with a common masonry wall (either above or below grade) dividing the pair of family dwelling houses vertically, each of which has an independent entrance from the outside. (R4B)	means a building on a lot or lots, divided by a common wall to contain two dwelling units, each unit having its own entrance from the outside. (231)	Same as 2585 Exception (R4B)	Wall does not have to be masonry and there should be no reference to a family. Use West Whitby definition.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
DWELLING HOUSE, SEMI-DETACHED DUPLEX / DWELLING, SEMI-DETACHED DUPLEX OR SEMI-DETACHED DUPLEX / DWELLING, SEMI-DETACHED DUPLEX	means one of a pair of two attached duplex dwelling houses with a common masonry wall dividing the pair of duplex dwelling houses vertically.	means one of a pair of two attached duplex dwelling houses with a common party wall dividing the pair of duplex dwelling houses vertically. OR means a building other than a converted dwelling, located on a lot or lots, containing 2 duplex dwellings, divided vertically by a party or common wall.					means a building other than a converted dwelling, located on a lot or lots, containing two duplex dwellings as defined in Section 26.1, divided vertically by a party or common wall. Consider if this use can be combined with a fourplex. Is there a need for independent standards for this use compared to a fourplex? Further consideration is needed as to whether this definition is required.	Consider further need for this term.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
DWELLING HOUSE, SPLIT LEVEL / DWELLING, SPLIT LEVEL	means a dwelling house in which the first floor above finished grade is so constructed as to create two or more different levels, the vertical distance between all levels of such dwelling house being always less than a full storey.	means a dwelling in which the first floor above finished grade is so constructed as to create two or more different levels, the vertical distance between such levels being always less than the full storey. For the purpose of this By-law a split level dwelling shall be considered as a one storey dwelling.					Consider further need for this definition.	Consider further need for this definition.
DWELLING HOUSE, TRIPLEX / DWELLING, TRIPLEX	means the whole of a dwelling house that is divided horizontally into three separate family dwelling units each of which has an independent entrance either directly from the outside or through a common vestibule.					means a building other than a converted dwelling, located on a lot, divided horizontally to contain three dwelling units.	Family should not be referenced. Carry forward definition from Downtown SP as it does not reference family and is concise, though require each unit to have separate access to differentiate from an apartment.	Carry forward, with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	1784 Exceptions	Comment	Action
DWELLING, STACKED / DWELLING, STACKED TOWNHOUSE	means a building containing more than four dwelling units, each dwelling unit being separated from the other vertically and horizontally and each dwelling unit having a private entrance.	means a building other than a converted dwelling, located on a lot or lots containing more than four dwelling units, each of which has a vertical and a horizontal common wall and a private entrance from outside.			means a building containing more than four dwelling units, each of which has a vertical and a horizontal wall in common and a private entrance from outside.		means a building other than a converted dwelling, located on a lot or lots containing more than four dwelling units, each of which has a vertical and a horizontal common wall and an independent entrance either directly from the outside or through a common vestibule.	Carry forward definition from 2585.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
DWELLING UNIT, STACKED TOWNHOUSE					means a dwelling unit in a stacked townhouse dwelling.		Carry forward definition.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
DWELLING, SINGLE DETACHED	means a separate building containing only one dwelling unit.	Same	Same				Doesn't address potential for accessory unit. Can consider how this will be revised to include permission for an accessory unit, as needed.	Consider further appropriate definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	Comment	Action
DWELLING, STREET TOWNHOUSE / STREET TOWNHOUSE DWELLING	means a building containing a minimum of three and a maximum of eight dwelling units, wherein each dwelling unit shall be on a separate freehold lot with frontage on a public street, and each dwelling unit is separated from the adjacent dwelling unit by a common wall, and each dwelling unit has its own entrance from the outside, a driveway from the street, and a private garage, carport, or parking space.	Same			Same		means one of a group of not more than eight dwelling houses but not less than three dwelling houses attached to each other by a common party wall dividing the dwelling houses vertically, each of which dwelling houses, (a) has separate front and rear entrances or separate front and side entrances; and, (b) contains a private garage. (R4C-2)	What about situations with parcels of tied land (POTL) where townhouse does not front on public road? Should remove the word "dwelling" from the definition name. The site specific exception can be captured in the overall definition. Carry forward West Whitby definition but address freehold units on a private road situation.	Carry forward with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	1784 Exceptions	Comment	Action
DWELLING UNIT, STREET TOWNHOUSE					means a dwelling unit in a street townhouse dwelling.			Carry forward definition.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	1784 Exceptions	Comment	Action
DWELLING, STREET TOWNHOUSE BUNGALOW / STREET TOWNHOUSE BUNGALOW DWELLING		means a building that is limited to a maximum building height of one (1) storey or one and one half (1 ½) storeys, located on a lot or lots containing a minimum of three and a maximum of eight dwelling units, each dwelling unit having a frontage on a street, and each dwelling separated from the adjacent dwelling unit by a common wall, and with each dwelling unit having its own entrance from the outside, driveway from the street, and a private garage, carport, or parking area.					shall mean a "Street Townhouse Dwelling" that is limited to a maximum building height of one (1) "storey" or one and one half (1 ½) storeys. (R4B*-5)	There is no need for this use to be independently identified. Typical street townhouse standards can apply and where deemed necessary the height could be limited to one storey. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
DWELLING UNIT	means a room or a suite of two or more rooms, designed or intended for use by a person or persons, in which sanitary conveniences are provided and in which facilities are provided for cooking or the installation of cooking equipment.	Same	Same				Carry forward.	Carry forward.
DWELLING UNIT AREA	means the habitable area contained within the inside walls of a dwelling unit, excluding any private garage, carport, porch, veranda, unfinished attic, cellar or sun room (unless such sun room is habitable in all seasons of the year); and excluding public or common halls or areas, stairways and the thickness of outside walls.						This is addressed by the building code and should be deleted.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
DWELLING UNIT, BACHELOR	means a dwelling unit designed for occupancy by one person and consisting of a bed-living room, a bathroom and a kitchen or kitchenette.						<p>No reason two people can't live in a bachelor unit Revise to remove number of people.</p> <p>Revise to say: means a dwelling unit consisting of one room for living and sleeping, a bathroom and a kitchen or kitchenette. Consider in Phase 2 if Studio is more commonly used term than bachelor.</p>	Further consider appropriate definition.
ESTABLISHED FRONT BUILDING LINE				means the average front yard as measured from the street line to the main wall of existing buildings situated on two lots on the same side of the same street which abut the property at the time of application for a building permit. In the case of a corner lot, or where one or both of the abutting lots are vacant, the next adjacent non-vacant lot shall be used in calculating the Established Front Building Line. In a Residential Zone, that portion of the main wall containing an integral garage or carport may be setback beyond the Established Front Building Line required for the dwelling unit, where a required parking space is provided in a driveway.		Same	<p>There are best practices that contain shorter definitions. As well, the discussion on garage exception should be a regulation not a definition.</p> <p>Carry forward definition with revisions considering best practices.</p>	Further consider appropriate definition.
EATING ESTABLISHMENT	means a building or part of a building where food and refreshments are prepared and offered for sale to the public primarily for immediate consumption at tables on the premises and which may include, as an incidental activity, a take out service where food is prepared for consumption off the premises.	Same	Same				<p>"eating establishment" is a less common term than restaurant.</p> <p>Consider deleting "incidental activity" as there is no need to regulate how much business is sit down verses take out.</p> <p>Term should be revised to restaurant, the more commonly used term and definition simplified,</p>	Carry forward with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
EATING ESTABLISHMENT, TAKE OUT	means a building or part of a building where food and refreshments are prepared and offered for sale to the public in a ready to consume state in disposable containers primarily for consumption off the premises.	Same	Same				<p>"eating establishment" is a less common term than restaurant.</p> <p>There is no need to require the food be provided in disposable containers.</p> <p>Term should be revised to takeout restaurant, the more commonly used term and definition simplified.</p>	Carry forward with edits.
ECOLOGICAL FUNCTIONS			means the natural processes, products or services that living and nonliving environments provide or perform within or between species, ecosystems and landscapes, including hydrological functions and biological, physical, chemical and socio-economic interactions.				<p>This term is not used in the by-law.</p> <p>Delete definition.</p>	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
EQUIPMENT SALES AND RENTAL - LIGHT	means a building or part of a building or structure in which light machinery and equipment, such as air compressors and related tools and accessories; augers; automotive tools; cleaning equipment; light compaction equipment; concrete and masonry equipment; electric tools and accessories; fastening devices such as staplers and tackers; floor and carpet tools; gasoline generators; jacks and hydraulic equipment; lawn and garden tools; ladders; moving equipment; painting and decorating equipment; pipe tools and accessories; plumbing tools and accessories; pumps; hoses; scaffolding; welding equipment; and other similar tools and appurtenances are offered or kept for sale, rent, lease or hire, but shall not include the sale or rental of heavy machinery and/or equipment.	Same					<p>The examples are not needed.</p> <p>Carry forward definition with revisions to simplify.</p>	Carry forward, with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
ERECT	when used in this By-law includes building, construction, reconstruction and relocation and, without limiting the generality of the word, also includes: (a) any preliminary physical operation, such as excavating, filling or draining; (b) altering any existing building or structure by an addition, enlargement, extension or other structural change; and, (c) any work for the doing of which a building permit is required under the Building By-law of The Corporation. ERECTED and ERECTION shall have a corresponding meaning.						Best practice review may identify more concise definitions and also depends on the context. Consider further the wording of the definition.	Consider further appropriate definition.
ESCORT SERVICE	means a business which provides the services of individuals who will accompany another individual to an event, function or social activity whether or not such event, function or social activity is private or designed for public attendance.	Same	Same				This use would be captured by a personal service. To consider further if a distinct definition is needed, particularly as it relates to home businesses.	Consider further need for this definition.
EXISTING	means existing on the date of passing of this By-law.		means lawfully in existence on November 15, 2001, and for greater certainty does not include a use, building or structure that is in existence on that date without being lawful.	means existing at the date of the final passing of By-law # 3760-95.		means existing at the date of the final passing of By-law No. 3070-91	Will need to consider this definition further. In the context of the ORM, this definition will need to be tied to November 15, 2001. However, in other cases, the date of the passing of the new by-law may not be appropriate. In addition, in site specifics, a different date applies.	Consider further appropriate definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	1784 Exceptions	Comment	Action
EXTERIOR WALL							shall mean a main and supporting exterior wall of the building running from the foundation footings to the roof of the building but shall exclude unenclosed porches, balconies, steps and patios. (I-2)	Same as exception in 2585. (Exception (u)(g))	Carry forward.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	Comment	Action
EXTERIOR WALLS FACING AND PARALLEL TO EACH OTHER							shall mean any exterior wall of a building having an angle of divergence of not more than 85 degrees. (I-2)	This seems very detailed and site specific and should be described without the need for a definition. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
FARM IMPLEMENT DEALER / AGRICULTURAL IMPLEMENT SALES AND SERVICE OUTLET	means a building or part of a building wherein the repair or sale of agricultural implements and ancillary farming products is conducted.	Same as 2585	means a building or part of a building wherein the repair and/or sale of agricultural implements, such as but not limited to cultivators, ploughs, seeders/spreaders, combines and balers, as well as, ancillary agricultural products, is conducted.				The term farm implement dealer is more concise than "agricultural implement sales and service outlet" Carry forward 2585 definition.	Carry forward.
FINANCIAL INSTITUTION	means a building or part of a building, which is used for financial transactions including the borrowing, depositing, and exchanging of currency or credit, and may include for example a bank, trust company, credit union, and similar establishments.	Same					Carry forward.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
FINISHED GRADE LEVEL	means the mean elevation of the finished surface of the ground abutting the external wall of the main building or structure nearest to the public street, but shall not include any embankment in lieu of steps.	Same as 2585	means the mean elevation of the finished surface of the ground abutting the external wall of the building or structure nearest to a public street, but shall not include any embankment created in lieu of steps.	Same as 5581-05	Same as 2585		On a corner lot, is this measured only on the exterior side yard? Height should apply to each building, therefore finished grade should apply to each building not just the main building.	Carry forward with edits.
FIRST FLOOR HEIGHT					means the height of the first storey.		Carry forward definition.	Carry forward.
FIRST STOREY	means the storey with its floor closest to grade and having its ceiling more than 1.8 m above grade.	Same	Same				Carry forward definition.	Carry forward.
FLOOD PLAIN		means the horizontal area bordering a river, stream or water course, which is subject to flooding and the limits of such flood plain.					Carry forward definition.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	1784 Exceptions	Comment	Action
FLOOR PLATE AREA							means the total area of a floor of a building, measured from the exterior of the main wall of the floor level, including voids at the level of the floor, such as an atrium, mezzanine, stairwell, escalator, elevator, ventilation duct or utility shaft but shall not include any unenclosed private balcony or private terrace. (R5A-7, R5A-11)	Same as exception in 2585. (R5A*-7)	Carry forward.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	2585 Exceptions	1784 Exceptions	Comment	Action
FLOOR SPACE INDEX		means the ratio of the gross floor area of the building located above grade (excluding parking facilities) to the total lot area.				Same as 1784.	means the ratio of the gross floor area of the dwelling house (excluding storage, basement and cellar) to the total lot area. (R-4-B, Exception 48, 49, 53 & more)	means the ratio of the gross floor area of the dwelling house (excluding garage and cellar) to the total lot area. (R-3-B, R-4-A, R-2-A, I-2)	means the ratio of the gross floor area of the dwelling house (excluding garage, basement and cellar) to the total lot area. (R-4-A Exception gb)	If this term is necessary to define, carry forward definition from 1784, but exclude storage and basements.. It mainly applies to low density residential developments built prior to the 1990s.	Consider further the need for this term.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
FOOD PREPARATION PLANT					means a building or part of a building in which food products are cooked, baked, mixed, packaged or otherwise prepared, for distribution to wholesale or retail outlets.		Industrial zoning permits all forms of processing and manufacturing. Consider further need for this term.	Consider further need for this term.
FOOD STORE		means a retail store devoted to the sale of fresh, frozen, prepared or pre-packaged food or food stuffs.			means a building or part of a building having a gross leasable area of less than 1,200 square metres wherein various food, foodstuffs, groceries and other products used within the household are sold and may include specialty food stores such as, but not limited in kind to a health food store, a butcher shop, a retail bakery, a delicatessen, a fruit and vegetable market, or other specialty food store.		Carry forward.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
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: (a) for the production of wood and wood products, including maple syrup; (b) to provide outdoor recreation opportunities; (c) to maintain, and where possible improve or restore, conditions for wildlife; and, (d) to protect water supplies.				Can consider if this definition is needed. It is not something commonly seen defined in zoning by-laws.	Consider further need for this term.
FRONT WALL					means the wall of a building facing or most nearly facing the street from which the building has its primary entrance door.		This is a term that will likely be used more broadly in Whitby. Carry forward definition from 1784, West Whitby area but consider changing reference to primary entrance door. Sometimes the door facing the front lot line is rarely used and most people enter through a door next to the parking lot in the rear or side. Can refer to wall facing front lot line instead.	Carry forward, with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	1784 Exceptions	Comment	Action
FUNERAL ESTABLISHMENT	means a building or part of a building used for the preparation of dead human remains for burial or cremation and may include for example related facilities such as a chapel, crematorium, meeting rooms, offices, viewing rooms and an area where funeral services and supplies are offered for sale.	Same					means premises established for the purpose of providing funeral services and temporarily placing dead human bodies, and in prescribed circumstances cremated human remains, so that persons may attend and pay their respects. (OS Exception 3)	Note, exception in OS 3 from by-law 1784 can be addressed by parent definition. Carry forward definition from 2585/1784.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	1784 Exceptions	Comment	Action
FUNERAL SERVICES							means the care and preparation of dead human bodies, the co-ordination and provision of rites and ceremonies with respect to dead human bodies and the provision of such other services as may be prescribed. (OS Exception 3)	This is a common term with a typical definition, this definition is not required. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
GARDEN SUITE		means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.	Same				Carry forward definition from 1784/2585 but change second structure reference to dwelling.	Carry forward, with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
GAS BAR	means a building or structure or a group of buildings or structures designed and located in a manner so as to facilitate the dispensing of motor vehicle fuel and other related products within a kiosk, including confectionary items, sundry foods, prepared packaged foods, soft drinks, and a single banking machine or automated teller provided the sale of these items is accessory to the operation of the gas bar. A gas bar shall not include facilities for the preparation of food, service bays or other facilities for the repairing of automobiles or the changing of oil or the greasing of motor vehicles.	Same					Consider need for this term in conjunction with Automobile Service Station.	Consider further appropriate definition.
GATEWAY AREA					means a geographic area identified by a circular symbol in the West Whitby Secondary Plan situated at strategic intersections and intended for intensified land use development.		Carry forward.	Carry forward.
GOLF COURSE	means a public or private area operated for the purpose of playing golf and includes a par 3 golf course but does not include driving ranges, miniature courses and similar uses.	means a public or private area operated for the purpose of playing golf and does not include driving ranges, miniature courses and similar uses operated for commercial purposes.					Could clarify if driving ranges are permitted as accessory uses.	Carry forward with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	Comment	Action
GREEN ROOF							means an extension of an above grade roof, built on top of a human-made structure, that allows vegetation to grow in a growing medium in accordance with the Ontario Building Code. (R5A-11, R5A-13)	Carry forward, a broader application of this use is expected over time. Doesn't need to say an extension of an above grade roof. Change start to say: "A building roof that allows vegetation...."	Carry forward with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
GROSS FLOOR AREA	means the total area of all floors in a building, measured from the outside faces of the exterior walls, but exclusive of any part of the building which is used for the following: <ul style="list-style-type: none"> • storage or parking of motor vehicles; • storage lockers provided for a dwelling unit; • mechanical or electrical equipment rooms providing service to the entire building; • common areas, such as public washrooms, stairways and corridors, which serve two or more uses; • a basement or cellar within a single-detached, semi-detached, link, block townhouse or street townhouse dwelling; • any portion of a basement or cellar used for laundry facilities, children's play area or other accessory uses but not including living quarters for a caretaker, watchman or supervisor of the building or structure. 	Same	Same				Some of the dwelling types may be outdated and others may be missing. Carry forward but update dwelling type references, as needed.	Carry forward with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
GROSS LEASABLE AREA (G.L.A.)	means the total area of all floors in a building or part of a building designed for tenant occupancy and the tenant's exclusive use including basement, cellars, mezzanines, and integral storage areas, measured from the centre line of joint partitions and from the outside faces of the exterior walls, but exclusive of any part of the building used for public or common areas such as the following: <ul style="list-style-type: none"> • corridors, hallways, lobbies; • elevators, stairways; • machine or equipment rooms; • public washrooms; • storage or parking of motor vehicles. 	Same					Cellar and basement will be the same in the new by-law. Remove reference to cellar.	Carry forward with edits.
GROUND FLOOR AREA	means the maximum area of a building measured to the outside walls, excluding, in the case of a dwelling house, any private garage, carport, porch, verandah, sun room (unless such sun room is habitable at all seasons of the year).	means the maximum area measured to the outside walls, excluding, in the case of a dwelling, any private garage, porch, verandah or sun room unless such sun room is habitable at all seasons.	Same as 1784	means the total horizontal area of the first floor of a building measured from the outside face of the exterior walls, but excluding any part of the building which is used for steps, terraces, cornices, porches, stoops, verandas, ramps for physically disabled persons, or breezeways.		means the total horizontal area of the first floor of a building measured from the outside face of the exterior walls, but excluding any part of the building which is used for steps.	The 1784 and 2585 definitions do not specify that the measurement is specifically on the ground floor. The downtown definition is the most concise but should add ramps as also excluded.	Carry forward with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
GROUP HOME	means a dwelling unit operated as a single housekeeping unit accommodating, or having the facilities to accommodate up to ten persons (exclusive of staff) who live under responsible supervision consistent with the requirements of its residents, and the group home is either licensed and/or approved under Provincial or Federal Statute. Any counselling or support services provided in the group home shall be limited to those required by the residents. A group home shall not include a crisis residence, a boarding or lodging house, a long term care home, a home for the aged, or a retirement home.	means a dwelling unit operated as a single housekeeping unit accommodating, or having the facilities to accommodate up to ten persons (exclusive of staff) who live under responsible supervision consistent with the requirements of its residents, and the group home is either licensed and/or approved under Provincial or Federal Statute. Any counselling or support services provided in the group home shall be limited to those required by the residents. A group home shall not include a crisis residence, a boarding or lodging house, a long term care facility, or a retirement home.	Same as 1784.			Same as 2585.	The definition in 1784 is the most up to date, not referencing "home for the aged". Carry forward 1784 definition.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	1784 Exceptions	Comment	Action
GROUP HOUSING							means one or more buildings each of which contain three or more single family dwelling units, and also containing a private garage for each dwelling unit which is located within or contiguous to each unit, and which building or buildings are located on the same lot which lot is retained under one ownership, providing however that this definition shall not exclude the sale of any such single family dwelling unit under the provisions of The Condominium Act. (R-4-A)	means one or more structures of three or more attached single family dwelling units or court houses located on the same lot, which lot is retained under one ownership provided, however, that this definition shall not exclude the sale of any such attached single family dwelling units or court houses under the provisions of The Condominium Act. (Institutional Exception t)	An antiquated term and use which is not prevalent. Also, too easily confused with "Group Home". Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
GUEST ROOM / GUEST SUITE	means a room or suite of rooms used or maintained for the accommodation of the public.	means a room or a suite of two or more rooms, designed or intended for use by a person or persons, in which sanitary conveniences are provided but does not include facilities for cooking or the installation of cooking equipment.					Neither of the terms in 2585 and 1784 provide a comprehensive picture of use. Revise 1784 definition to address the intent for accommodation by the public but also consider further whether it is needed.	Consider further need for this term.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	1784 Exceptions	Comment	Action
HABITABLE ROOM	means a room designed for living, sleeping, eating or food preparation including rooms such as a living room, family room, recreation room, bedroom, dining room, kitchen, and enclosed sunroom.	Same					means a room designed for living, sleeping, eating or food preparation, including a den, library, sewing room or enclosed sun room. (R-4-A)	means a room designed for sleeping, eating or food preparation including a den, library, sewing room or enclosed sun room. (Institutional Exception (i))	The different references to example rooms is unnecessary. End after food preparation and all definitions are the same.	Carry forward, with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
HEIGHT, APARTMENT BUILDING, LONG TERM CARE FACILITY OR RETIREMENT HOME		means the vertical distance between the average elevation of the finished surface of the ground at the front of the building and, in the case of a flat roof, the highest point of the roof structure or the parapet, whichever is the greater, in the case of a mansard roof, the deck roof line, and, in the case of a gable, hip or gambrel roof, the mean heights between the eaves and ridge, exclusive of any accessory roof construction such as chimney, tower, steeple, or television antenna. Notwithstanding the above, a parapet, elevator penthouse or other mechanical equipment shall not be included in the calculation of height.					Not clear why the height of these uses need to be addressed separately. Review in conjunction with height definition.	Consider further need for this term.
HAZARDOUS WASTE			means "hazardous waste" as defined by Regulation 347 of the Revised Regulations of Ontario, 1990.				Consider further the need for this term.	Consider further need for this term.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
HEALTH CARE COMPLEX					means a public or private enterprise accommodating a range of health care services which includes more than one of the following: <ul style="list-style-type: none"> • offices for medical practitioners, dentists, psychiatrists and other supporting health practitioners, technicians and support staff and care workers providing patient care the facility shall also include one or more of the following: <ul style="list-style-type: none"> • laboratories, pharmacy and facilities for dialysis, chemo-therapy, x-rays, MRI's or similar medical health services, operating theatres and short term recovery rooms for patients receiving medical treatments within the Health Care Complex. 		Carry forward definition but consider if it is needed along with clinic or if a broader term could address all health care facilities.	Consider further need for this term.
HEALTH CLUB				means a building, or structure, or portion thereof, which is used for the purpose of a gymnasium, exercise room, steam room, sauna, racquet facilities, sunroom, private swimming pool, massage room, or similar uses, but shall not include a public hall or other place of assembly.		Same as Village of Brooklin	Not clear why this needs to be a separate use than recreation club or facility. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	2585 Exceptions	1784 Exceptions	Comment	Action
HEIGHT and HEIGHT OF BUILDING / HEIGHT, BUILDING / HEIGHT OF BUILDING	means the vertical distance between the average elevation of the finished surface of the ground at the front of the building and, a) in the case of a flat roof, the highest point of roof surface or the parapet, whichever is the greater; b) in the case of a mansard roof, the deck roof line; and c) in the case of a gable, hip or gambrel roof, the mean heights between the eaves and ridge, exclusive of any accessory roof construction such as a chimney, tower, steeple or television antenna.	means the vertical distance between the average elevation of the finished surface of the ground at the front of the building and, in the case of a flat roof, the highest point of the roof surface or the parapet, whichever is the greater, in the case of a mansard roof, the deck roof line, and in the case of a gable, hip or gambrel roof, the mean heights between the eaves and ridge exclusive of any accessory roof construction such as a chimney, tower, steeple, or television antenna.	Same as 2585		means the vertical distance between the finished grade level and, in the case of a flat roof, the highest point of the roof surface, in the case of a mansard roof, the deck roof line, and in the case of a gable, hip or gambrel roof, the mean heights between the eaves and ridge exclusive of any accessory roof construction such as a chimney, tower, steeple, antenna or communication dish.		means the vertical distance measured from the ground floor elevation at the main entrance of the building to the highest point of the roof surface excluding any decorative structures, roof mechanicals, roof parapets or mechanical penthouses. (R5A-10, R5A-11)	means the vertical distance between the average elevation of the finished surface of the ground at the side of the building; and, (a) in the case of a flat roof, the highest point of roof surface or the parapet, whichever is the greater; (b) in the case of a mansard roof, the deck roof line; and, (c) in the case of gable, hip or gambrel roof, the mean heights between the eaves and the ridges, exclusive of any accessory roof construction such as a chimney, tower, steeple or television antenna. (ex. 108)	means the vertical distance between the average elevation of the finished surface of the ground at the side of the building; and, (a) in the case of a flat roof, the highest point of the roof surface or the parapet, whichever is the greatest; (b) in the case of a mansard roof, the deck roof line; and, (c) in the case of a gable, hip or gambrel roof, the mean heights between the eaves and ridges exclusive of any accessory roof construction such as a chimney, tower, steeple or television antenna. (3-Z)	It is not clear if or how this definition might apply to structures. West Whitby definition is preferred as it uses the definition of finished grade level but it should either specifically include or exclude a parapet.	Consider further appropriate definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
HIGHWAY NUMBER 401	means the MacDonald Cartier Freeway.						This does not need to be defined. Delete definition.	Delete definition.
HOME BASED BUSINESS	means an activity conducted as a business from within a dwelling unit which is secondary to the use of the dwelling unit as the principal residence of the business operator.	Same	Same				Carry forward definition.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	1784 Exceptions	Comment	Action
HOME BASED BUSINESS - BED AND BREAKFAST							means a dwelling unit occupied as the principal residence of a person or persons in which temporary accommodation is available to members of the travelling public wherein meals may be served to those persons, but shall not include a boarding or lodging house. (15-W)	This definition is not needed. It is the same as a normal bed and breakfast, and should be referred to as such. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
HOME IMPROVEMENT CENTRE	means a building or part of a building wherein building materials, hardware, or accessories, including lumber, are displayed or offered for sale or rent.	Same					It is not clear if this type of use needs its own definition/standards and should not just be captured as a retail store. Consider further the need for this term.	Consider further need for this term.
HOME INDUSTRY							The OP defines this term as "Small-scale industrial use, primarily serving the agricultural community, which is an accessory use to a farm or rural residential lot, and includes such uses as carpentry, metalworking, welding, electrical work or blacksmithing, but shall not include auto repair or paint shop or furniture stripping." This definition should be included in the zoning by-law. Bring forward this OP definition into the zoning by-law.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	Comment	Action
HOME FOR THE AGED						means a home as defined by the Homes for the Aged and Rest Homes Act as amended, or replaced, and may include as an accessory use a retirement home.	same as 2585 Downtown. (203 (j))	This term should be deleted. The Act is no longer in effect and these types of homes are no longer current.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
HOME SUPPLY CENTRE	means a building or part of a building wherein furniture and appliances and/or carpets and drapes and/or wall coverings and paints are displayed and kept for retail sale and may include the wholesale, rental and servicing of such goods.	Same					It is not clear if when this type of use needs its own definition/standards and should not just be captured as a retail store. Consider further the need for this term.	Consider further need for this term.
HOSPITAL				means a hospital as defined by the Public Hospitals Act or the Mental Hospitals Act, as amended or replaced.		Same	This is a common term for which the intent is clear. Delete definition.	Delete definition.
HOTEL	means a building or structure or portion thereof or two or more connected or detached buildings, in which rooms are provided for rent as places of abode on a temporary or transient basis, and may contain a restaurant, convention centre, meeting rooms, or public halls, and may include, as an accessory use retail facilities provided for the convenience of hotel patrons, but shall not include an apartment dwelling, bed and breakfast establishment, boarding or lodging house, retirement home, or crisis residence.	Same				Same	May need to be updated to ensure the list of exclusions is comprehensive to the final uses defined in the new by-law. The definition could also be simplified. Compare to best practices to find simplified definitions.	Consider further appropriate definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
IMPERVIOUS SURFACE			means a surface that does not permit the infiltration of water, such as a rooftop, sidewalk, paved roadway, driveway or parking lot.				Carry forward definition from 5581-05.	Carry forward.
IMPROVED PUBLIC STREET			means a street which has been constructed and is being maintained by the Municipality in such a manner so as to permit its use by normal vehicular traffic.				Carry forward.	Carry forward.
INTEGRAL CARPORT						means a carport as defined in Section 26.1, which shall have one or more walls common with the main building on the lot, and is not an accessory building or structure as defined in Section 26.1.	It does not seem that this definition has a different intent than a typical carport defined already. Delete definition.	Delete definition.
INTEGRAL PRIVATE GARAGE						means a private garage as defined in Section 26.1, which shall have one or more walls common with the main building on the lot, and is not an accessory building or structure as defined in Section 26.1.	It does not seem that this definition has a different intent than a typical private garage defined already. Delete definition.	Delete definition.
INTERNAL ROADWAY		means a private thoroughfare over private property which provides vehicular and pedestrian access from the street to the parking areas and spaces within the residential property on which it is located.			means a right of way or roadway that provides vehicular access to the parking areas and parking spaces on a residential property intended for multi-unit residential development and is not a lane or private street.		Will need to revisit how this is defined for the comprehensive treatment of access to freehold Towns on private roads or for condominium townhouses. Further consideration of this term is needed.	Consider further appropriate definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
KENNEL	means a commercial establishment for the non-medical care and grooming, keeping, breeding or raising of animals kept as pets, and may include the operation of a pet daycare if operated from the same premises as the kennel, but shall not include a veterinary clinic.	Same	Same				Carry forward definition.	Carry forward.
KIOSK	means a building or structure having a gross floor area not exceeding 75 m2 and used for the housing of recording and supervisory equipment related to the operation of a gas bar, for the storing of products kept for sale related to a gas bar and for providing washroom facilities to be used in conjunction with a gas bar. A maximum of 18.5 m2 of the gross floor area of the kiosk may be devoted to the sale of convenience items.	Same					Very few gas stations still have kiosks but rather small convenience stores. Consider whether this definition is still needed in the next stage.	Consider further appropriate definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	1784 Exceptions	Comment	Action
LANDSCAPING							means grading and planting, and shall include berming, fencing and other forms of screening. (16-P)	This term should be combined with landscaped open space. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	2585 Exceptions	2585 Exceptions	1784 Exceptions	Comment	Action
LANDSCAPED OPEN SPACE	means the open unobstructed space at grade on a lot accessible by walking from the street on which the lot is located and which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping and includes any surfaced walk, patio or similar area but does not include any driveway or ramp whether surfaced or not, any curb, retaining wall, parking area or any open space beneath or within any building or structure.	means open unobstructed space on a lot which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping and, notwithstanding the foregoing, includes any surfaced walk or patio, but does not include any driveway, ramp or motor vehicle parking area, whether surfaced or not.	means open unobstructed space on a lot which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping but does not include any driveway, ramp or motor vehicle parking area, whether surfaced or not.	means the unobstructed space at or above ground level which is open to the sky and comprised of lawn, ornamental shrubs, flowers or trees and may include paths, sidewalks, courts, patios, fences, free standing walls, decks, swimming pools, and unenclosed private amenity space but shall not include any parking area, traffic aisles, driveways, ramps, or enclosed private amenity space.	means open unobstructed space on a lot which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping and, notwithstanding the foregoing, includes any surfaced walk, patio or stairs, but does not include any driveway, internal roadway or private street ramp or motor vehicle parking area, whether surfaced or not.	means the unobstructed space at or above ground level which is open to the sky and comprised of lawn, ornamental shrubs, flowers or trees and may include paths, sidewalks, courts, patios, fences, free standing walls, decks, swimming pools, and unenclosed private amenity space but shall not include any parking area, traffic aisles, driveways, ramps, or enclosed private amenity space.	means the open unobstructed space at grade on a lot accessible by walking from the street on which the lot is located and which is suitable for the growth and maintenance of grass, flowers, bushes, and other landscaping or other common outdoor recreational activity space and includes any surfaced walk, patio, open space or similar areas or other private or common outdoor recreational activity areas or similar landscaped space on the roof of a podium, point tower and apartment dwelling house but does not include any driveway or ramp whether surfaced or not, nor any curb, retaining wall, parking area or private balcony or private terrace. (R5A-7, R5A-11, R5A-13)	means the open unobstructed space on a lot accessible by walking from the street on which the lot is located and which is suitable for the growth and maintenance of grass, flowers, bushes, and other landscaping or other common outdoor recreational activity space and includes any surfaced walk, patio and open space areas or other common outdoor recreational activity space situated at grade or on the top of a parking structure or underground parking, or similar area, but does not include any driveway or ramp whether surfaced or not, nor any curb, retaining wall, parking area, marina or, any open space beneath or within any building or structure. (R5A-10)	means open unobstructed space on a lot which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping and, notwithstanding the foregoing, includes any surfaced walk, patio, tennis court or similar recreational area and any swimming or decorative pool, but does not include any driveway, ramp or motor vehicle parking area, whether surfaced or not. (R-4-B, R-2-A, R4B)	Same as exception in 2585 (R5A-7, R5A-11, R5A-13) (R5A*-7)	West Whitby's is preferred as it does not reference the street but addresses stairs. Existing definitions include both soft and hard landscaping. Whitby staff have advised that this can be problematic for stormwater management and sustainability, particularly related to ground oriented residential uses when entire lots are hardscaped. Staff would like to consider differentiating between hard and soft landscaping. Carry forward definition from 1784, West Whitby area but consider whether it is necessary to differentiate between hard and soft landscaping.	Carry forward, with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
LANE	means a public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.				means a right of way or roadway that provides vehicular access to the rear of a lot where the lot also fronts or flanks onto a street, or where a lot fronts onto public or private open space. The lane shall be owned and maintained by a governmental authority.		West Whitby's definition is more comprehensive. Carry forward definition from 1784, West Whitby area.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
LAUNDROMAT	means a building or part of a building where machines and facilities for wet laundering and drying are available to the public at a charge for the purpose of laundry cleaning.	Same					Carry forward definition from 2585/1784.	Carry forward.
LAUNDRY		means a building or part of a building where clothing is washed, cleaned or pressed on a commercial basis, and shall include a dry cleaning plant or depot, but excluding a laundrette, coin-operated laundry or Laundromat where facilities are provided for the cleaning of clothing on a self-service basis.					This definition should be combined with dry cleaning establishment definition.	Consider further appropriate definition.
LAUNDRY SHOP	means a building in which the business of a laundry is conducted on the ground floor by means of one or more washers, having a capacity not exceeding 30 kilograms each, and drying, ironing, finishing and incidental equipment (1) in which only water and detergents are or can be used, (2) which emit no odour or fumes, noise or vibration causing nuisance or inconvenience within or without the premises; and which includes a business where only washing or ironing is done, a self-service laundry and a laundry receiving depot.	Same					The terms Laundromat and dry cleaning establishment or laundry address this definition and it is not needed. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
LIGHT MANUFACTURING					means a building or part of a building for the altering, assembling, fabricating, processing, treating, or repairing of goods, wares, merchandise, substances, articles, or products.		Need to explore whether the term "light" is needed as there is no definition for just manufacturing so it is not clear how this term is different. Consider further appropriate definition.	Consider further appropriate definition.
LIQUID INDUSTRIAL WASTE			means "liquid industrial waste" as defined by Regulation 347 of the Revised Regulations of Ontario, 1990.				Carry forward.	Carry forward.
LIVE WORK DWELLING					means a street townhouse dwelling unit, where the first storey, or part thereof, is designed, constructed and used for non-residential uses as permitted by this By-law. A live work dwelling shall not be considered a mixed use building.		Carry forward.	Carry forward.
LIVESTOCK FACILITIES			means barns, buildings or structures where animals are housed and shall also include beef feed lots and the associated manure storage facilities.				Carry forward.	Carry forward.
LIVESTOCK HOUSING CAPACITY			means the total maximum number of livestock that can be accommodated in a livestock facility at one time.				Carry forward.	Carry forward.
LIVESTOCK UNIT			means the equivalent values for various types of animals and poultry based upon manure production and production cycles.				Carry forward.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	1784 Exceptions	Comment	Action
LIVING ROOM				means a habitable room used for the common social activities of the occupants of the dwelling unit but shall not include a recreation or family room located in the basement of a dwelling.			shall mean a habitable room used for the common social activities of the occupants of the dwelling house, but shall not include a recreation or family room located in the basement or cellar of the dwelling house. (R-3-B, R-4-A, R-2-A)	shall mean a parlour or sitting room. (Institutional Exception (I))	This term is not typically defined in a zoning by-law or even referenced in a by-law. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
LOADING SPACE	means an unobstructed and maintained surface area, exclusive of aisles or driveways, used for the loading or unloading of goods or commodities from a vehicle.	Same					Carry forward.	Carry forward.
LOCAL ROAD				means all streets other than arterial roads and collector roads.		means all streets other than arterial roads and collector roads.	Will need to look at the context of this definition to see if it is needed or whether the definition of 'street' works in the context.	Consider further need for this term.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	1784 Exceptions	Comment	Action
LONG TERM CARE HOME / LONG TERM CARE FACILITY	means a building or part of a building licensed pursuant to Provincial Legislation containing residential accommodation where a broad range of 24-hour personal care, support and health services are provided for persons requiring these services in a supervised setting and may include for example common facilities such as dining, kitchen, lounge, and recreational facilities and may also include accessory uses such as a medical office, personal service establishment and retail store, for the residents.	Same					means a building in which the proprietor supplies for hire or gain, lodging with or without meals and, in addition, provides nursing, medical or similar care and treatment, if required, and includes a rest home or convalescent home, but does not include any other establishment otherwise defined or classified herein. (Institutional (xviii))	The definition in 2585/1784 is a typical long term care facility. The exception definition is broader and could be captured by retirement home. Carry forward definition from 1784/2585.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	Comment	Action
LOT	means a parcel or contiguous parcels of land in one ownership which is capable of being legally conveyed in accordance with the Planning Act or is described in accordance with a registered Plan of Condominium.	Same as 2585	Same as 2585		means a parcel or contiguous parcels of land in one ownership which is capable of being legally conveyed in accordance with the Planning Act or is described in accordance with a registered Plan of Condominium, and includes a parcel of tied land but excludes a zero decimal three metre reserve.		means the land zoned R5A-10 shown on Schedule "A-1" to this By-law on the west side of Brock Street South. Notwithstanding the obtaining of any severance by way of a consent under the provisions of the Planning Act, R.S.O. 1990, c. P.13 as amended from time to time, or the registration at any time of any Condominium Declaration, a Plan of Subdivision, or conveyance with respect to any portion of the said land, for the purposes of this By-law, the whole of the land shall be considered to be one lot. (R5A-10)	West Whitby's definition applies more detail which would be applied comprehensively. The site specific exception does not need to be a separate definition and the lands can be described as one lot. Carry forward definition from West Whitby Zoning By-law.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	Comment	Action
LOT AREA	means the total horizontal area within the lot lines of a lot, excluding the horizontal area of such lot covered by water or marsh, or between the rim of the banks of a river or watercourse.	means the horizontal area within the boundary lines of a lot.	Same as 1784				or the area of the lot means the area identified as "Developable Area" on Appendix 'A' to this By-law. (R5A-7)	The definition in 1784/5581-05 is simpler and more logical. Carry forward definition from 1784/5581-05.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
LOT, CORNER	means a lot situated at the intersection of two streets, of which two adjacent sides, that abut the intersecting streets, contain an angle of not more than one hundred and thirty-five (135) degrees and where such adjacent sides are curved, the angle of intersection of the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the interior lot lines, provided that: (a) in the latter case, the corner of the lot shall be deemed to be that point on the street line nearest to the point of intersection of the said tangents; and (b) any portion of the corner lot distant more than thirty decimal five (30.5) m from the corner, measured along the street line shall be deemed to be an interior lot.	means a lot situated at the intersection of and abutting upon two or more streets, provided that the angle of intersection of such streets is not more than 135 degrees.	Same as 1784		means a lot situated at the intersection of and abutting upon two or more streets or two portions of the same street, provided that the angle of intersection of such streets, or the bend in such street, is not more than 135 degrees.		The West Whitby definition is more comprehensive as it addresses situations where streets bend. Carry forward definition from West Whitby Zoning By-law.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
LOT, THROUGH CORNER					means a lot having separate limits on three or more separate streets. Such through corner lot shall be deemed to have a front yard on each street in accordance with the provisions of the zone or zones in which each front yard is located.		This term can be applied comprehensively in the by-law. Carry forward definition from West Whitby Zoning By-law.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	2585 Exceptions	2585 Exceptions	1784 Exceptions	Comment	Action
LOT COVERAGE / COVERAGE, LOT / LOT BUILDING COVERAGE	means that percentage of the lot area covered by the horizontal projections of the area of all buildings.	means that percentage of the lot area covered by the area of all buildings including accessory buildings.	Same as 1784	means that percentage of the total lot area covered by the horizontal projection of all buildings and structures at finished grade level, including accessory buildings and structures, and swimming pools where height is more than 1.2 m above finished grade, but shall not include an unenclosed porch, verandah, deck, unenclosed steps, a ramp for physically disabled persons, or a swimming pool below 1.2 m above finished grade intended for the exclusive use of the occupants of a dwelling unit.		Same as Village of Brooklin	means that percentage of the area of the lot covered by the horizontal projections of all buildings above grade. (R5A-7, R5A-11)	means that percentage of the area of the Lot covered by the horizontal projections of all buildings, excluding parking structures, the roofs of which are used and maintained for any one or more of the following purposes, namely, landscaped open space, driveway, ramp, whether surfaced or not, curb and retaining wall. (R5A-10)	means that part of the lot area covered by the horizontal projections of the area of all buildings. (R4B)	Same as 2585 Exceptions (R5A-7, R5A-11) (R5A*-7)	The definition from 1784/5581-05 is clearer and should be carried forward..	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
LOT DEPTH	means the horizontal distance between the front and rear lot lines. If the front and rear lot lines are not parallel, lot depth means the length of a straight line joining the middle of the front lot line with the middle of the rear lot line. When there is no rear lot line, lot depth means the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.	means the horizontal distance between the front and rear lot lines. Where these lines are not parallel, it shall be the length of a line joining the mid points of the front and rear lot lines.					Carry forward 2585 definition. Consider rewording to remove term apex.	Carry forward, with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	2585 Exceptions	1784 Exceptions	Comment	Action
LOT FRONTAGE / FRONTAGE, LOT	means the horizontal distance between the side lot lines, such distance being measured perpendicularly to the line joining the middle of the front lot line with either the middle of the rear lot line or the apex of the triangle formed by the side lot lines and at a point therein distant six m from the front lot line.	means a horizontal distance between the side lot lines. Where such lot lines are not parallel the lot frontage shall be the distance between the side lot lines measured on a line parallel to the front lot line and 7.5 m. distant there from.	Same as 1784	Same as 1784.		Same as 1784.	Same as 1784. (R-3-B, R-4-B, R-2-A, R2A)	means a horizontal distance between the side lot lines. Where such lot lines are not parallel the lot frontage shall be the distance between the side lot lines measured on a line parallel to the front lot line and 6 m distant therefrom. (R4B)	Same as 1784. (R-4-A Exception gb)	The definition in 1784/5581-05 is clearer than 2585 but taking the measure at 7.5 m is too far for modern lots. It should be 6 metres or less similar to the 2585 exception.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
LOT, INTERIOR	means a lot other than a corner lot.	Same	Same				Carry forward, but also address that it is other than a corner through lot.	Carry forward, with edits.
LOT LINE	means any boundary of a lot or the vertical projection thereof.						The vertical projection thereto is unnecessary. Carry forward, with edits.	Carry forward, with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
LOT LINE, FRONT	means in the case of an interior lot, the line dividing the lot from the street. In the case of a corner lot, the shorter lot line abutting a street shall be deemed the front lot line and the longer lot line abutting a street shall be deemed an exterior side lot line. In the case of a through lot, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line.	means the line that divides the lot from the street, provided that in the case of a corner lot, the shorter lot line that so abuts the street is deemed to be the front line of the lot, and the longer line that so abuts the street is termed a side line of the lot.	Same as 1784	means the line dividing the lot from the street. In the case of a corner lot, the shorter lot line abutting a street shall be deemed the front lot line and the longer lot line abutting a street shall be deemed the exterior side lot line. In the case of a through lot, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line. Notwithstanding the foregoing, a lot line abutting Baldwin Street shall be deemed to be the front lot line.	means the line that divides the lot from the street, provided that in the case of a corner lot, the shorter lot line that so abuts the street is deemed to be the front line of the lot, and the longer line that so abuts the street is termed an exterior side lot line of the lot. Where a lot is a through lot, the lot line abutting the wider street right of way shall be deemed the front lot line.	means the line dividing the lot from the street. In the case of a corner lot, the shorter lot line abutting a street shall be deemed the front lot line and the longer lot line abutting a street shall be deemed the exterior side lot line. In the case of a through lot, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line. Notwithstanding the foregoing, a lot line abutting Dundas Street or Brock Street shall be deemed to be the front lot line.	The west Whitby definition reflects modern circumstances for through lots where the front door faces the larger arterial road but the driveway access or garage faces another street. There may be a need to provide direction where both streets are the same width. Carry forward West Whitby definition with edits.	Carry forward with edits.
LOT LINE, REAR	means the lot line farthest from and opposite to the front lot line.	means the lot line opposite the front lot line.	Same as 1784				The definition in 1784 is the simplest. Carry forward definition from 1784.	Carry forward.
LOT LINE, SIDE	means a lot line other than a front or rear lot line.	means any lot lines other than the front lot line and the rear lot line.	Same as 1784				As there may be multiple side lot lines, the definitions in 1784/5581-05 are the most logical being in the plural. Carry forward definition from 1784/5581-05.	Carry forward.
LOT, THROUGH	means a lot other than a corner lot having a lot line on two streets or a lot line on two portions of same street.	Same					Carry forward.	Carry forward.
LUBRITORIUM	means a building or part of a building where motor vehicles may be serviced which may include the changing of oil and other filters, motor oil, the greasing and topping up of fluids. The sales of oils, greases and other related products may be sold on a retail basis.						This term could be captured under automobile service station. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
MAJOR ELECTRICAL SUPPLY CENTRE	means a building or part of a building wherein major appliances, electrical supplies and/or fixtures are kept for sale, including wholesale and servicing.	Same					This terms is captured by the retail store definition. Delete definition.	Delete definition.
MANUFACTURING FLOOR AREA	means that portion of the gross floor area of an establishment which is used for manufacturing purposes and office purposes but does not include areas used for storage.	Same					Need to consider whether this definition will be needed in the by-law.	Consider further need for this definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	Comment	Action
MARINA							means a structure or place containing docking facilities and slips and is situated on a navigable waterway, or is adjacent thereto and access to such waterway is provided, and where boats and boat accessories may be kept or serviced or both. (R5A-10)	Carry forward.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
MAUSOLEUM		means a building or part of a building used as a place for the interment of human remains in sealed crypts or compartments.					Common term that does not need to be defined. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
MEDICAL MARIHUANA PRODUCTION FACILITY					means a federally-licensed facility used for the cultivation, processing, testing, destruction, packaging, warehousing or shipping of marihuana used for medical purposes as permitted under the federal government's Marihuana for Medical Purposes Regulations or any subsequent legislation which may be enacted in substitution thereof.		This definition needs to be updated to reflect that these Regulations are out of date and growth of marihuana beyond medical purposes is permitted in Canada.	Carry forward with edits.
MERCHANDISE DISTRIBUTION CENTRE		means a building or part of a building wherein various types of merchandise are displayed and kept for sale at retail or wholesale.					This definition describes a retail store. Delete definition.	Delete definition.
MINERAL AGGREGATE			means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act, but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, talc, wollastonite, or other material prescribed under the Act.				Carry forward.	Carry forward.
MINERAL AGGREGATE OPERATION			means: (a) an operation, other than a wayside pit, conducted under a license or permit under the Aggregate Resources Act; and, (b) associated facilities used in the extraction, transportation, beneficiation, processing or recycling of mineral aggregate or the production of related by-products.				Carry forward.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
MIXED USE BUILDING					means a building in a Mixed Use Zone containing residential uses and at least one other non-residential use.		Should examine further the appropriateness of this definition as the by-law is developed, as varying policies of mixed use buildings vs. sites are implemented.	Consider further appropriate definition.
MOBILE HOME	means a vehicle other than a motor vehicle, that is designed and used as a residence or working accommodation unit and exceeds 2.6 m in width and 11 m in length.	Same					Carry forward.	Carry forward.
MODEL HOME	means a new uninhabited dwelling unit constructed to the requirements and the provisions of the zone category in which the lot upon which the model home is situated or as specified by by-law and are used only for the purposes of displaying the architectural design, materials and interior design or decorating of homes, the layout and features of a draft approved or registered plan of subdivision or condominium, and for the purpose of selling homes to the general public. The items displayed and homes offered for sale shall be restricted to those in the draft approved or registered plan of subdivision or condominium in which the model home is located.	Same					Carry forward.	Carry forward.
MOTOR VEHICLE PAINT AND BODY SHOP	means a building or part of a building where motor vehicles are customized, painted and/or repaired.	Same	Same				Carry forward.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
MOTOR VEHICLE RENTAL	means a building or part of a building wherein motor vehicles are kept for rent or hire, but does not include a taxi stand or the sale of motor vehicles.	means a building or part of a building wherein motor vehicles are kept for rent or hire but does not include a taxi establishment or the sale of motor vehicles.					<p>Could further clarify that this includes cars rented on a temporary bases (as opposed to leasing or renting from dealership) and cars may be rented without hiring a driver, to differentiate from a taxi stand etc. Also, should not be restricted to within a building.</p> <p>Use 1784 definition, updated as noted.</p>	Carry forward with edits.
MOTEL	means a hotel as defined herein.	Same					<p>No need for this term, hotel suffices.</p> <p>Delete definition.</p>	Delete definition.
MUSEUM		means a building or part of a building and land associated therewith used for the storing, preservation and exhibition of works of art, thematic items, antiques and objects of history and science, together with any libraries, reading rooms, laboratories or other offices and premises used in connection therewith.					Carry forward.	Carry forward.
MUSIC OR DANCE STUDIO	means a building or part of a building used for the instruction of music or dancing which may include as an accessory use the retail sale of related goods and wares.	Same					<p>Should delete and simply refer to studio as defined below.</p> <p>Delete definition.</p>	Delete definition.
NAVE	means that portion of a church or place of worship where the congregation assembles during the normal services and which is generally located between the chancel and the vestibule or narthex.						<p>This is too specific to a church as opposed to places of worship generally. Also, the term is not used in the by-law.</p> <p>Delete definition.</p>	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
NON-COMPLYING	means a building, structure or lot that does not comply with the regulations [zone provisions] of this By-law.	Same					Brackets are not needed. Carry forward but remove brackets to read: "regulations or zone provisions "	Carry forward with edits.
NON-CONFORMING / NON-CONFORMING USE	means a use that is not a permitted use in the Zone in which the said use is situated.	Same as 2585	means the use of land, structure or building which does not conform with the permitted uses of this By-law for the zone in which such land, structure or building is situated, as of the date of the passing of this By-law.				Suggested wording: means the use of land, structure or building which does not conform with the permitted uses of this By-law for the zone in which such land, structure or building is situated.	Carry forward with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	1784 Exceptions	Comment	Action
NURSERY SCHOOL / DAY NURSERY / DAY CARE ESTABLISHMENT	means a day nursery within the meaning of The Day Nurseries Act.	means a "day nursery" as defined by the Day Nurseries Act as amended or replaced.	Same as 1784	Same as 1784	(a) premises where more than 5 children are provided with temporary care and/or guidance for a continuous period but does not provide overnight accommodation and are licensed in accordance with the applicable Provincial Act; or, (b) premises in which temporary care is provided or supplied on a regular schedule to adults for a portion of a day but does not provide overnight accommodation.	Same as 1784	Same as 2585 (Institutional (xvii))	It may be useful to remove reference to the Act (as these change) and rather describe the use. Carry forward definition from West Whitby (1784).	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
OBNOXIOUS	means when used to describe a use, any use which is offensive and becomes a nuisance by reason of the emission of odour, smoke, dust, noise, fumes, vibration, glare or refuse matter.	Same	Same				Carry forward.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	1784 Exceptions	Comment	Action
OFFICE / OFFICES	means a building or part of a building used for the practice of a profession and/or administration of business including that of a governmental agency.	Same	Same				means one or more of the following uses namely, business, corporate and professional office but does not include such uses as an art studio, medical office, dental office, a drugless practitioner's office, law office, real estate office and a travel agency. (100)	means a building or part of a building used as an office directly related to the topsoil processing operation and shall include a sales outlet for material stored or produced on the site. (16-P)	Carry forward. Site Specific exception definitions can be captured by the overall definition.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action	
OFFICIAL PLAN				means the Official Plan of the Town of Whitby.			means the Official Plan of the Town of Whitby Planning Area.	Definition is not needed if the by-law simply refers to the Whitby Official Plan. Delete definition.	Delete definition.
OFFICIAL SIGN	means the sign referred to and illustrated in Section 11 of the Ontario Regulation 581, R.R.O. 1990, as may be amended from time to time and any successor regulations in substitution thereof.	Same						This can be deleted. Term is not use in by-law. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
OPEN STORAGE / OUTSIDE STORAGE			means the storage of equipment, goods or raw materials outside of any building or structure.		means the storage or keeping of goods, inventory, materials, machinery, or equipment outside of any building or structure.		Open vs. Outside Storage should be comprehensively applied. West Whitby's definition is preferred, though the term "open storage" should be used. Use term "open storage" but definition of "outside storage" from West Whitby.	Carry forward with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	Comment	Action
OUTDOOR EVENTS VENUE/FACILITY							means an area of land not under the jurisdiction of a public agency that is designed and maintained for active or passive recreational or entertainment purposes including related incidental and ancillary uses. (H-R5A-10)	This is very specific. Needs further consideration if this type of permission should be broadened to other areas of the Town.	Consider further need for this term.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
PARCEL OF TIED LAND	means any parcel of land legally bound and tied to a common element condominium where such Parcel of Tied Land must front on either a public street or a condominium common element roadway and shall, subject to the regulations of this by-law that relate strictly to Parcels of Tied Land, be regarded as a type of lot.	Same					Rather than "be regarded as a type of lot", it should say "be regarded as a lot" as the definition of lot includes it. Carry forward with refinements.	Carry forward, with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
PARK	means a park, playground or playfield including therein one or more athletic fields, field houses, community centres, bleachers, swimming pools, wading pools, greenhouses, bandstands, skating rinks, tennis courts, bowling greens, curling rinks, refreshment rooms, camping area, arenas, golf courses, or similar uses.		means an area of land consisting of open space and used primarily for active or passive recreational purposes which may include recreational buildings, structures or facilities, athletic fields, playgrounds, community centres, swimming pools or wading pools, greenhouses, picnic areas or other similar uses, but shall not include a place of amusement.	Same as 5581-05		Same as 5581-05	The definition from 5581-05 is more general on open space and says may include. Carry forward 5581-05 definition.	Carry forward, with edits.
PARK, PRIVATE	means a park other than a public park.						It does not seem that this term is needed. Delete definition.	Delete definition.
PARK, PUBLIC	means a park owned or controlled by The Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario.						This term is not needed as covered off by park. Delete definition.	Delete definition.
PARKING AREA	means an open area of land not located on a public street, that is used for the parking of four or more motor vehicles, but shall not include any area where motor vehicles for sale or repair are kept or stored and shall not include a driveway that provides access to a ground oriented residential dwelling unit.	Same as 2585	means an area provided for the parking of motor vehicles and shall include aisles, parking spaces, and related ingress and egress lanes.				The parking provisions reference parking area which is why the 1784/2585 were written the way they were. Carry forward 1784/2585 definition.	Carry forward.
PARKING LOT	means a parking area or parking structure where motor vehicles are parked on a temporary basis where a fee may or may not be paid.	Same as 2585	means a parking area operated by either a private or public organization for public use.				Different from parking area, parking lot is a permitted use in some zones. Review best practices to revise definition as necessary.	Carry forward with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	2585 Exceptions	2585 Exceptions	1784 Exceptions	Comment	Action
PARKING SPACE	means an unobstructed and maintained surfaced area, exclusive of aisles or driveways used for the parking or storing of one motor vehicle and includes an area within a private garage or carport but does not include an area used for the display or offering for sale of vehicles.	Same as 2585	means an area of not less than 16.5 square metres, exclusive of any aisles or ingress and egress lanes, with a minimum perpendicular width of 2.75 metres and a minimum perpendicular length of 5.5 metres for the temporary parking or storage of motor vehicles and may include a private garage.				means an area of not less than 16.5 square metres, exclusive of any aisles or ingress and egress lanes, with a minimum width of 2.75 metres and a minimum length of 5.5 metres, or one half of a Tandem Parking Space, for the temporary parking or storage of non-commercial motor vehicles. (R5A-7, R5A-10)	means an area of not less than 18 m2, with a minimum perpendicular width of 2.7 m and a minimum perpendicular length of 6.0 m, for the temporary parking or storage of motor vehicles. (R-4-A)	means an area of not less than 18 m2 with a minimum perpendicular width of 2.7 m and a minimum perpendicular length of 6.0 m for the parking of motor vehicles, and may be located in a private garage, private driveway or carport. (R-4-B, R-2-A, R4B)	may be located in a private garage or carport or as a private driveway providing same has a minimum area of 18 m2 and having a minimum dimension of 3.0 m by 6.0 m. (Institutional Exception (k))	The definition should not contain any measurements. That should be provided in the general provisions.	Carry forward, with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
PARKING SPACE, ACCESSIBLE	means a parking space marked by a sign and pavement markings indicating that such space is to be for the sole use of a vehicle displaying a permit in accordance with the requirements of the Highway Traffic Act.	Same					Not sure the reference to the Traffic Act adds any value. Revise wording to include name of the permit and without the reference to the Act. Carry forward definition from 2585/1784 with additional note.	Carry forward with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	Comment	Action
PARKING SPACE, TANDEM / TANDEM PARKING SPACE	means two parking spaces one behind the other which are accessed by the same driveway or aisle.	Same					means an area of not less than 31.8 square metres, exclusive of any common aisles or ingress or egress lanes, with a minimum width of 2.75 metres and a minimum length of 11.5 metres, and which shall be counted as two parking spaces only where owned as part of only one unit and/or where owned as part of the exclusive use common element belonging to one unit within a registered condominium, for the temporary parking or storage of two non-commercial motor vehicles and which are not to be used for visitor parking. (R5A-7, R5A-10, R5A-11)	The definitions in 2585/1784 are clearest. Carry forward definition from 2585/1784. Definitions in the site specific exceptions should be reworded without the definition, but the intent of the definition (size requirements, if needed) carried forward.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
PARKING STRUCTURE	means a building or part of a building whether above or below grade which is used for parking or storing of motor vehicles, but shall not include a private garage.	Same					Carry forward definition from 2585/1784.	Carry forward.
PATIO	means an uncovered and unenclosed platform, with a floor not more than 0.6 m above the finished grade, whether attached to another structure or building, or not attached to another structure or building, that is load bearing and used for pedestrian passage, seating or recreation.	Same	Same				The last part "that is load bearing and used for pedestrian passage, seating or recreation" is not needed. Carry forward with refinements.	Carry forward, with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
PERMIT	means a Disabled Parking Permit issued under Section 26 of the Highway Traffic Act or a valid permit, number plate or other marker or devise, bearing the international symbol of access for the disabled, issued by another jurisdiction and recognized under this the Highway Traffic Act.	Same					Not sure this reflects current permit terminology from Province. Both the term and definition should be updated to match current wording.	Carry forward with edits.
PERSON	means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.	means any individual, association, firm, partnership or incorporated company.					The definition from 1784 is much simpler and seems fairly comprehensive compared to that in 2585. However, need to consider whether the use of the term person is needed in the by-law. Carry forward definition from 1784, if needed.	Consider further need for definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	1784 Exceptions	Comment	Action
PERSONAL SERVICE ESTABLISHMENT	means a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and their personal needs and may include for example the establishment of a barber, dressmaker, esthetician, hair stylist, registered massage therapist and tailor but shall not include a body rub establishment.	Same as 2585	Same as 2585		means a building or part of a building, where services are provided and administered to individuals and their personal needs and where ancillary retail sales is permitted and include, but is not limited to, hair care, esthetics, health and beauty treatment, dressmaking, tailoring, shoe shining and repair, dry cleaner's distribution station and laundromat or similar uses, but shall not include a body rub establishment.		means a building or portion of a building used to provide direct service to the public which shall include: a medical office, a bank, a trust company or similar financial institution, a drugless practitioner, a law office, a real estate office, a shoe repair, a dry cleaner's distribution station, an eating establishment, a family restaurant, a school of dance, art or music and a photographic studio. (Exception 100)	means a building or a portion of a building used to provide direct service to the public which shall include a medical office, a bank, a trust company or similar financial institution, a drugless practitioner office, a law office, a real estate office, a travel agency, a tailor shop, a barber shop, a beauty salon, a shoe repair, a dry cleaning distribution station and a school of dance, art or music. (C2-S-CN)	Definition from West Whitby is the most comprehensive. Carry forward definition from West Whitby. Site specific exception examples include uses such as offices which will need to be permitted separately.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
PET DAYCARE	means a building or part of a building which offers care for pets as a component of and operated from the same premises as a kennel, but excludes overnight boarding.	Same	Same				<p>This is confusing as it is only permitted with a Kennel which permits overnight boarding, but it does not permit overnight board. There is no need then to separately define and permit the use.</p> <p>Pet daycare as a separate use would be covered by the definition of animal care establishment below.</p> <p>Delete definition.</p>	Delete definition.
PET GROOMING/ ANIMAL CARE ESTABLISHMENT	means a building or part of a building where domestic animals are groomed and may include accessory retail of grooming products, but shall not include the breeding of animals, a kennel or the boarding of animals, or a veterinary clinic.	Same			means a building or part of a building where pets and domestic animals are groomed and cared for during the day and may include ancillary retail sales of grooming products, but shall not include the breeding of animals, a kennel or the boarding of animals, or a veterinary clinic.		<p>West Whitby's definition is more comprehensive.</p> <p>Carry forward definition from West Whitby.</p>	Carry forward.
PHYSICIAN	means a person licensed under The Medical Act.						<p>Should update to remove reference to Act. Also, need to consider where and how non-physician practitioners such as midwives, naturopaths etc. are contemplated by the by-law.</p> <p>Consider further how a grouping of medical and medical-related professions should be captured in by-law.</p>	Consider further appropriate definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
PIT	means a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an excavation to supply materials for construction, industrial or manufacturing purposes, but does not include a wayside pit.						Carry forward.	Carry forward.
PLACE OF AMUSEMENT	means a use occupying the whole of a building or an establishment within part of a building wherein more than 10 percent of the total floor space provides, for use by the public, coin operated mechanical or electric pinball machines or video games; but does not include the sale or rental of such merchandise or accessory goods and wares.		means a building or structure or portion thereof, wherein more than 10% of the total floor space provides, for use by the public, coin operated mechanical or electrical pinball machines or video games, but does not include the sale or rental of such merchandise or accessory goods or wares.	means a building or structure or portion thereof, wherein more than ten percent (10%) of the total floor space provides, for use by the public, coin operated mechanical or electrical pinball machines or video games; but does not include the sale or rental of such merchandise or accessory goods and wares.			This use is antiquated and should, if needed, be captured under place of entertainment. Delete definition.	Delete definition.
PLACE OF ENTERTAINMENT	means a building or part of a building for one or more of the following uses, namely, a motion picture or other theatre, arena auditorium, public hall, bingo hall, billiard or pool room, bowling club, wherein all such uses are contained within a fully enclosed structure; but does not include any place of entertainment or amusement otherwise defined or classified herein.	Same			means a building or part of a building intended for recreational or entertainment uses, including a motion picture or other theatre, arena, auditorium, public hall, bingo hall, billiard or pool room, bowling alley, paint ball, go kart, parkour, rock climbing, gymnasium, escape room, axe throwing or similar such uses, and where all such uses are contained within a fully enclosed structure.		The West Whitby definition is the most modern, though term "motion picture" should be changed to "movie". Carry forward definition from West Whitby (1784), with the updated term "movie".	Carry forward with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
PLACE OF ENTERTAINMENT AND ASSEMBLY		means one or more of the following uses, namely, a motion picture theatre, concert hall, dance hall, billiard or pool room, bowling alley, gymnasium, health club or community hall.					Delete in favor of place of entertainment definition above.	Delete definition.
PLACE OF WORSHIP / CHURCH	means a building, or structure, or portion thereof, used or intended to be used by any religious organization for public worship, and may include as an accessory use, offices, a rectory or manse, hall or public hall, and rooms for the holding of meetings or classes for religious instruction, but shall not include a private school, day nursery, or monastery. OR same as 1784	means a building or part of a building use by any religious organization for religious worship services, or rites and may include for example facilities such as administrative offices, a rectory or manse, public hall or auditorium, rooms for meetings or classes for religious instruction but shall not include a day nursery or private school.	means a building dedicated to religious worship and may include a church hall, church auditorium, Sunday School, or parish hall.		Same as 1784.		It is not clear why zoning by-law 2585 contains two distinct definitions for place of worship in Section 2. The one that matched that in 1784 is preferred. Carry forward definition in 1784.	Carry forward.
PLANTING STRIP				means a continuous strip of landscaped open space abutting a lot line which may be interrupted by driveways required for vehicular ingress and egress.		Same as Village of Brooklin.	Carry forward from Village of Brooklin/Downtown Secondary Plan, if this term is necessary to define.	Consider further need for this definition.
PLUMBING SUPPLY CENTRE	means a building or part of a building wherein plumbing supplies and accessories and/or plumbing fixtures are kept and offered for sale, including wholesale and servicing.	means a building or part of a building wherein a plumbing supplies including water treatment equipment, plumbing fixtures and accessories are kept and offered for sale including wholesale and servicing.					Consider further if this specific use needs to be defined.	Consider further need for this definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
PHOTOCOPY SHOP				means a building or structure, or portion thereof, used for the purpose of reprography, consisting of the reproduction and duplication of documents, hand-written materials, drawings, and micro-filming.		Same as Village of Brooklin.	Could consider further need for this term, perhaps combining with a more general business service use.	Consider further need for this definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	1784 Exceptions	Comment	Action
PODIUM					means the base of a building, in a building consisting of a base and a point tower above the base, where the base is three to five storeys.		means the base of a building consisting of a base and a point tower above the base where the base is two storeys or greater. (R5A-11)	Same as 2585 Exception. (R5A*-7)	Height of the podium or base should not be in the definitions but rather the regulations. Carry forward from West Whitby. but remove numerical number on the height of the base.	Carry forward, with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	2585 Exceptions	1784 Exceptions	Comment	Action
POINT TOWER					means the portion of a building above the podium of the building, where the building is at least eight storeys.		means a building which is at least 12 storeys. (R5A-7)	means the portion of a building above the podium of the building, where the tower portion of the building is at least 12 storeys. (R5A-11)	Same as 2585 Exception (R5A-11) (R5A*-7)	Carry forward from West Whitby. Site Specific definitions will have to be reworded to be addressed appropriately.	Carry forward, with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
POOL SUPPLY CENTRE	means a building or part of a building wherein pools, pool supplies and fixtures, including lawn furniture are displayed and kept for sale.	Same					Consider further if this specific use needs to be defined.	Consider further need for this definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
PORCH	means a covered and unenclosed platform, whether attached to another structure or building, or not attached to another structure or building, that is load bearing and used for pedestrian passage, seating or recreation.	Same	Same				A gazebo would meet this definition, though it is probably not the intent. This definition could be simplified through review of best practices.	Consider further appropriate definition.
PORTABLE ASPHALT PLANT			means a temporary facility, to be dismantled at the completion of a construction project, where:(a)equipment is used to heat and dry mineral aggregate and to mix it with bituminous asphalt to produce asphalt paving material; and,(b)bulk materials used in the process described in clause (a) are kept.				Carry forward.	Carry forward.
PREMISES	means the area of a building and/or lot occupied or used by a business, enterprise or persons and in a multiple tenancy building occupied by more than one business, enterprise or persons, each business or enterprise shall be considered a separate premise.	Same	Same				Carry forward.	Carry forward.
PRINCIPAL USE	means the primary purpose for which a lot, building or structure is used or is designed to be used.	Same					Carry forward.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
PRIVATE AMENITY SPACE		means a space within a building or outside of a building which provides an active and/or passive recreation area for the exclusive use of the occupant of the dwelling unit for which it is intended to apply.			means a space within a building or outside of a building which provides an active and/or passive recreation area for the exclusive use of the occupants of the dwelling unit(s) for which it is intended to apply.	Same as 1784.	West Whitby's definition is preferred as it addresses that private amenity may relate to multiple units as opposed to a single unit. (i.e. shared vs. private amenity) Carry forward from West Whitby.	Carry forward.
PRIVATE CLUB / FRATERNAL ORGANIZATION	means a building, or structure, or portion thereof, used as a place of assembly for an organization, and shall include a lodge, a service club, a fraternity or sorority, or a labour union.	means a building or structure, or portion thereof, used as a place of assembly for an organization which shall include a police club, a lodge, a service club or a labour union.		Same as 2585.			Carry forward from 2585.	Carry forward.
PRIVATE GARAGE	means a detached accessory building or portion of a dwelling house which is designed or used for the sheltering of private motor vehicles and storage of household equipment incidental to the residential occupancy and which is fully enclosed and not open but excludes a carport or other open shelter.	Same	Same				Could be simplified to "means an accessory building or portion of a dwelling house which is designed for one or more parking spaces but excludes a carport". Carry forward as revised.	Carry forward, with edits.
PRIVATE HOSPITAL / HOSPITAL, PRIVATE	means a private hospital within the meaning of The Private Hospitals Act.	means a private hospital as defined by "The Private Hospitals Act, R.S.O. 1950, Chap. 289".					The term does not need to differentiate between private and public hospital. Hospital is a common use with known intent and doesn't need to be defined. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
PRIVATE STREET					means a right-of-way or roadway that provides vehicular access to individual freehold lots or Parcels of Tied Land and is maintained by a condominium corporation and is not a lane.		Carry forward.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	Comment	Action
PROFESSIONAL AND BUSINESS OFFICE							means a building or structure in which persons are employed in the management, direction and conduct of a business, agency, brokerage, consultant's firm or a labour or fraternal organization and where professionally qualified persons and their staff are employed and where clients or patients go for advice, consultation or treatment and may include but not be limited to a medical practitioner's office, and the office of a lawyer, an architect, an engineer, an accountant, a landscape architect, a planner, a dentist, and a chiropractor. (Exception 209 (d), Exception 210 (d))	This term does not require a separate definition from office. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
PUBLIC ADMINISTRATIVE OFFICE	means a building or part of a building containing offices for Federal, Provincial, Regional or Municipal governments, ministries, agencies, boards or commissions and any services related to the administration of their respective functions.	means the Government of Canada, the Government of Ontario, the Corporation of the Regional Municipality of Durham or a local board thereof, The Corporation of the Town of Whitby or a local board thereof, any public or separate School Board recognized under the Education Act, as amended or replaced, any company providing a public utility or any railway company authorized by the Railway Act.					This term does not require a separate definition from office. Delete definition.	Delete definition.
PUBLIC AGENCY	means the Government of Canada, the Government of Ontario, the Corporation of the Regional Municipality of Durham or a local board thereof, The Corporation of the Town of Whitby or a local board thereof, any public or separate School Board recognized under the Education Act, as amended or replaced, any company providing a public utility or any railway company authorized by the Railway Act.	Same					Carry forward, if necessary.	Consider further need for this term.
PUBLIC GARAGE	means a building or part of a building in which motor vehicles are repaired, maintained, serviced, or equipped and where motor vehicle grease and other related products, except motor vehicle fuel, are sold or kept for sale but does not include a car wash, an automobile sales establishment or a motor vehicle paint and body shop.	Same	Same				Public Garage is a dated term and should be changed to automotive service centre and combined with the automotive service centre definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
PUBLIC HOSPITAL / HOSPITAL, PUBLIC	means a public hospital within the meaning of The Public Hospital Act.	means an institution as defined by "The Public Hospitals Act, R.S.O. 1950, Chap. 307".					Hospital is a common use with known intent and doesn't need to be defined. Delete definition.	Delete definition.
PUBLIC LIBRARY	means a public library within the meaning of The Public Libraries Act.						Library is a normal term in the dictionary. Don't need to define. Delete definition.	Delete definition.
PUBLIC PARKING LOT				means a lot, building or structure operated by a public agency, designed and used for the parking of three or more motor vehicles, and shall include the parking spaces, traffic aisles and driveways		Same as Village of Brooklin	This term is covered off by parking lot and an additional definition is not needed, Delete definition.	Delete definition.
PUBLIC ROAD AUTHORITY	means Federal, Provincial, Regional or Municipal agencies, and includes any commission, board, authority or department established by such agency having jurisdiction over a road.						This term is not typically found in a zoning by-law and its context and whether it needs to be defined needs to be considered.	Consider further need for this definition.
PUBLIC SERVICE				means any building, structure, roadwork, water supply, sanitary sewer, storm sewer, natural gas, electrical power or energy, pipeline, telephone, television, sidewalk, street light or telecommunications network or other similar services provided by a public agency but shall not include an office building, a works yard, public transit facility or bus garage, postal station, sanitary landfill site, public school, or telecommunication service.		Same	This term is not typically found in a zoning by-law and its context and whether it needs to be defined needs to be considered.	Consider further need for this definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
QUARRY	means a place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry.						Carry forward.	Carry forward.
RAPID INFILTRATION BASIN/COLUMN			means a basin/column or system of basins at or below grade that is constructed in porous soil and punctures through a relatively impermeable layer to gain access to a more permeable sand or gravel layer, so as to rapidly infiltrate into the ground, at a single point or area of concentration, surface runoff collected from impervious surfaces.				Carry forward.	Carry forward.
RECREATION COMPLEX	means any building or structure that provides for one or more of the following uses: organized sport or recreational games and events, a pool including slides or similar recreational play activities, a place of entertainment, a rink, an assembly hall, an eating establishment provided it is integral to the recreation complex, racquet courts, fitness facilities or similar recreational uses.						This is an overlap with recreation facility definition. Should be combined into one.	Consider further appropriate definition.
RECREATIONAL CLUB OR FACILITY	means a building or part of a building wherein recreational facilities are provided and shall include a private club.	Same			Same		This is an overlap with recreation complex definition. Should be combined into one. Consider further in relation to recreation complex.	Consider further appropriate definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
RECREATIONAL TRAILER SALES ESTABLISHMENT / RECREATIONAL VEHICLE SALES AND SERVICE ESTABLISHMENT	means a building or part of a building wherein recreational trailers are displayed and kept for sale at wholesale or retail including trailer accessories, parts and the servicing of the same. Outside storage of recreational trailers shall be permitted.	means a building or part of a building wherein recreational vehicles, including hard and soft wall trailers and recreational motor vehicles, are displayed and kept for sale at retail or wholesale and may include the sale of recreational vehicle parts and accessories and the servicing of the same. The outside storage of recreational vehicles shall be permitted subject to the zone provisions contained herein.	means a building or part of a building wherein recreational vehicles, including hard and soft wall trailers and recreational motor vehicles, are displayed and kept for sale at retail or wholesale and may include the sale of recreational vehicle parts and accessories and the servicing of the same.				By-law 5581-05 is preferred as it addresses recreational vehicles and trailers. Carry forward definition from zoning by-law 5581-05.	Carry forward.
REDEVELOPMENT	means the removal of buildings or structures on land and the construction or erection of other buildings or structures thereon.	Same	Same				Delete, the only instance this term is used in the definition section.	Delete definition.
REGIONAL INDUSTRIAL WAREHOUSE AND DISTRIBUTION CENTRE	means a building or part of a building that is used for the storage and distribution of perishable and non-perishable consumable goods, wares or other merchandise exclusive of the retailing of same on the premises, and may include an associated office component.						Does not need to include "Regional Industrial" in the title. Carry forward with a change to the title.	Carry forward with edits.
RELIGIOUS ORGANIZATION	means a corporation or an association of persons that is charitable according to the laws of Ontario organized for the advancement of religion through the conduct of religious worship, services, ceremonies or rites, including its charitable purposes.	Same					Not a term typically associated with a by-law. Place of worship can address the use without the need for this term Consider further need for this definition.	Consider further need for this definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	1784 Exceptions	Comment	Action
REQUIRED LIVING ROOM WINDOWS							means the minimum requirements of the total window area in a living room in accordance with The Building Code. (R-3-B)	Same	This term is not needed. It is addressed by the building code. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
RESIDENTIAL CHARACTER				means the design and maintenance of buildings so that no evidence is apparent from the exterior that any use not of a residential nature is being conducted therein. This definition shall not be construed to exclude the erection of signs as allowed by By-law # 1878-85 as amended or replaced.		Same	Consider further application of this term, as its enforcement may be problematic.	Consider further appropriate definition.
RESIDENTIAL SALES OFFICE	means a fully enclosed, permanently affixed or portable building or structure, used only for the purposes of displaying the architectural design, materials and interior design or decorating of homes, the layout and features of a draft approved or registered plan of subdivision or condominium including zoning information, and for the purpose of selling new homes to the general public. The items displayed and homes offered for sale shall be restricted to those in the draft approved or registered plan of subdivision or condominium which the sales office is located.	Same					This definition needs to be broadened to condominiums and could be simplified. Need to review against best practices. Consider further changes through best practice review.	Consider further appropriate definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
RETAIL NURSERY	means a building or part of a building in which nursery plants and shrubs, fertilizer and other gardening accessory supplies are kept and offered for retail sale, and shall also include a structure in the nature of an enclosed area for the display of nursery plants and shrubs but shall not include anything in the nature of a greenhouse or a garden for the purpose of growing any such plants or shrubs.	Same					<p>This definition should be simplified. Should not matter if they have plants in a greenhouse. Need to review against best practices.</p> <p>Consider further changes through best practice review.</p>	Consider further appropriate definition.
RETAIL SPORT GOODS CENTRE	means a building or part of a building where sporting goods, equipment and accessories for all types of sports are kept for sale at retail/wholesale and may include the repair of such items.	Same					<p>This can be captured under the definition of retail store.</p> <p>Delete definition.</p>	Delete definition.
RETAIL STORE	means premises where goods or commodities are stored, offered or kept for sale at retail or on a rental basis to the public and includes storage on or about the premises of limited quantities of goods or commodities sufficient only to service the store.	Same	Same				<p>This definition could be simplified. Need to review against best practices. Also consider if all retail stores include grocery stores and supermarkets or if they are separate.</p> <p>Consider further changes through best practice review.</p>	Consider further appropriate definition.
RETAIL/WHOLESALE AUTOMOTIVE PARTS STORE	means a building or part of a building wherein motor vehicles' parts and accessories and related service equipment are kept for sale at retail and/or wholesale.	means a building or part of a building wherein motor vehicle parts and accessories and related service equipment are kept for sale at retail and/or wholesale.					Whether this distinct use needs to be defined warrants further consideration.	Consider further need for this definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	1784 Exceptions	Comment	Action
RETAIL WAREHOUSE - ENTERTAINMENT							means a building or part of a building occupied by a single user having a minimum gross leasable floor area of 1,858 m2 that would not generally locate in a traditional commercial area. The principle use of the "retail warehouse facility - entertainment" is for the sale of goods and wares such as and similar to books, periodicals, recorded audio/visual materials, games, game equipment, party supplies and sporting goods and wares. C2-S-RW Exception 4)	The intent of this definition should be captured in the exception without the use of an independent definition or consider whether the exception is warranted with the new by-law zone categories. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
RETIREMENT HOME	means a building or part of a building, containing dwelling units where common facilities are provided for the preparation and consumption of food and where housekeeping services and on-site medical services are provided, as required and may also contain for example common facilities such as recreation rooms and lounges and accessory uses such as a personal service establishment and retail store for the residents.	Same					Carry forward.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
RIDING STABLES		means lands or buildings used for the purpose of keeping, training and exercising of saddle horses including the use of such establishment as a commercial or private club for the riding of saddle horses, but shall not include anything in the nature of a commercial racetrack, nor the keeping, exercising or training of race horses.					This is an old definition from the 1970s and is now covered by agricultural use.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	Comment	Action
ROOF							means the overhead structural component of a building or a part of a building supported by walls or columns and which functions primarily to shelter the interior of the building from the effects of weather and the infiltration of water. (R5A-11, R5A-13)	This is a common term that does not need to be defined. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
SALVAGE YARD	means premises used as a junk yard, scrap metal yard or a vehicle wrecking yard, and which may include storing, dismantling, crushing or demolishing of vehicles or equipment or parts thereof and/or their resale.	Same	Same				Carry forward.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
SANITARY SEWER / SANITARY SEWERS	means an adequate system of underground conduits, operated either by The Corporation or by the Ontario Water Resources Commission, which carries sewage to an adequate place of treatment which meets with the approval of the Ontario Water Resources Commission.	means a system of underground conduits which carries sewage to a place of treatment which meets with the approval of the Ontario Water Resources Commission.					This does not need to be defined. Delete definition.	Delete definition.
SATELLITE DISH	means a device used for or intended to be used for reception of communication signals from a satellite, however, shall not include communication devices regulated by the Canadian Radio and Television Commission or devices that are less than 1.0 m in diameter.	Same					This can be deleted as modern satellite dishes are less than 1.0 metres and wouldn't be regulated.	Delete definition.
SCHOOL	means a school under the jurisdiction of a board as defined in The Department of Education Act.					means a school or any permanent improvements both as defined by the Education Act as amended or replaced.	The Downtown Secondary Plan definition is confusing. Carry forward definition from zoning by-law 2585, but updated to reference Ministry of Education.	Carry forward.
SCHOOL, PRIVATE	means a school, other than an elementary, secondary or commercial school, under the jurisdiction of a private non-profit board of trustees or governors, a religious organization or a charitable organization, used primarily for the instruction of students receiving education and the term private school shall include a Montessori school.	Same as 2585				means a private school or any permanent improvements both as defined by the Education Act as amended or replaced.	The 2585 definition could be simplified. The Downtown definition is archaic. Need to determine if there is a need for a private school definition separate from a school definition. Consider further appropriate definition.	Consider further appropriate definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
SELF STORAGE WAREHOUSE					means a building or part of a building where separate compartmentalized storage units are made available to the public and where the public are permitted to access the building only to place or remove their personal property.		Carry forward definition from zoning by-law 1784, West Whitby.	Carry forward.
SERVICE SHOP	means a building or part of a building and whether conducted in conjunction with a retail store or not, for the refurbishing, repairing or servicing of goods, other than vehicles as opposed to the manufacturing of the same.	Same	Same				Carry forward.	Carry forward.
SHOPPING CENTRE	means a group of one or more buildings containing four or more non-residential commercial premises developed and managed as a unit by a single owner or a group of owners or tenants with a common on site traffic circulation system, common parking spaces and common driveway access to abutting public streets.	Same					Carry forward.	Carry forward.
SIGHT TRIANGLE	means a triangle that is formed by the intersection of the boundaries of two streets and a straight line joining two points one in each of the said boundaries and distance 9m from the intersection.	Same as 2585	means a triangle that is formed by the intersection of the boundaries of two streets and a straight line joining two points, one in each of the side boundaries and distant 12 metres from the intersection.		means a triangular area of land on a corner lot that is determined by measuring from the point of intersection of streets lines the distance required along each such street line and joining such points with a straight line. The triangular shaped area of land between the intersecting lines and the straight line joining the points the required distance along the street lines is the sight triangle.		Need to consider need for daylighting vs. visibility vs. sight triangle. Carry forward definition from zoning by-law 1784, West Whitby and consider adding separate definition for visibility triangle.	Carry forward with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	2585 Exceptions	1784 Exceptions	Comment	Action
SINGLE FAMILY TOWN HOUSE DWELLING							means one of a group of not more than eight single detached dwellings but not less than three single detached dwellings attached to each other, side by side, each of which dwelling house: (a) has separate front and rear entrances or separate front and side entrances; and, (b) is attached on one or both sides by a common masonry wall to another dwelling house in the same row; and, (c) contains a private garage within each dwelling house. (R-4-B)	means one of a group of not more than eight single family dwelling units but not less than three single family dwelling units attached to each other, side by side, each of which dwelling unit: (a) has separate front and rear entrances or separate front and side entrances; and (b) is attached on one or both sides by a common masonry wall to another dwelling unit in the same row; and (c) contains a private garage within each unit. (R4B)	Same as 2585 exception (R4B)	These definitions can be captured by the definition of a Townhouse. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	1784 Exceptions	Comment	Action
SINGLE FAMILY SEMI-DETACHED DWELLING							means one of a pair of two attached single family dwellings with a common party wall either above or below grade dividing the pair of single family dwellings vertically, each of which has an independent entrance directly from the outside.	These definitions can be captured by the definition of a semi-detached. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
SITE			means the land subject to an application.				The need for this definition is unknown at this time. Consider further the need for this definition.	Consider further need for this term.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
SPORTING GOODS STORE	means a building or part of a building with a minimum gross floor area of 450 m ² (4848 ft ²) wherein sporting goods, equipment, and accessories for all types of sports are kept for sale and, may include the repair of such items.	means a building or part of a building with a minimum gross floor area of 450 m ² wherein sporting goods, equipment, and accessories for all types of sports are kept for sale and which may include the repair of such items.					This can be captured under the definition of retail store, with the size requirement indicated separately where the use is permitted. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	Comment	Action
STOREY	means the portion of a building which lies between the surface of the floor and surface of the next floor above it, or if there is no floor above it, then the space between such floor and the ceiling or roof next above it, but a storey does not include a cellar or a basement unless such basement contains one or more dwelling units.	means the portion of the building other than the cellar which lies between the surface of the floor and the surface of the next floor above it, or if there is no floor above, then the space between such floor and the ceiling or roof next above it.	Same as 1784	means a portion of a building situated between the surface of the floor and the surface of the floor above it or if there is no floor above it, that portion between the surface of the floor and the ceiling above it. A storey shall not exceed 3.5 m of which 1.5 m shall be located above finished grade level.	means the portion of the building which lies between the surface of the floor and the surface of the next floor above it, or if there is no floor above, then the space between such floor and the ceiling or roof next above it.	means a portion of a building situated between the surface of the floor and the surface of the floor above it or if there is no floor above it, that portion between the surface of the floor and the ceiling above it. A storey shall not exceed 3.5 m of which 1.5 m shall be located above finished grade level.	Same as Village of Brooklin	The definition from West Whitby is preferred.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
STOREY, FIRST				means the storey with its floor closest to the finished grade level and having its ceiling more than 1.8 m above the finished grade level.		Same as Village of Brooklin	Carry forward.	Carry forward.
STOREY, ONE-HALF / STOREY, HALF	means the portion of a building situated wholly or in part within the roof and in which there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.5 m over a floor area equal to at least 50% of the area of the floor next below.	means the portion of a building situated wholly or in part within the roof and in which there is insufficient space to provide a height between finished floor and finished ceiling of at least 2.3 m over a floor area equal to at least 50% of the area of the floor next below.	Same as 1784	means that portion of a building located wholly or partly within a sloping roof, having a floor area not less than one-third (1/3) or more than two-thirds (2/3) of the floor area of the storey below it.		means that portion of a building located wholly or partly within a sloping roof, having a floor area not less than one-third or more than two-thirds of the floor area of the storey next to and below it.	The existing definitions are confusing. Consider further the need for this definition.	Consider further the need for this definition and revise using best practice examples if necessary.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
STORM SEWER	means a sewer which carries storm surface waters and drainage but excludes sewage and polluted industrial wastes.						This term is not something that is typically defined or used in a zoning by-law. Delete definition.	Delete definition.
STREET	means the right of way of a public highway.	Same as 2585	means a public highway having a minimum width of 20 metres which affords a principal means of access to abutting lots.		means the right of way of a public highway or a private street.		Carry forward West Whitby definition.	Carry forward with edits.
STREET LINE	means the limit of the road or street allowance and is the dividing line between a lot and a street.	Same	Same				Carry forward.	Carry forward.
STRUCTURE	means anything that is erected, built or constructed of parts joined together and which is fixed to or supported by the soil, a building or another structure.	Same	Same				Carry forward.	Carry forward.
STUDIO / ARTIST OR PHOTOGRAPHIC STUDIO	means a building or part of a building used for the instruction of music, dance, yoga, photography, art or similar activity, and which may include ancillary retail sales.	Same as 2585		means a building or structure, or portion thereof, used for the creation and/or retail sales of photography, paintings, art, needlework, jewellery, sculpture, pottery, glass, weaving, or plastic art.	Same as 2585	Same as Village of Brooklin	The definition from 1784 is the most comprehensive and can be used to ensure flexibility in the by-law.	Carry forward.
SUPERMARKET					means a building, or part of a building, containing a departmentalized food store and where the gross leasable area for such use is 1,200 square metres or greater.		Carry forward definition from 1784, West Whitby.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
TAXI ESTABLISHMENT	means a building or part of a building, used for the dispatching of taxis and may include temporary parking of taxis when not in service.	Same	Same				Carry forward.	Carry forward.
TECHNOLOGY INDUSTRY					means a use where advanced sophisticated devices, especially in the field of electronics, computer, communication or aerospace technologies are manufactured, assembled, packaged or warehoused.		This is a manufacturing establishment. Need to consider whether this term is needed.	Consider further need for this definition.
TELECOMMUNICATION SERVICES						means a service industry other than a public service for the provision of telecommunication services to the public and may include satellite communication services, telephone communication services, telephoto services, teletype services, tickertape services, broadband services, and similar communication services.	This term does not need to be defined. Only used in reference to public service definition. Delete definition.	Delete definition.
THEATRE				means a building, or structure, or portion thereof, used for the presentation of musical, theatrical, or film performances, and shall include accessory uses such as lounges, dressing rooms, workshops, and storage areas, but shall not include a drive-in theatre.		Same as Village of Brooklin	This is captured by the definition of place of entertainment. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
TOURIST ESTABLISHMENT		means a commercial establishment that operates throughout all or part of the year and that may have accommodation and facilities for serving meals and furnishing equipment or supplies or services to persons in connection with recreational purposes.					It seems likely that this use may be captured by other similar uses. Consider further need for this definition.	Consider further need for this term.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	1784 Exceptions	Comment	Action
TOPSOIL PROCESSING							means land(s) where topsoil is screened and mixed with finished compost, peat moss and/or peat loam or similar material. (16-P)	Carry forward.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
TRAILER	means a vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle and is capable of being used for the transport of persons or goods, equipment or livestock notwithstanding that such vehicle is jacked up or that its running gear is removed.	Same as 2585					Carry forward.	Carry forward.
UNDERGROUND PARKING AREA		means a building or structure located within the ground and where the top of the roof deck is not above the finished grade.					This term is not needed. Underground parking is captured under parking structure. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
USE	means the purpose for which any portion of a lot, building or structure is designed, arranged, intended, occupied, operated or maintained.	Same					Carry forward.	Carry forward.
VEHICLE	means a motor vehicle, trailer, recreational vehicle, farm tractor, road building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power for moving person or goods.	Same					Carry forward.	Carry forward.
VEHICLE, COMMERCIAL/ COMMERCIAL MOTOR VEHICLE	means a motor vehicle having permanently attached thereto a truck or delivery body which is designed for the transport of persons or goods, and which is used for business, employment or commercial purposes.	Same	shall mean any commercial vehicle as defined in The Highway Traffic Act.				Definitions from zoning by-law 1784/2585 are clearer than from 5581-05. Carry forward definition from 2585/1784.	Carry forward.
VEHICLE, MOTOR	means an automobile, truck, motorcycle, motor assisted bicycle and any other vehicle propelled or driven otherwise than by muscular power, but does not include a streetcar, or other motor vehicles running only upon rails, or a motorized snow vehicle, farm tractor, self-propelled implement of husbandry or road building machine.	Same					Consider changing the term husbandry. Need to consider whether this definition and vehicle are both needed.	Consider further the need for this definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
VEHICLE, RECREATIONAL	means any vehicle or recreational equipment that provides for short term occupancy and is used for recreation, travel or vacationing which is designed to be towed or propelled by a motor vehicle or self-propelled and includes such vehicles as an all-terrain vehicle, boat, motor home, pop-up camper, snowmobile, tent trailer, travel trailer, truck camper and water craft but does not include a mobile home.	Same					Need to differentiate better between a mobile home and a recreational vehicle and a trailer. Consider through best practice review. Consider further through best practice review.	Consider further appropriate definition.
VETERINARY CLINIC	means premises for the examination, assessment and treatment of animals, birds and reptiles and may include medical and surgical treatment but shall not include a kennel.	Same	Same				Carry forward.	Carry forward.
VIDEO OR COMPUTER RENTAL ESTABLISHMENT	means a building or part of a building devoted to a retail rental store used for the rental of video tapes, computer games and related equipment, which may include as an accessory use the sale of video or computer games, equipment and pre-packaged convenience foods, but shall not include a restaurant or a place of amusement.	Same	Same				Delete. These no longer exist.	Delete definition.
VILLAGE OF BROOKLIN ZONE				means any one or more of the zones classified in this By-law with a classification which concludes with the suffix "-VB".			This definition is not needed as the zones will likely be realigned.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
VISIBILITY TRIANGLE	means a triangular area of land situated at the intersection of street lines abutting a corner lot that has been or will be conveyed to a public authority and incorporated into the right of way of a public street and is not a sight triangle.	Same as 2585			Same as 2585		Carry forward.	Carry forward.
WAITING SPACE	means an area of not less than 15 m ² , exclusive of any aisles or ingress or egress lanes, having a minimum perpendicular width of 2.5 m and a minimum perpendicular length of 6.0 m, to be used by motor vehicles awaiting access to a car wash.	Same	Same				This definition should be revised to stacking lanes for all types of drive throughs including car washes. The size of the space should be a regulation not in the definition. Carry forward with suggested edits.	Carry forward, with edits.
WALL, CONNECTING		means a wall below the ground that connects two dwelling units horizontally or vertically.					Deleted as the use for this term, in link dwellings, will not be carried forward in the by-law.	Delete definition.
WALL EXTERIOR	means a main and supporting exterior wall of a building running from the foundation footings to the roof of the building but does not include unenclosed porches, decks, balconies, steps and patios.	Same	Same				Carry forward.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
WAREHOUSE SALES OUTLET / RETAIL WAREHOUSE OUTLET	means a building or part of a building that is used for the storage of new goods, wares or other merchandise, exclusive of groceries, packaged food stuffs or food products that are stored for the purpose of retail sale within the premises, and where the area that is accessible to the general public in combination with the retail sales and the display area does not exceed 50 percent of the total floor area of the premise. For the purpose of this definition a beer or liquor store and a catalogue sales outlet shall be considered as permitted uses.	Same					This definition is archaic, as most retail stores, except for older beer stores, operate in this manner. Delete definition.	Delete definition.
RETAIL WAREHOUSE FACILITY		means a building or part of a building occupied by a single user that is of substantial size that would not generally locate in a traditional commercial area. The principle use of the retail facility is for the sale of products not including food products, that are displayed and stored in one and the same area that is visible to the public. Minimum single user unit sizes are established in the provisions of the By-law.					This term has become archaic as retail stores are now both large and small formats for the same type of store. Consider further the need for this definition.	Consider further the need for this definition.
WAREHOUSE FACILITY					means a building or part of a building where the principle activity is the indoor storage and freight distribution of goods, wares, merchandise, substances, articles, or products.		Carry forward.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
RETAIL WAREHOUSE FACILITY WITH FOOD SALES		means a building or part of a building occupied by a single user that is of substantial size that would not generally locate in a traditional commercial area. The principle use of the retail facility with food sales is for the sale of products that are displayed and stored in one and the same area that is visible to the public. Minimum single user unit size and maximum floor space devoted to the sale of food products are established in the zoning by-law.					This term is archaic as many large retail stores now sell food. Retail Store and Supermarket will continue to apply. Delete definition.	Delete definition.
WELLNESS CENTRE		means an establishment devoted to the actively sought goal of good health and includes the teaching and practice, in both individual and group sessions, of a range of holistic, alternative and integrative natural health practices and may include facilities and programs for meditation, acupuncture, shiatsu, massage therapy, yoga, and healthy eating.					It seems that this use broadly overlaps with other defined uses. Consider further appropriate definition.	Consider further appropriate definition.
WATER SUPPLY	means an adequate distribution system of underground piping and related storage, including pumping and purification appurtenances owned and operated by The Corporation and/or the Ontario Water Resources Commission and/or any public utilities commission for public use.						This does not need to be defined. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
WATER SUPPLY PLANT	means a building or structure, approved by the Ontario Water Resources Commission, where water is treated for human consumption.						Delete reference to the Ontario Water Resources Commission. Carry forward with edits, if this term is necessary to define. It may be covered by public use provisions.	Consider further need for this definition.
WAYSIDE PIT or WAYSIDE QUARRY / WAYSIDE PIT	means a temporary pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.		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.				"public body" is broader than "public road authority". Carry forward definition from 5581-05.	Carry forward.
WOODLAND			means a treed area, woodlot or forested area, other than a cultivated fruit or nut orchard or a plantation established for the purpose of producing Christmas trees.				Carry forward.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	Comment	Action
YARD	means an open uncovered and unoccupied space on a lot appurtenant to a building except as specifically permitted in this By-law	Same as 2585	means an open, uncovered and unoccupied space appurtenant to a building.				means a space, appurtenant to a building or structure, and which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted elsewhere in By-law No. 2585. (168 (f) - R2B zone)	Update the word "appurtenant" to a modern, common word. Perhaps "next" or "adjacent". Carry forward definition from 2585/1784, as updated.	Carry forward with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
YARD DEPTH or SETBACK	means the least horizontal dimension between the applicable lot line and the nearest part of any main building on the lot.	Same					Delete word "least". The word maximum or minimum may be used ahead of the term. Carry forward definition from 2585/1784 with additional edits noted.	Carry forward with edits.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
YARD, FRONT	means a yard extending across the full width of the lot between the front lot line and the nearest part of any main building on the lot.	Same as 2585	means a yard extending across the full width of building lot between the street or front boundary of the lot, and the nearest part of any building or structure on the lot, or the nearest open storage use on the lot.				Carry forward definition from 2585/1784.	Carry forward.
YARD, REAR	means a yard extending across the full width of the lot between the rear lot line and the nearest part of any main building on the lot.	Same as 2585	means a yard extending across the full width of the building lot between the rear boundary of the lot and the nearest part of any building or structure on the lot, or the nearest open storage use on the lot.				Carry forward definition from 2585/1784.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	1784 Exceptions	Comment	Action
YARD, SIDE, EXTERIOR / YARD, EXTERIOR SIDE / EXTERIOR SIDE YARD	means the yard of a corner lot that extends from the front yard to the rear yard between the exterior side lot line and the nearest part of any main building on the lot.	Same as 2585	means a side yard immediately adjacent to a public street.				means a side yard immediately adjoining a public street or immediately adjoining a 0.3 m reserve. (R-3-B, R-4-B, R-2-A, R4B)	Same as 2585 Exceptions (R-3-B, R-4-B, R-2-A, R4B) (R-4-A Exception (gb))	Carry forward definition from 2585/1784.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
YARD, SIDE, INTERIOR / YARD, INTERIOR SIDE	means a yard, other than an exterior side yard, that extends from the front yard to the rear yard between the interior side lot line and the nearest part of any main building on the lot.	Same as 2585	means a side yard immediately adjacent to a lot.				Carry forward definition from 2585/1784.	Carry forward.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	Comment	Action
YARD, SIDE			means a yard extending from the front yard to the rear yard and from the side boundary of the building lot to the nearest part of any building or structure on the lot, or the nearest open storage use on the lot.				This isn't needed if interior and exterior side yard is defined. Delete definition.	Delete definition.

	2585	1784	5581-05	Village of Brooklin (1784)	West Whitby SP Area (1784)	Downtown SP (2585)	2585 Exceptions	2585 Exceptions	1784 Exceptions	Comment	Action
ZERO DECIMAL THREE METRE RESERVE		means a strip of land of 0.3 m in width owned by The Corporation of the Town of Whitby, the Ministry of Transportation or the Regional Municipality of Durham.					means a strip of land of 0.3 m in width owned of The Corporation of the Town of Whitby or owned by the Regional Municipality of Durham and immediately adjoining a public highway. (R-3-B)	means a strip of land of 0.3 m in width owned by The Corporation of the Town of Whitby or owned by The Regional Municipality of Durham. (R-4-A, R-4-B)	means a strip of land zero decimal three m in width owned by the Municipality and immediately adjoining a public highway. For the purposes of yard setback provisions and frontage requirements of this By-law a 0.3 m reserve shall be deemed not to exist. (Institutional Exception s)	By-law 1784's definition doesn't address that its adjacent to a street and reference to "the Corporation" can be removed. Carry forward definition from 1784, updated as noted.	Carry forward, with edits.

