CPP BY-LAW TEMPLATE

COUNTY OF SIMCOE

Housing Faster Community Planning Permit (CPP) By-law Template

2026

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PLANSCAPE
Building Community Through Planning

County of Simcoe Housing Faster Community Planning Permit By-law Template

Preface / By-law Page

_____, 2026

A By-law of the Corporation of the _____ to regulate land use and *development* on lands within the "_" designation of the _____ Official Plan, as amended by Official Plan Amendment No. ___.

WHEREAS it is considered desirable to regulate the use of land and the character and location of buildings and structures for the facilitation of *affordable and attainable housing development* approvals;

AND WHEREAS authority is granted to the Council of The Corporation of _____ to pass this By-law under Section 34 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended;
AND WHEREAS Section 2 of *Ontario Regulation* 173/16 under Section 70.2 of the *Planning Act, R.S.O. 1990, c.P. 13*, as amended, authorizes the Council of a local municipality to establish by By-law a community planning permit system within the municipality for any area or areas set out in the By-law;

AND WHEREAS there is an Official Plan in effect in the County of Simcoe enabling a Community Planning Permit By-law;

AND WHEREAS the _____ Official Plan has been amended by By-law No. ____ to adopt a Community Planning Permit By-law by Official Plan Amendment No. ___;

NOW THEREFORE the Council of The Corporation of _____ hereby amends By-law _____ (or By-laws), and all amendments thereto, as it relates to the lands described in this By-law as shown on Schedule "A" and enacts By-law _____.

PASSED THIS ___ DAY OF ___, 20__.

_____

MAYOR

_____

CLERK

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Explanatory Note

This note explains the purpose of the Community Planning Permit (CPP) By-law. It does not form part of the By-law itself.

The CPP By-law is a planning tool that streamlines development approvals and helps create more medium density housing options. This By-law encourages intensification of residential uses as of right, while offering provision flexibility and permissions for small scale commercial uses that will support the community.

The CPP By-law combines three separate approval processes; zoning by-law amendments, site plan control, and minor variances, into one clear process. When approved, an Owner / Applicant will receive a single permit that allows them to move forward to the building permit stage of their development.

A CPP By-law replaces the zoning rules for a specific area of the municipality. Like a Zoning By-law, it sets out permitted land uses and development standards such as building height, setbacks, and parking requirements.

However, the CPP By-law offers more flexibility than a traditional Zoning By-law in that it:

- Identifies available *Variation*s to the standard by-law provisions to allow development flexibility while protecting neighbourhood character;
- Provides criteria to use to evaluate the appropriateness of *Variation*s to the by-law standards as well as where conditions of approval will require community enhancements when the standard provision is not met.
- Can include requirements for landscape changes, vegetation removal, and site grading as conditions of approval.
- It allows larger commercial uses if conditions are met, called a Discretionary Use.

The CPP By-law also gives Council control over how much approval authority to delegate to staff, helping speed up decisions while maintaining oversight.

This By-law delivers the vision of the Official Plan and supplementary housing policy research to allow gentle intensification of established neighbourhoods to achieve much needed housing goals. A diverse mix of housing is encouraged to meet community needs and neighbourhoods are envisioned to grow organically with added housing and small commercial uses that support a vibrant, dynamic and complete community.

1 General Scope

1.1 Community Vision and Guiding Principles

The following principles guide the CPP By-law:

- Encourage the development of housing options with emphasis on dwelling units that are defined as *affordable* and represent *attainable* options for home ownership;
- Promote accessible and diverse housing types;
- Enhance the opportunities to achieve and improve *complete communities*; and
- Promote creative and innovative development that is compatible and beneficial to the community and it's form, function, culture, social, economic and environmental assets.

1.2 Applicable Area

This By-law applies to all lands falling within the County of Simcoe Housing Faster Community Planning Permit Area in the Town/Township of [insert name of municipality], as set forth in Schedule A of the Official Plan and this By-law. These lands have been generally identified as:

a. _____ and shown on Schedule _____

1.3 Requirement for a Community Planning Permit

All development within the area identified on Schedule A to which this By-law applies shall require a Community Planning Permit.

1.4 Exemptions from Community Planning Permits

The following types of *development* shall not require a *permit*:

a) Any development consistent with an approved site plan agreement pursuant to the Town/Township's Site Plan Control By-law or previously approved rezoning or minor variance prior to the date of this By-law coming into force and effect;

b) Renovations, maintenance and repairs not requiring a building permit;

c) Renovations, maintenance and repairs that require a building permit but do not change the use or add a dwelling unit;

d) Storage sheds no greater than 15 square metres in size;

e) Placement of a portable classroom on a school site as per O. Reg. 173/16; and

f) Projects initiated by a Public Authority at the discretion of Council.

1.5 Complete Applications

Complete applications for a Community Planning Permit shall include:

a) A fully complete and signed Community Planning Permit Application;

b) Submission of the required application fees; and

c) Supporting reports, plans, drawings, and studies, as identified through the pre-consultation / pre-submission process and as identified on the Community Planning Permit Application form.

1.6 Variations to By-law Provision Standards

A Variation is a measurable and pre-defined deviation from one or more development standards of this By-law such as setbacks, lot coverage, landscaped open space, or parking, where this By-law expressly allows flexibility. They are indicated throughout this By-law in conjunction with the standard by-law Provisions. Variations are an integral feature of the Community Planning Permit By-law and are intended to provide a predictable, transparent way to adjust standards without requiring a zoning amendment or minor variance.

Variations allow projects to respond to the unique size, shape, and constraints of individual lots while maintaining overall compatibility with neighbourhood character. By enabling modest, well-reasoned adjustments, *Variation*s make it easier to design and construct Missing Middle Housing, add additional residential units, and create more diverse and attainable housing options.

All *Variation*s must meet the Criteria for Variations set out in Section 1.9 in this By-law to ensure that flexibility is balanced with good planning, livability, and mitigation of impacts. Variations may be approved through a Class 2 or Class 3 Community Planning Permit outlined in Section 1.7 depending on the degree of relief requested. Variations cannot authorize a prohibited use, nor can they override provincial requirements, but they provide an important tool for facilitating gentle intensification and supporting a wider range of housing forms within existing neighbourhoods.

1.6.1 Criteria for Evaluating Variations

The following criteria apply to all applications requesting a *Variation* from the development standards of this By-law. These criteria are intended to ensure that the primary objective of this By-law, to encourage and facilitate Missing Middle Housing within established neighbourhoods while preventing over-intensification, is achieved.

Council or delegated staff shall evaluate the proposal against the criteria below and may approve a *Variation* only when the application demonstrates that all applicable criteria are satisfied.

1. Alignment with Missing Middle Objectives

A requested *Variation* shall demonstrate that:

a) The proposal contributes to increasing the supply and diversity of residential units in the form of Missing Middle Housing; and
b) The *Variation* is necessary to achieve a feasible Missing Middle built form on the lot; and
c) The resulting built form maintains compatibility with the character, scale, and rhythm of the surrounding neighbourhood.

2. Built Form, Massing, and Transition

A requested *Variation* shall:

a) Maintain an appropriate transition in height, massing, and scale to adjacent residential properties;
b) Avoid excessive massing that would result in a built form materially inconsistent with the typical pattern of the neighbourhood;
c) Respect the intended built form envelope established by the standard provisions of this By-law, except where the applicant demonstrates that the *Variation* supports Missing Middle housing and meets all other criteria.

3. Privacy, Overlook, and Shadowing

A requested *Variation* shall:

a) Not create unacceptable overlook or privacy impacts on adjacent properties;
b) Not result in excessive or undue shadowing on neighbouring dwellings, yards, or private amenity spaces;
c) Demonstrate appropriate placement of windows, balconies, terraces, and outdoor areas to minimize privacy conflicts.

4. Site Functionality and Livability

A requested *Variation* shall:

a) Provide sufficient on-site amenity space, landscaped open space, and functional outdoor areas suitable for the scale and intensity of the proposal;
b) Maintain adequate space for waste storage, snow storage, and utility areas without compromising streetscape quality or adjacent properties;

c) Demonstrate that the usability and livability of the site for future occupants is not diminished as a result of the *Variation*.

5. Parking, Transportation, and Access

A requested *Variation* shall:

a) Not create significant parking spillover onto local streets that would negatively impact neighbourhood functioning;
b) Provide safe and efficient access for pedestrians, cyclists, vehicles, and emergency services;
c) Demonstrate that any requested reduction in parking maintains compatibility with the capacity and conditions of the surrounding street network.

6. Trees, Landscaping, and Stormwater

A requested *Variation* shall:

a) Minimize the removal or injury of existing mature trees on both public and private property;
b) Provide replacement planting or compensation plantings appropriate to the scale of removal;
c) Demonstrate that stormwater can be adequately managed on-site without creating adverse off-site impacts.

7. Servicing and Infrastructure Capacity

A requested *Variation* shall:

a) Demonstrate that the existing municipal water, sanitary, stormwater, and transportation systems have capacity to accommodate the increased intensity; or
b) Include appropriate conditions or improvements necessary to ensure that the development can be adequately serviced.

8. Neighbourhood Character and Compatibility

A requested *Variation* shall:

a) Ensure the proposal fits within the prevailing or planned character of the neighbourhood;
b) Maintain or improve streetscape quality, including the relationship between the building and the public realm;
c) Avoid layouts or massing forms that would significantly disrupt established patterns of front yards, entrances, height, or lot rhythm.

10. Public Interest and Good Planning

A requested *Variation* shall:

a) Be consistent with the goals, objectives, and policies of the Official Plan;
b) Represent good planning by balancing intensification, livability, and neighbourhood compatibility;
c) Contribute positively to housing affordability, diversity, and neighbourhood renewal.

b) Decision Rule

A *Variation* shall not be approved unless the decision-maker is satisfied that:

a) each applicable criterion is met,
b) impacts are mitigated or avoided, and
c) the resulting built form supports the intended outcomes of creating additional housing without generating adverse effects

1.7 Permit Classes

a) Council hereby delegates to [insert the position of the delegate authority – example is the Director of Planning or Development Services], or their alternate, the authority to issue:

   i. *Provisional, Conditional and Comprehensive Conditional Approvals* for Community Planning Permits for Class 1 and Class 2 applications;

   ii. Amendments to *Provisional, Conditional and Comprehensive Conditional Approvals* for *Community Planning Permits*; and

   iii. Amendments to any agreement required by a Community Planning Permit.

b) Should an application include the requirement for both Town/Township Staff (Class 2) and Council approved Planning Permits (Class 3), the entire application shall require a Council approved Planning Permit.

   i. Council may direct staff to proceed with a Class 2 permit by resolution if a written request is made by staff or the Owner / Applicant to proceed with a Class 2 permit where there are more than 3 Class 2 variations within the application.

c) This By-law establishes three classes of Community Planning Permits as outlined in Table 1 below:

Table 1: Permit Classes

Class and Approval Level	Description and Details
Class 1 Municipal Staff	a) Application meets all applicable *development* standards, and no *Variations* are required from the provisions of the CPP By-law. b) This permit is intended to function at the level of a zoning compliance review within the Permit Area.
Class 2 Municipal Staff	a) Application requires one or more *Variations* to the CPP By-law Development Standards. More specifically, a Class 2 *Community Planning Permit* is required: i. Where the proposed use is permitted, but which requires an identified staff *Variation*. ii. To extend a *Provisional, Conditional and Comprehensive Conditional Approval* or extend a *Community Planning Permit* timeline. iii. *To amend* a *Provisional, Conditional and Comprehensive Conditional Approval* or a minor amendment to a *Community Planning Permit*.
Class 3 Committee of Council or Council	a) Where an application requires a *Variation* (s) from a provision that is larger than the prescribed allowable *Variation* for a staff approval (Class 2). b) A change in use noted as a discretionary use in Section 2.2 of this By-law. c) Where an application requires more than three (3) Class 2 *Variations*, a Class 3 Permit shall be required. i. Council may direct staff to proceed with a Class 2 permit by resolution if the cumulative impact of the application is still minor in nature. A written request to Council by staff or the applicant demonstrating the minor nature of the application is required.

1.8 Referrals to Council

a) Within [insert desired timing to notify Council if staff wants an application to be heard by Council vs. a staff approval for Class 1 or 2 permits – the example is ten

(10) business days] of receiving a complete Application, Town/Township staff may refer an Application to Council.

b) By resolution, Council may request an application be sent to a future meeting of Council for a decision.

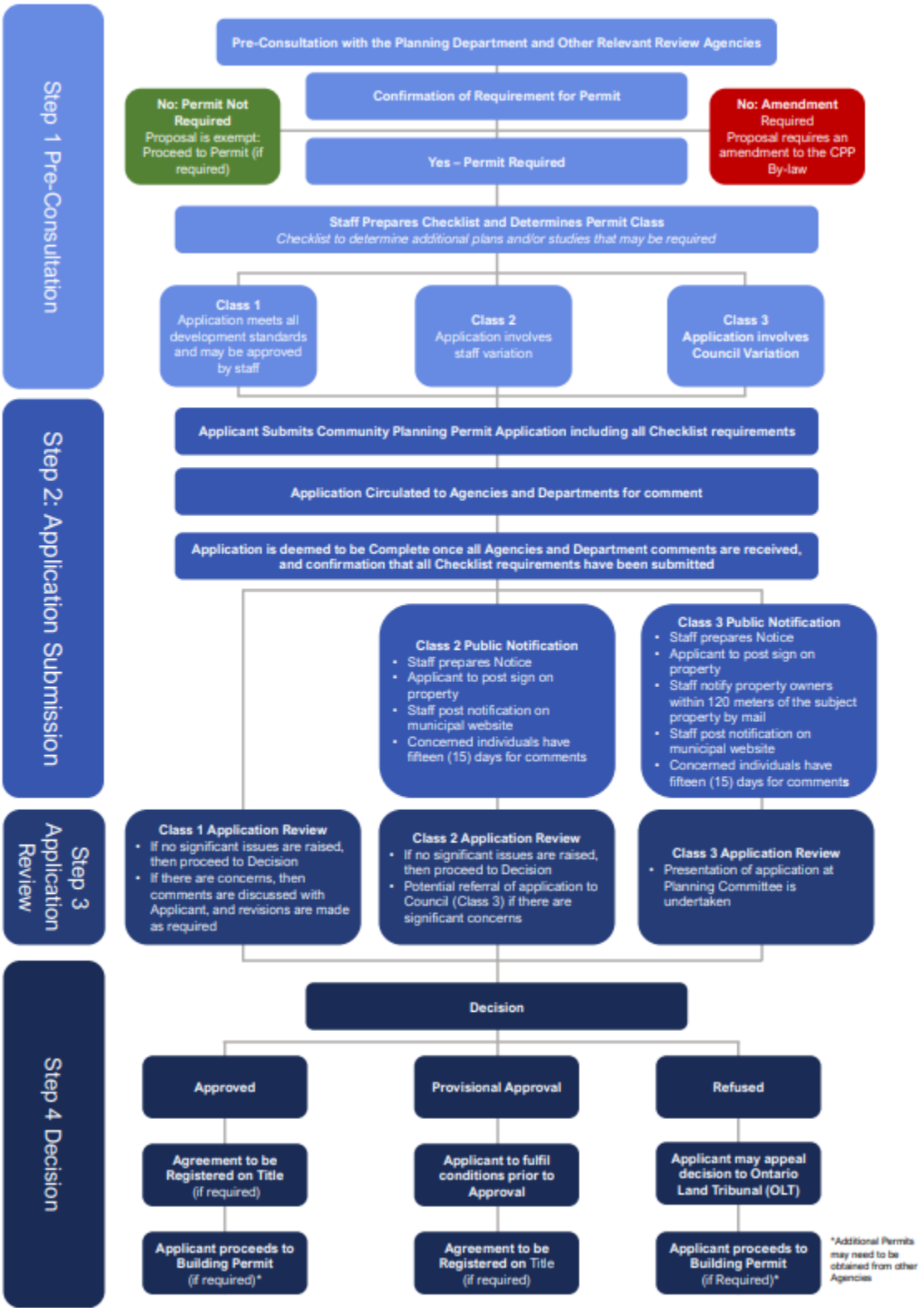
c) The Owner may refer an Application to Council at any time prior to the decision of an Application by written request to the [Planning Department Name].

d) Once an application has been elevated to Council, it becomes a Class 3 approval.

1.9 Process to Issue a Planning Permit

The Community Planning Permit Review process consists of four steps, as illustrated in Figure 1.

Figure 1: Community Planning Permit Review Process [Innisfil Example]



[this process is subject to local area municipal customization]

Step 1: Pre-Submission Review Process

a) Pre-submission meetings are strongly suggested for Class 2 and 3 permits.

b) A site visit by municipal staff may be required.

c) Pre-submission meeting notes or a submission checklist shall be provided to the Owner / Applicant by the municipality.

Step 2: Submission of Community Planning Permit Application ("Application")

a) The Owner, or their agent, shall submit an Application, associated drawings and studies as identified in the pre-submission meeting notes or submission checklist as per Schedule 1 of Ontario Regulation 173/16.

b) Within [insert municipal timeline for confirmation of a complete application – example is five (5) business days but there is no legislated requirement – see Implementation Guide] the Town/Township shall confirm whether the Application is complete and, if the Application is complete, the approval stream will follow.

Step 3: Application Review

Class 2 and 3 applications shall be circulated for comment to the relevant approval authorities and regulatory bodies and reviewed by Town/Township staff.

Step 4: Decision

Council or the delegated authority may:

a) Refuse the application, in whole or in part;

b) Approve the application and issue a Community Planning Permit, with no conditions attached, where the application satisfies all applicable provisions of this By-law;

c) Approve the application and issue a Community Planning Permit subject to conditions, where Council (delegated authority) determines that conditions are appropriate and permissible under this By-law and the Planning Act;

d) Grant a Provisional Approval, where Council (delegated authority) approves the application subject to specified conditions being fulfilled prior to the issuance of a Community Planning Permit;

e) Grant a Comprehensive Conditional Approval, where Council (delegated authority) approves the application subject to multiple or interrelated conditions, which shall

be satisfied in accordance with this By-law prior to or following permit issuance, as specified;

f) Defer consideration of the application to a future meeting of Council to allow for the receipt of additional information, further consultation, or revisions to the proposal;

g) Approve the application with modifications, including modifications to plans, configurations, or development standards, provided such modifications remain within the scope of this By-law and do not constitute a material change requiring a new application; and/or

h) Refer the application back to staff for further review, analysis, or clarification, with or without direction.

1.10 Public Notification Requirements

a) Notice shall be provided as per Ontario Regulation 173/16.

b) If the standard for development falls under a Class 3 Permit, notice of the Application shall be given by personal service or ordinary mail, to every owner of land within [insert circulation distance – Planning Act requirement example is 120 metres] of the subject land, and by the placement of a sign on the street frontages.

c) Notice of all complete Applications under a Class 3 Permit are [insert municipal protocol, example is "placed on the Town/Township's website and are provided to Council for information purposes".]

1.11 Decision and Conditions of Approval

a) Upon review of a complete application, for Class 2 and 3 permits, the Town/Township may:

i. refuse the application;

ii. approve the application and issue a community planning permit with no conditions attached;

iii. approve the application and require that conditions be met before issuing a community planning permit (Provisional Approval);

iv. approve the application and issue a community planning permit with conditions attached (Conditional Approval); or

v. approve the application, require that conditions be met before issuing a community planning permit and, when the conditions have been met, issue a community planning permit with conditions attached (Comprehensive Conditional Approval).

b) A condition that is imposed shall meet the following requirements:

   i. The condition shall be clear, precise and quantifiable;

   ii. The condition shall include a clear statement of whether it must be complied with before construction, renovation or change of use of a building; and

   iii. The condition shall not deal with the following aspects of buildings and structures:

      a. Interior design.

      b. The layout of interior areas, other than interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings.

      c. The manner of construction and construction standards.

c) A condition may be required in an agreement to be entered into between the Owner and the Town/Township and registered on title.

d) Notice of Decision shall be provided as follows:

   i. Within 15 days of a decision, written notice of the decision, including reasons and any conditions imposed, shall be given to the applicant and to each person or public body that filed a written request to be informed of the decision with the clerk of the municipality.

e) Where a Planning Permit is not issued, a notice of refusal to issue a Planning Permit shall be given.

f) Notice shall be given:

   i. to the Owner / Applicant.

   ii. by prepaid ordinary mail, in which case it is deemed to be received five business days after the date of mailing.

   iii. [municipalities to add other notification details like “electronic mail”]

g) The Owner can appeal in writing to the Ontario Land Tribunal any approval condition or the lack of the issuance of a Planning Permit.

h) Any condition of a Conditional or a Comprehensive Conditional Approval must be completed within two (2) years from the date of issuance of the permit, except where otherwise stated within a Planning Permit Agreement.

i) Any condition of a Provisional or Comprehensive Conditional Approval must be completed within one (1) year of the Notice of Decision.

j) Requests for extensions to complete any condition of a Conditional or Comprehensive Conditional Permit beyond the limit of two (2) years may be considered subject to this By-law and any provisions within, as amended at the discretion of the [insert Delegated Authority].

k) Requests for extensions to complete any condition of a Provisional or Comprehensive Conditional Permit beyond the limit of one (1) year may be considered subject to this By-law and any provisions within, as amended at the discretion of the [insert Delegated Authority].

l) The delegated authority may also take a request for an extension of any deadline in Section 1.10.2 to Council where deemed appropriate.

m) Extension approvals by the Delegated Authority are limited to one request for one year. Requests for a longer extension or more than one must be approved by Council.

n) At the request of the Owner, amendments to a Community Planning Permit may be made at any time, subject to this By-law and any provisions within, at the discretion of the [insert delegated approval authority – example is Manager of Planning] or other delegated authority, or by approval by Council.

1.12 Legal Non-Conforming Uses and Structures

a) For the purposes of this By-law, the terms “legal non-conforming use” and “legal non-complying structure” will be referred to as “non-conforming” and “non-conformity”. Nothing in this By-law shall serve to prevent the continued legal non-conforming use or eliminate a non-conforming structure.

b) Nothing in this By-Law shall apply to prevent the use of any land, building or structure for any purpose prohibited by the By-Law if such land, building or structure was lawfully used for such purpose on the day of the passing of the By-Law so long as it continues to be used for that purpose.

c) Where a legal non-conformity has been interrupted due to damage, the legal non-conformity is considered to be continuous, provided that the Owner has maintained an intent to reconstruct, repair or re-establish the non-conforming use.

d) This By-law does not prevent the erection of a building or structure where a building permit has been issued in accordance with the Building Code Act, 1992, S.O. 1992, c.23 (“Building Code Act”), if a building permit was issued prior to this By-law being passed.

e) Encroachment into a non-conforming yard setback shall not be further reduced if an alternative exists.

f) Any request to expand or add to a legal non-conforming building or structure shall adhere to the provisions of the following table and the exchange options in Section 3.5:

Table 2: Legal Non-Conforming Buildings and Structures Provisions

Provision (Maximum)	**Class 1 Permit (Staff Variation)**	**Class 2 Permit (Staff Approval)**	**Class 3 Permit (Council Approval)**
Height	10% increase in the existing height or up to the maximum allowable in the permit area	Up to a 15% increase in the existing height	See Community Enhancements
Gross Floor Area	20% increase in gross floor area or up to the maximum permitted in the permit area	Up to 50% increase of the existing gross floor area	See Community Enhancements

2 Development Standards, Provisions and Variations

2.1 Permitted Uses

a) Accessory structures;

b) Residential Uses;

c) Small scale commercial uses.

2.2 Discretionary Uses

a) Medium scale commercial uses

b) Discretionary land uses require a Class 3 permit for approval and shall include a land use compatibility study by a qualified professional

2.3 Prohibited Uses

The following uses, activities, or operations are prohibited within all areas subject to this By-law, regardless of classification or scale, where they generate impacts that are incompatible with the surrounding residential context. A use is prohibited if it exhibits any of the following characteristics:

a) Uses That Create Nuisance Impacts - Any use that generates noise, vibration, odour, dust, fumes, glare, or excessive lighting that is perceptible beyond the lot boundary in a manner inconsistent with the residential character of the neighbourhood.

b) Uses Resulting in Excessive Traffic or Safety Hazards - Uses that generate vehicular traffic, loading activity, or parking demand beyond what can be reasonably accommodated on-site, or that create unsafe or hazardous conditions for pedestrians, cyclists, or adjacent residential properties.

c) Uses Involving Outdoor Storage or Industrial-Style Operations - Uses that require or involve outdoor storage, outdoor processing, outdoor display, or other activities that alter or detract from the residential streetscape, or introduce industrial or commercial characteristics incompatible with the neighbourhood.

d) Uses With Disruptive Hours or Continuous Activity - Uses that operate with extended, late-night, or 24-hour activity, or that otherwise create continuous disturbance inconsistent with the residential environment and its expected quiet periods.

e) Uses Involving Hazardous or Dangerous Materials - Uses that store, process, handle, or include hazardous, explosive, or noxious materials, or that present a risk to the health, safety, or welfare of residents.

f) Uses That Negatively Affect Neighbourhood Character - Uses that are incompatible with the established or planned residential character, including uses of an intensity, nature, or function that undermine the amenity, comfort, or sense of place of the neighbourhood. This includes uses whose scale, signage, or activity levels are not appropriate for a predominantly residential area.

g) Uses of a Nature Unsuitable for Residential Areas - Uses that, by their fundamental nature, are not suited to residential neighbourhoods and do not contribute to the wellbeing, safety, or cohesiveness of the community, such as establishments whose operations or clientele are inconsistent with residential expectations or family-oriented areas.

2.4 Land Use Provisions

a) Residential developments greater than four units will require confirmation from the Town/Township's public works or engineering department or a Qualified Professional of servicing availability.

b) Small scale commercial uses are permitted to occupy all, or portions, of the first floor of a building or structure. A Class 2 or 3 permit shall be required to allow commercial uses on floors higher than the first floor of a structure.

c) All development shall comply with the provisions of Table 3 below:

Table 3: Land Use Provisions

Provision	Class 1 Permit - Standard	As-Of-Right Variation (O.Reg. 257/25)	Class 2 Permit	Class 3 Permit
Minimum Lot Area	300 m^2	N/A	Up to 10% reduction	Greater than 10% reduction
Minimum Lot Frontage	10 m	N/A	Up to 20% reduction	Greater than 20% reduction
Minimum Front Yard	5 m	10%	Up to 20% reduction	Greater than 20%
Minimum Interior Side Yard	2 m	10%	Up to 30% reduction	Greater than 30% reduction

Provision	Class 1 Permit - Standard	As-Of-Right Variation (O.Reg. 257/25)	Class 2 Permit	Class 3 Permit
Minimum Exterior Side Yard	4 m	10%	Up to 30% reduction	Greater than 30% reduction
Minimum Rear Yard	7.5 m	10%	Up to 30% reduction	Greater than 30% reduction
Maximum Lot Coverage	45%	N/A	50%	See Community Enhancements
Minimum Landscaped Open Space	30%	N/A	Up to 10% reduction	Greater than 10% reduction
Minimum Landscape Buffer	2 m[1]	N/A	Up to 33 % reduction	Greater than 33% reduction
Maximum Height	12 m	N/A	Up to 4 storeys See Community Enhancements	
Amenity Space[2]	3.5 m^2 per residential unit	N/A	Up to 20% reduction	See Community Enhancements
Accessory Structures				
Minimum Front Yard	6 m	10%	Up to 20% reduction	Greater than 20% reduction
Minimum Interior Side Yard	1 m	10%	Up to 30% reduction	Greater than 30% reduction
Minimum Exterior Side Yard	2 m	10%	Up to 30% reduction	Greater than 30% reduction
Minimum Rear Yard	1.5 m	10%	Up to 30% reduction	Greater than 30% reduction
Maximum Height with no residential unit	6 m	N/A	7 m	8 m
Maximum Height with residential unit	6 m	N/A	See Community Enhancements	

(1) Where a commercial use abuts a residential use on any yard, a vegetated *landscaped buffer* or *privacy fence* are required.

(2) See Section 2.6 for additional amenity space details.

(3) Where a provision has a 10% as of right *Variation*, the Class 2 and 3 *Variation*s are in addition to the allowable 10% as of right as per Ontario Regulation 257/25.

2.5 Accessory Buildings and Structures

Where this By-law provides that land may be used or a building or structure may be erected or used for a purpose, that purpose shall include an accessory building or structure located and erected in accordance with the following provisions, unless otherwise indicated in this By-law:

a) All *accessory uses*, buildings and structures to a permitted *principal use* shall be located on the same *lot* as the *principal use*;

b) No *accessory use*, building or structure shall be erected closer to the front or exterior side lot lines than the minimum yard setbacks required for the main building, unless otherwise specified in this By-law;

c) Except where specified otherwise, no accessory building shall be erected closer than [insert distance between buildings, example is 2 metres] to the main building and no closer than [insert distance between buildings, example is 1.5 metres] to other accessory structures;

d) The floor area of an accessory building or structure shall not include a staircase or landing used to access the structure;

e) Notwithstanding Section 2.3.1, the following temporary construction structures shall be permitted in all zones; construction trailers, sea/shipping containers, tool sheds, scaffolds or other temporary structures incidental to and necessary for on-going construction work, but only for as long as the building permit is active. Where such temporary construction structures are not associated with a building permit, they shall be permitted for a maximum of six (6) months

2.6 Amenity Space Requirements

a) The provisions of this Section apply to all development containing fifteen (15) or more dwelling units within the area subject to this By-law.

b) Amenity space shall be provided as part of any development meeting the threshold in subsection (a), whether the units are located within a single building or distributed across multiple buildings on the same lot.

c) A minimum of 3.5 square metres of amenity space per dwelling unit shall be provided.

d) Required amenity space may be provided as:

   i. Shared Indoor Amenity Space;

   ii. Shared Outdoor Amenity Space; or

   iii. A combination of shared indoor and shared outdoor amenity space.

e) Shared amenity spaces shall be:

   i. Accessible to all residents of the development;

   ii. Located and configured to receive adequate sunlight, safety, and visibility;

   iii. Designed to support social interaction, recreation, or relaxation appropriate to the scale and character of the development; and

   iv. (Integrated with the overall site layout to maintain compatibility with adjacent land uses and the planned residential character of the neighbourhood.

f) Outdoor amenity spaces located within 4.0 metres of a street, lane, parking area, or adjacent lot shall include screening, landscaping, or buffering sufficient to ensure resident privacy, safety, and comfort, to the satisfaction of the approval authority.

g) Reductions to the provisions of Section 2.3 require an Additional Community Benefits Enhancement as identified in Section 3.5.

2.7 Driveways

a) A driveway should be constructed of a stable surface such as, asphalt, concrete, concrete pavers or permeable pavers;

b) Parking of motor vehicles shall not be permitted on landscaped open space;

c) A driveway is not permitted in the waterfront yard where any other possibility exists;

d) A maximum of one (1) driveway shall be permitted per lot. A second driveway is subject to the approval of a Class 2 permit.

2.8 Encroachments / Projections

a) Encroachments greater than stipulated in the following shall require a Class 2 permit.

b) Items such as awnings, clothesline poles, trellis, air conditioning units, rainwater tanks, generators, uncovered stairs and ramps may encroach into yards but may not be closer than 0.6 metres to an abutting lot line.

c) Sills, belt courses, chimneys, cornices, overhanging eaves, gutters, parapets, pilasters, bay windows or other ornamental features may encroach up to 0.6 metres into any required yard.

d) Encroachments into daylight triangles is not permitted.

2.9 Fencing

Any fence erected, constructed or maintained on any lot shall be subject to the following:

a) No fence shall be permitted within 0.3 metres of any lot line abutting a street or within a required daylighting triangle.

b) No fence shall be permitted to be electrified and/or contain barbed wire.

c) No fence shall be permitted to be located in a waterbody.

d) No fence shall be greater than 1.82 metres in height above grade subject to the following standards:

   i. Any fence located within 6.1 metres of the water's edge shall not be more than 0.9 metres in height above grade.

   ii. Any fence located within 6.1 metres from the front lot line shall not be more than 0.9 metres in height above grade.

   iii. The height of any fence shall be measured from the highest point of the fence or top beam, whichever is greater, to average grade.

e) Variations to these standards will require a Class 2 Permit.

2.10 Hazard Lands (Regulated Area)

Where development is proposed within Hazard Lands that are subject to regulation by the applicable Conservation Authority, no permit shall be issued under this By-law unless the required Conservation Authority permit has been obtained.

2.11 Lighting

All lighting must use sensitive lighting practices, be directed away from abutting streets and/or properties and be directed downward.

2.12 Public Use

a) Notwithstanding anything else in this By-law, public use shall be permitted by Public Authorities.

b) Nothing in this By-law prevents the use of land for a road or private road or prevents the installation of a water main, sanitary sewer main, storm sewer main, gas main, pipeline, lighting fixture, or overhead or underground hydro or telecommunications lines or facilities.

2.13 Signs

Signs shall be evaluated on a site-specific basis as part of an application or shall be exempt from the requirement of a permit if the sign is located 3 metres (10 ft) or greater from any lot line and is less than 2 square metres in surface area and is not backlit and targeted. [where a local sign By-law is in place, this section can be amended to direct the reader to the sign By-law]

2.14 Site Servicing

a) *Development* is not permitted where municipal water and sewage services are not available or where the lot is unsuitable for private services.

b) Partial services are permitted where it can be demonstrated that the service is appropriate by a qualified professional.

2.15 Stormwater Management

a) All development subject to this By-law shall provide adequate stormwater management to ensure that post-development drainage conditions do not negatively affect adjacent properties, the public realm, or municipal infrastructure.

b) Stormwater management measures shall be designed and implemented to mimic natural hydrologic conditions, minimize runoff volumes and peak flows, and maintain or improve water quality.

c) Development shall incorporate on-site stormwater management practices, which may include but are not limited to infiltration features, permeable surfaces, green

roofs, rain gardens, bioswales, detention systems, or equivalent Low Impact Development (LID) measures.

d) All stormwater shall be captured, conveyed, and controlled within the lot to the satisfaction of the approval authority, unless otherwise permitted by this By-law or municipal standards.

e) Stormwater from the development shall not create adverse impacts, including erosion, sedimentation, flooding, or nuisance conditions on adjacent lands or municipal property.

f) Roof drainage, downspouts, and overland flow routes shall be directed so as not to cause water accumulation, icing hazards, or drainage impacts on neighbouring lots.

g) Stormwater management features shall be integrated with building and site design, including landscaping, grading, and amenity areas, to support efficient and visually compatible development.

h) Surface grading shall ensure positive drainage away from buildings and toward approved stormwater outlets.

2.15.1 Submission Requirements

a) Development applications requiring a Class 2 or Class 3 Permit under this By-law shall submit a Stormwater Management Strategy to the satisfaction of the approval authority**,** prepared by a qualified professional, that demonstrates:

   i. how stormwater is managed on-site;

   ii. compliance with municipal engineering standards; and

   iii. that no negative off-site impacts will occur.

b) Simplified or template-based stormwater strategies may be accepted for small-scale development at the discretion of the approval authority.

2.16 Swimming Pools

a) Private outdoor swimming pools, both above-ground and in-ground, and including inflatable pools with a minimum depth of 0.6 metres, shall be permitted subject to any By-law of the [insert Town/Township] regarding swimming pools and the following requirements:

   i. Outdoor pool areas shall be totally enclosed by a fence constructed of suitable materials, having a minimum height of 1.4 metres and which is installed to include a self-locking gate to prevent unauthorized entry;

   ii. Where a pool is an above-ground pool, any combination of the pool wall, surrounding fence or structure totalling a minimum of 1.4 metres in height

shall be deemed to meet the fencing requirements of Section 2.11 and provided that there is a self-locking gate or equivalent arrangement to prevent unauthorized entry;

iii. The maximum height of an above-ground pool shall not be more than 2 metres above the established grade;

iv. Any building or structure, other than a dwelling, required for changing clothing or pumping, filtering or storage or any similar purposes shall comply with the provisions respecting accessory uses and structures and shall be included in the calculation of lot coverage for accessory uses;

v. No part of an outdoor pool including an associated apron or platform shall be constructed closer to any lot line than the requirements for a main building in the Permit Area within which it is located. Variations as per the lot line provisions are permitted according to Table 3; and

vi. All parts of an outdoor pool, including associated aprons, platforms and decks shall be considered part of the shoreline coverage calculation.

2.17 Shipping Containers

a) A *shipping container* shall not be used for human habitation.

b) Despite the foregoing, and notwithstanding any provisions to the contrary, where a shipping container is converted from its original form and used as construction material for the *development* of a residential dwelling unit, subject to the Ontario Building Code, it is a building. For clarity, the subject dwelling units would be permitted to be constructed using *shipping container* materials, but could not be permitted in an un-converted *shipping container* in its original form.

3 Parking

3.1 Parking Provisions

a) Class 1 permits will verify that the application confirms appropriate provisions for parking and loading spaces are being met as per this By-law.

b) Variations up to 25% require a Class 2 permit.

c) Variations greater than 25% of any parking standard require a Class 3 permit and the provision of a Voluntary Community Enhancement from Section 5.3.

d) 1 bicycle parking space per residential unit and per 100 square metres of commercial use space on the lot shall be provided as follows:

   i. The minimum dimensions of a bicycle parking spaces shall be:

      1. 1.9 metres in length and / or vertical clearance
      2. 0.6 metres wide
      3. 1.5 m from a wall or floor

   ii. The minimum width of an aisle providing access to a bicycle parking space shall be 1.75 metres.

   iii. The bicycle parking area shall be located near the entrance either inside or outside the building and wholly within the lot.

e) Cash-in-Lieu of Parking can be considered as follows:

   i. The Owner / Applicant may pay a fee in lieu of providing required parking spaces.

   ii. The fee shall be calculated based on the estimated cost of constructing equivalent municipal parking infrastructure.

   iii. Funds shall be deposited into a dedicated reserve for public parking, transit, or active transportation improvements.

f) A Parking Study shall be required for any *development* application that:

   i. Proposes a reduction in the minimum parking standards established in this By-law of greater than 25%;

   ii. Seeks to utilize cash-in-lieu of parking to determine that the reduction in parking spaces on the lot will not cause negative parking impacts to the surrounding neighbourhood;

   iii. Proposes shared parking arrangements with adjacent or nearby properties;

   iv. For a proposed public or institutional use;

v. Includes development with more than 10 residential units or 500 square metres of non-residential floor area.

g) Where land, buildings or structures are used in accordance with this By-law, every owner shall provide and maintain off-street motor vehicle parking areas for the sole use of the owner, occupant or persons making use of the premises on the same lot in accordance with the requirements outlined in Table 4 and the other provisions contained in this By-law.

Table 4: Number of Required Parking Spaces

Use	Minimum Number of Parking Spaces
Residential Uses	
Residential Units	2.0 parking spaces per *primary unit* (one unit per lot) and an additional 1 parking space per each additional dwelling unit
Visitor Parking	Additional 0.5 spaces per unit shall be provided as visitor spaces where there are greater than three (3) units on one lot
Public or Institutional Uses	Subject to a Parking Study by a Qualified Professional. Reductions to a recommendation for parking spaces subject to Voluntary Community Enhancements in Section 5.3.
All commercial uses	1 parking space per 28 square metres of gross floor Area in addition to the two spaces required for the primary unit

3.2 Parking Space and Parking Area Provisions

Parking spaces and parking areas shall be designed and maintained in accordance with the following requirements:

a) Each parking space shall always be readily accessible and arranged in such a manner to provide access and maneuvering space for the parking and removal of a motor vehicle, except where tandem parking is permitted by this By-law.

b) The minimum width of parking spaces shall be 2.75 metres. The minimum length for parking spaces shall be 5.7 metres.

c) Ingress and egress to and from parking aisles must be provided by enough adequate, unobstructed driveways.

d) The minimum width of parking aisles shall be 6.0 metres wide for two-way traffic and 4.0 metres wide for one-way traffic, except where parking spaces are provided at an angle less than 45 degrees from an aisle, the minimum width of a one-way parking aisle shall be 3.6 metres.

e) Where a lot, building or structure accommodates more than one type of use, the parking space requirements shall be the sum of the requirements for the separate types of uses occupying separate parts of the lot, building or structure.

f) Where an addition is made to a building or the use is changed, only the additional parking spaces required because of the addition or change of use shall be required in accordance with this By-law.

g) For the purposes of calculating the total number of parking spaces, including accessible parking spaces, where the application of ratios results in a fraction of a parking space, the required number of parking spaces for each permitted use shall be increased to the next higher whole number.

h) The lights used for illumination of parking spaces, aisles and driveways must be so arranged as to divert the light away from adjacent lots and streets.

i) Required parking spaces may be provided in tandem parking, except for required visitor parking.

j) Where off-street parking for any use abuts a side lot line or rear lot line, a screen of 1.5 metres shall be erected or planted that is suitable for provision of privacy and protection from vehicle headlights.

k) Parking is permitted in a driveway or dedicated parking space only.

l) Parking in the front yard or exterior side yard shall only be permitted on a driveway.

3.3 Accessible Parking Spaces

a) Accessible parking spaces shall be designated in accordance with Table 5:

Table 5: Designation of Accessible Parking Spaces

Total number of parking spaces required	Number of accessible parking required to be designated
5 to 12 parking spaces	Minimum of 1 parking space

13 to 100 parking spaces	Minimum of 4% of total required parking spaces
101 to 200 parking spaces	Minimum of 3% of required parking spaces + 1

b) The accessible parking spaces shall count toward total number of parking spaces provided on any lot, building or use for the purposes of determining compliance with the requirements of this By-law.

c) Parking spaces required to be designated as accessible parking spaces shall have a minimum size of 3.0 metres by 6.0 metres plus a 1.5 metre access aisle for a single space configuration.

d) Site Specific Parking for Uses not listed: Where a site specific amendment to this By-law is required for a use not described in the parking provisions, the parking standards of the town/township's zoning By-law shall provide the required parking standards.

e) Surface Treatment: All off street parking spaces, loading spaces, driveways and aisles required herein must be constructed and maintained with a stable surface comprised of asphalt, concrete, concrete pavers or permeable pavers.

4 Community Enhancements

4.1 General

a) Community Enhancements are conditions of approval to mitigate possible intensification impacts from additional residential units within a community.

b) Community Enhancements are intended to have a proportional relationship between the value/quantity of the enhancements and the amount of additional provision permitted.

c) Community Enhancements are requirements of variations to the standard provisions in this By-law. Where standards are met, no Community Enhancements are required.

4.2 Applicability

This Section applies where an application proposes any of the following:

a) A height increase above the permit standard height (Class 1) for primary structures;

b) A height increase above the permit standard height (Class 1) for an accessory structure with a residential unit;

c) A parking reduction greater than the maximum *Variation* permitted through a Class 2 permit, as identified in this By-law;

d) Lot coverage exceeding the maximum *Variation* permitted through a Class 2 Staff Approval permit;

e) A reduction in required amenity space exceeding the Class 2 Staff Approval permit; or

f) A Class 3 permission.

4.3 Community Enhancement for Height

a) Where an application proposes a building height greater than the Class 1 maximum for a primary structure or the Class 1 maximum height for an accessory structure containing a dwelling unit, a Community Enhancement (see Section 4.4) for Height is required.

b) Where both the primary and accessory structure requires height variations, one Community Enhancements shall be required.

c) Where additional building height of the primary structure beyond the Class 1 standard is proposed:

   i. 20% of the total dwelling units on the lot shall be accessible as per the Ontario Building Code and meet the definition within this By-law of Affordable and secured through a registered agreement; or

   ii. Land equal in lot size to the lot subject to the application be conveyed to the municipality for municipal, non-profit or housing purposes within an agreed upon settlement area or equivalent lands that have appropriate services.

4.4 Eligible Community Enhancements

Community Enhancements under this Section may include, but are not limited to, the following:

a) Affordable or Attainable Housing

   i. Voluntary provision of affordable dwelling units as defined by this By-law or the Official Plan;

   ii. Units shall be secured through a registered agreement for a minimum of twenty (20) years, unless otherwise approved.

b) Enhanced Amenity Space

   i. Provision of additional shared indoor or outdoor amenity space beyond minimum requirements;

   ii. Improved functionality or design quality of amenity spaces where a reduction in quantity is proposed.

c) Active Transportation and Parking Mitigation

   i. Bicycle parking exceeding minimum requirements;

   ii. Transportation Demand Management (TDM) measures or car-share facilities;

   iii. Enhanced pedestrian connections or reduced vehicular dominance on site.

d) Landscaping and Urban Design Enhancements

   i. Increased landscaped open space or tree retention;

   ii. Enhanced buffering, screening, or streetscape treatments;

   iii. Native planting or low-impact landscape design.

e) Accessibility and Inclusivity

i. Provision of accessible or adaptable dwelling units exceeding Building Code requirements;

ii. Universal design elements incorporated into shared spaces.

f) Sustainability Measures

i. Low-impact development stormwater features;

ii. Energy-efficient building design features exceeding minimum requirements;

iii. Electric vehicle charging infrastructure exceeding minimum requirements.

g) Community-Serving Facilities

i. Community meeting rooms or shared spaces;

ii. Childcare, non-profit, or community service spaces integrated into the development.

h) Other Comparable Enhancements

i. Other site-specific enhancements that, in the opinion of the approval authority, provide equivalent or greater benefit to the site and surrounding neighbourhood.

4.5 Community Enhancement Evaluation Criteria

In considering voluntary Community Enhancements, the approval authority shall be satisfied that:

a) The proposed enhancement is proportionate to the scale and impact of the requested *Variation*;

b) The enhancement directly improves site livability, functionality, or neighbourhood compatibility;

c) The enhancement contributes to the objectives of this By-law, including housing diversity, sustainability, and good urban design; and

d) The overall development represents good planning.

5 Conditions of Approval

Conditions of approval may:

a) be imposed prior to the issuance of a Planning Permit as a requirement of a Provisional Approval;

b) be imposed as a condition that must be fulfilled following the issuance of a permit for a Conditional Approval; or,

c) be required in an agreement pursuant to approval of a Planning Permit and to be entered into between the Owner / Applicant and the Town/Township and/or County of Simcoe, as may be applicable, and registered on title.

d) Development shall be undertaken in accordance with a Community Planning Permit, including submitted plans, reports and drawings.

e) Identification, protection, maintenance and enhancement of existing trees and other vegetation, including the restoration or replacement of vegetation where removed, recognizing that construction impacts typically are mitigated following approvals. Tools such as securities, planting plans associated with the securities and agreements registered on title may be used.

f) Where a Provisional Approval of a Planning Permit is given, the Owner / Applicant has a maximum of two years from the date of the Provisional Approval within which to obtain the Planning Permit, failing which the Provisional Approval will lapse.

g) If a Provisional Approval is granted with conditions, the Owner / Applicant shall fulfill the conditions associated with the approval in advance of the issuance of the Planning Permit.

h) Any condition of a Planning Permit must be met within (two) 2 years of the date of issuance of the permit. For clarity, this also applies to the implementation of planting plans.

i) Requests for extensions to meet any condition of a Planning Permit may be extended by Township Staff, in one (1) year intervals, up to a maximum of 3 requests, subject to this By-law and any provisions within, as amended from time to time.

j) Following the clearance of all conditions and the issuance of a Planning Permit, the Owner / Applicant will be eligible for a building permit.

5.1 Possible Conditions of Approval

The following table constitutes the possible conditions of a provisional, conditional or comprehensive conditional approval. These conditions are applied at the discretion of staff

and are intended (but not required) to be identified during the Pre-Application meeting prior to the formal submission of an application.

Table 6: Possible Conditions of Approval

Condition	Description
Any condition pursuant to sections 34, 40, 41 and 42 of the *Planning Act*.	Section 34 - Zoning By-laws, Section 40 - Agreement exempting owner from requirement to provide parking, Section 41 – Site Plan control area, and Section 42 – Conveyance of land for park purposes.
Department of Fisheries and Oceans (DFO), Ministry of Natural Resources (MNR), Ministry of Environment, Conservation and Parks (MECP) or Conservation Authority (CA) Permits etc.	Permits may be required from other authorities as a condition of approval where appropriate.
Construction Access Plan	To articulate how building materials will be placed on the site and how construction access will be provided to the subject property during construction
Contamination / Spill Management Plan	A contamination or spill management plan by a *qualified person* may be required.
Dark Sky Lighting Confirmation / Lighting Plan	Confirmation of the use of dark sky and site plan lighting of walkways etc., may be required.
Easements	Easements in favour of the municipality for access, construction, maintenance or improvement of watercourses, ditches, land drainage works and other public utilities.
Environmental Impact Statement (EIS)	An EIS may be required where a *natural heritage feature* or function may be impacted by proposed *development* or site works. A *qualified person* shall prepare the EIS and where deemed required, the EIS may be subject to peer review or comment from an appropriate authority.
Erosion and Sediment Control Plan	An erosion and sediment control plan may be required where *negative impacts* from erosion or run-off are possible.

Condition	Description
Functional Servicing Report	Facilities for the disposal of storm, surface and wastewater from the land and from any buildings or structures thereon. A report detailing garbage and snow storage may also be required.
Low Impact Design (LID) Plan	Provision of sustainable / low impact design features in the form of a documented plan may be required.
Monitoring Plan	Monitoring of the use of lands as is necessary for the protection of public health and safety or the protection of the natural environment. Execution, maintenance and monitoring of any feature or works associated with a condition or a report.
Plan of Survey	A qualified surveyor to provide a formal survey of the parcel and *development*.
Securities	Securities may be required up to 100% of the value of all off-site works and 80% of the value of on-site works.
Site Alteration / Grading Plan	A *Site alteration* or Grading Plan may be required to demonstrate alteration or restoration of the grade of land and the placing or dumping of fill.
Registered Agreements	Agreements with the Town/Township and / or any regulating bodies, to be registered on title, to confirm *development* will proceed in accordance with the Community Planning Permit, including the requirement of financial securities may be required.
Technical Study Recommendation Implementation	Conditions related to recommendations in technical reports, including siting requirements that may exceed minimum requirements may be imposed.
Cash-In-Lieu - Parkland	Payment of cash-in-lieu of Parkland, equal to 5% of the land as per the *Planning Act* for the creation of new lots or for an agreed upon amount under Section 1.20 of this By-law.
Cash-In-Lieu - Parking	Payment of cash-in-lieu of parking shall be calculated based on the estimated cost of constructing equivalent municipal parking infrastructure.

Condition	Description
	Funds shall be deposited into a dedicated reserve for public parking, transit, or active transportation improvements.
Road Widenings	Land for road widenings to the extent established in the County of Simcoe and municipal Official Plan and/or for daylighting triangles.
Similar Conditions	Similar conditions to those listed in this table are possible and area intended to achieve the goals of the Official Plan and the intent of this By-law

6 Administration

6.1 Agreement Between Municipality and Owner

a) An Owner may be required to enter into one or more agreements with the Town/*Township* respecting any condition imposed by the *Community Planning Permit*.

b) Any agreement subject to conditions may be registered on title of the Owner's property.

c) Where Council has delegated approval authority to Staff, Council further delegates the authority for the [insert authorized person to sign an agreement from a CPP By-law – it could be the CAO, or Council may wish to require a resolution to sign] an agreement required by the *Community Planning Permit* to make amendments to the agreement(s).

6.2 Amendments

Where *development* or *site alteration* proposes to introduce a *use* or a *Variation* not described in this By-law, an Amendment to this By-law shall be required and subject to the applicable requirements contained in the Planning Act.

6.3 By-law Area and Symbols

a) Schedule A attached forms part of this By-law and identifies the application area of the County of Simcoe Housing Faster Planning Permit By-law.

b) Where a By-law Area symbol shown on the Schedule(s) of this By-law contains a hyphen followed by a number, the number represents a site-specific exception that applies to the lands noted. Site-specific exceptions are listed in Section 7 (Site-specific Exceptions) of this By-law.

c) The provisions of the site-specific exception supersede any inconsistent regulations in the remainder of this By-law.

d) Lots may have site-specific provisions that permit or prohibit specific uses or regulations that apply to the property in addition to or in exception to the uses and regulations of the parent By-law Area.

6.4 Definitions / Italicized Terms

Terms for which definitions are provided are shown in italicized text for information purposes. Where a definition is not provided in this By-law, the Provincial Planning Statement, County of Simcoe Official Plan, the local municipal Official Plan and the applicable local area Zoning By-law shall be consulted in that order of priority.

6.5 Enforcement

Any owner of land, or any person who contravenes or permits the contravention of any provision of this By-law is liable, upon conviction, to the penalties prescribed under the *Planning Act*.

6.6 Illustrations, Appendices and Italicized Text

Appendices and illustrations provided in this By-law do not form part of this By-law but are provided for information purposes.

6.7 Inspection

The person or persons having jurisdiction to enforce this By-law are hereby authorized, after giving notice to the owner or assessed owner, occupant or apparent occupant of the property in question, to enter the property for the purpose of inspection, and for carrying out their duties under this By-law as part of an Application.

6.8 Interpretation

a) The provisions of the By-law are minimum requirements except where a maximum requirement is specifically identified.

b) Measurements are provided in metric units.

c) For the purposes of this By-law, the word “shall” indicates a mandatory requirement. Unless the context requires otherwise, the word “used” shall also mean “designed to be used”, the word “occupied” shall also mean “designed to be occupied”. In this By-law, words used in the present tense include the future; words in the singular include the plural; words in the plural include the singular.

d) The Community Planning Permit Area boundaries are shown on the Schedules to this By-law which are attached to and form part of this By-law. Unless the location of a boundary is specified by the dimensions on the map or interpretation is otherwise provided for herein, a boundary which lies within a lot shall be fixed by the scale of

the map. A boundary shown approximately at a lot line is deemed to be at the boundary of the lot line.

e) No municipal permit, building permit, certificate or license may be issued if the permit, certificate or license is required for or is to permit a *use* of land or the erection, alteration, enlargement or *use* of any *building or structure* that is not in conformity and compliance with this By-law.

f) This By-law shall be read and interpreted in conjunction with the applicable Official Plan.

g) No land, *building or structure* may be used, erected, or altered except in accordance with the provisions of this By-law for land where this By-law applies.

h) Where a use, building or structure has been authorized by the passing of a By-law, or a minor variance granted after [insert municipal specific cut off date], and despite any repeal of such By-law, the use, building or structure and all other specific requirements imposed by the By-law, Community Planning Permit, or minor variance continue to be permitted and imposed by this By-law. Where there is a conflict between the provisions of this By-law and the specific provisions so passed or granted, the specific provisions passed or granted prevail.

i) Where lands were deemed to be subject to a holding provision by way of a bylaw passed pursuant to Section 36 of the Planning Act on the effective date of this By-law, the conditions associated with the applicable holding provision shall be deemed to continue to apply. This site specific exception is intended to be reflected in Section 8 of this By-law.

j) Where there is a conflict between the provisions of this By-law and the specific provisions of any By-law imposing a holding provision, the specific By-law imposing a holding provision shall prevail.

k) All buildings or structures constructed prior to [insert municipal specific cut off date], which do not meet all the applicable standards of this By-law are deemed to be non-complying, and shall be subject to Section 1.13 - Non-Complying Buildings and Structures of this By-law.

l) Notwithstanding anything in this By-law, no person shall reduce any lot in dimensions, either by conveyance or other alienation of title of any portion thereof, unless otherwise authorized or amended, if the effect of such action is to cause the original, adjoining, remaining or new building, structure, lot or use of land to be in contravention of any provision of this By-law. However, no person shall be deemed

to have contravened any provision of this By-law by reason of the fact that any part or parts of any lot has or have been conveyed to or acquired by any Public Authority.

6.9 Legally Existing Lots

Where an existing lot does not meet the minimum lot area or frontage requirements of this By-Law, the lot may be developed or used provided any building or structure or use complies with all other provisions of this By-law.

6.10 Obligation

Nothing in this By-law shall relieve any person from the obligation to comply with the requirements of the Building Code Act and any other By-laws of the Town/Township, and/or County.

6.11 Owner / Applicant Owner / Applicant Validity and Expiry

a) If the approved *development* has not commenced within the validity period indicated on the permit, the permit shall be deemed to have lapsed unless an extension has been granted.

b) The Owner / Applicant may request an extension to complete the conditions of a permit. Such requests must:

   i. Be submitted in writing to the Municipality;

   ii. Include justification for the delay;

   iii. Demonstrate continued compliance with applicable policies and regulations.

c) Council or its delegated authority may approve an extension of up to [insert the length of time available for an extension – the example is 1 year], subject to review.

d) Where conditions of approval are not satisfied within the prescribed time, the permit shall be deemed null and void.

e) A permit may be revoked if:

   i. The *development* is not carried out in accordance with the approved plans and conditions;

   ii. False or misleading information was provided in the application;

   iii. The permit holder requests revocation in writing.

f) If a permit lapses or is revoked, a new application must be submitted in accordance with the current By-law and applicable fees.

6.12 Permit Conditions and Enforcement

a) All Community Enhancements shall be secured through the Community Planning Permit and associated legal agreements.

b) Failure to deliver the required Community Enhancements may result in the revocation of the permit or enforcement under applicable municipal By-laws.

6.13 Repeal of Existing Zoning By-law in the CPP Area

On the effective date of this by-law, the Comprehensive Zoning By-law [insert zoning by-law number and any other by-law numbers that need repeal within the CPP area], will be deemed to no longer apply to lands within the Community Planning Permit Area(s) as identified and delineated on Schedule A to this by-law.

6.14 Technical Revisions to the By-law

Provided that the purpose and effect of this By-law is unaffected, the following technical revisions to this By-law shall be permitted without an amendment to this By-law:

a) Correction to grammatical, mathematical, boundary or other such errors, including minor technical revisions to the mapping consistent with the intent of this By-law and the Town/Township's Official Plan;

b) Changes to the numbering of sections, the numbering contained in the cross-referencing of sections, and the format and arrangement of the text, tables, schedules and maps, and the numbering of pages;

c) Corrections or revisions to the technical information contained on maps, such as the title blocks and legend;

d) Changes to the illustrations or the Preamble, which are not considered to form part of this By-law; and

e) Changes resulting from the removal of a holding symbol.

6.15 Temporary Uses

A *Community Planning Permit* may permit a *use* or *structure* for a specified temporary period of time, subject to such renewal provisions as may be set out in the *Community Planning Permit*. The class of the permit required shall be considered the same as if the

application were for a permanent change of use. Conditions of an approval for a temporary use shall include the permitted time for the use.

6.16 Title and Scope

a) This By-law is and shall be referred to as the Municipality of [insert name of municipality] Community Planning Permit By-law No. 2026-XX." The XX Community Planning Permit By-law applies to [insert description of lands where the CPP By-law applies] as shown on Schedule A of this [insert By-law Effective Date]

b) This By-law shall come into force in accordance with Section 9 of the Community Planning Permits Ontario Regulation 173/16.

6.17 Transition Clauses

a) This By-law comes into force and effect on [insert date] (the "Effective Date"). From the Effective Date, this By-law governs the use of land and development within the Community Planning Permit Area, and any zoning by-law provisions previously applicable to the Area are inoperative to the extent of conflict.

b) Any complete application made before the Effective Date under sections 34, 41, 45, 51 or 53 of the Planning Act may be processed and decided as if this By-law had not come into force, and any resulting approval may be implemented and a building permit issued accordingly, provided a building permit is issued within 24 to 60 months of the Effective Date. After that time, development must comply with this By-law.

c) Approvals granted before the Effective Date (including zoning by-law amendments, decisions of the Committee of Adjustment, site plan approvals, draft plans/consents) and any registered agreements remain valid and may be implemented; a building permit may be issued as though the former by-law remained in effect, provided the building permit is issued within 24 to 60 months of the Effective Date.

d) Building permits applied for or issued before the Effective Date may proceed under the rules in effect at the time of application/issuance. Any material revision filed after the Effective Date shall be evaluated under this By-law unless specifically exempted by the Chief Building Official in consultation with the Approval Authority.

e) Where provincial legislation or regulation permits an as-of-right *Variation* from a development standard (e.g., the up-to-10% setback *Variation* now prescribed), such permission applies prior to and outside the *Variation* provisions of this By-law. This

By-law's *Variation* and permitting requirements apply only to relief beyond any provincially permitted as-of-right *Variation*.

f) In the event of a conflict between this By-law and provincial legislation or regulation, the latter prevails to the extent of the conflict.

6.18 Unlawful Uses

Any use established in violation of a predecessor of this By-law is deemed to have been established unlawfully.

7 Site-Specific Exceptions

To be inserted by individual municipalities as per their consolidated zoning By-law.

8 Definitions

Definitions include either plural (or singular) and possessive uses of the word or term. Italicized terms in this Plan not defined here are defined in the *Provincial Planning Statement*.

1. **Accessory Use** means: The use of land, buildings, or structures that is incidental, subordinate, and exclusively devoted to the principle use of the property.
2. **Additional Needs Housing** means: Any housing including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including by not limited to, needs such as mobility requirements or support functions required for daily living. Examples of additional needs housing may include, but are not limited to long-term care homes, adaptable and accessible housing, and housing for persons with disabilities such as physical, sensory or mental health disabilities and housing for older persons.
3. **Adjacent Lands** means: For purposes of cultural heritage and archaeology, those lands contiguous to a *protected heritage property* or as otherwise defined in the municipal official plan. For the purposes of *natural heritage features* and areas means those lands contiguous to a specific *natural heritage feature or area* where it is likely that *development* or *site alteration* would have a *negative impact* on the feature or area. In determining the general extent of the *adjacent lands* the policies of 3.3.15 vi) shall apply.
4. **Affordable Housing** means:

a. In the case of home ownership, the least expensive of:

   i. Housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for *low and moderate income households*; or

   ii. Housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;

b. In the case of rental housing, the least expensive of:

   i. A unit for which the rent does not exceed 30 percent of gross annual household income for *low and moderate income households*; or

   ii. A unit for which the rent is at or below the average market rent of a unit in the regional market area.

5. **Attainable Housing** means: Market-provided rental or ownership

housing that is affordable for households with incomes between 80% and 120% of the County's median household income.

6. **Community Infrastructure** means: Lands, buildings, and structures that support the quality of life for people and communities by providing public services for health, education, recreation, socio-cultural activities, security and safety, and affordable housing.
7. **Complete Communities** means: Places such as mixed-use neighbourhoods or other areas withing cities, towns, and *settlement areas* that offer and support opportunities for equitable access to many necessities for daily living for people of all ages and abilities, including an appropriate mix of jobs, a full range of housing, transportation options, *public service facilities*, local stores and services. *Complete communities* are inclusive and may take different shapes and forms appropriate to their contexts to meet the diverse needs of their populations.
8. **Complete Streets** means: A public right-of-way where the transportation facilitates and adjacent land uses are planned, designed and constructed to accommodate users of all ages and abilities including pedestrians, cyclists, transit vehicles, automobiles and freight traffic.
9. **Community Planning Permit** means: a permit issued under a Community Planning Permit System (CPPS), which combines zoning, site plan, and minor variance applications into a single, streamlined process. A CPP permit authorizes development and land use changes in a designated CPP Area and allows the applicant to move to the building permit stage. A CPP Permit can be given with conditions as set out in the CPP By-law.
10. **Comprehensive Conditional Approval** means: an approval that includes multiple layers of conditions, often involving interrelated requirements. This permit type is issued when a project requires extensive compliance measures before full implementation, ensuring that all municipal, regulatory, and policy obligations are addressed in a coordinator manner.
11. **Conditional Approval** means: an approval granted by the Municipality that authorizes the proposed development, provided that all listed conditions are met prior to construction or use. The permit remains valid only upon compliance with these conditions.
12. **Co-operative Housing** means: A type of non-profit housing where residents, known as members, own and manage the building together. Members have voting rights and participate in decision-making and are governed by By-laws.

13. **County** means: The Corporation of the County of Simcoe unless otherwise specified. The *County* is a municipality for the purposes of Provincial legislation.
14. **Cultural Heritage Landscape** means: A defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an indigenous community. The area may involve features such as buildings, structures, spaces, views, archaeological sites and natural elements that are valued together for their interrelationship, meaning or association.
15. **Development** means:

a. The construction, erection or placing of one or more buildings or structures on land,
b. The making of an addition or alteration to a building or structure that has the effect of substantially increasing its size or usability,
c. The laying out and establishment of,
    i. A commercial parking lot,
    ii. Sites for the location of three or more mobile homes as defined in subsection 46(1) of the *Planning Act*,
    iii. Sites for the construction, erection or location of three or more land lease community homes as defined in subsection 46(1) of the *Planning Act*, or
    iv. Sites for the location of three or more trailers as defined in subsection 164(4) of the *Municipal Act*, 2001,
d. Site alteration, including but not limited to,
    i. Alteration of the grade of land,
    ii. Placing or dumping fill, or
e. The removal of vegetation.

16. **Ecological Function** means: The natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.
17. **Environmental Impact Statement** (EIS) means: A report or document that identifies and describes *natural heritage features and areas* and *ecological functions* and determines and evaluates the implications of proposed *development* or *infrastructure* and its interactions with the *natural heritage features and areas* and *ecological functions* of an area. An EIS must determine whether the likelihood of *negative impacts* occurring on the *natural heritage features and areas* and *ecological functions* is definite or probable if the *development* proceeds under a given proposed design. The EIS will

determine the need for modifications to proposed plans, buffers, and other mitigation strategies to demonstrate that there will be no *negative impacts* on *natural heritage features and areas and ecological functions* of the *County* or local *natural heritage systems*. In the case of *infrastructure*, the EIS will demonstrate only such *negative impacts* as are consistent with Sections 3.8.17 through 3.8.20 of this Plan.

18. **Height** means: For the purposes of this By-law, [insert preferred method for calculating the height of a building – an image should be provided if possible]. Roof structures such as clock towers, flag poles, mechanical features or ornamental roof structures shall not be included in the calculation to determine the height of a structure.
19. **Individual On-site Sewage Services** means: Sewage systems as defined in O.Reg 332/12, under the Building Code Act, 1992, that are owned, operated and managed by the owner of the property upon which the system is located.
20. **Individual On-site Water Services** means: Individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.
21. **Infrastructure** means: Physical structures (facilities and corridors) that form the foundation for *development*. *Infrastructure* includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities , electricity transmission and distribution systems, communications/telecommunications including broadband, transit and transportation corridors and facilities, active transportation systems, oil and gas pipelines and associated facilities.
22. **Intensification** means: The *development* of a property, site or area at a higher density than currently exists through:

a. *Redevelopment*, including the reuse of *brownfield sites* and underutilized shopping malls and plazas;
b. The *development* of vacant and/or underutilized lots within previously developed areas;
c. Infill *development*; and
d. The expansion or conversion of existing buildings.

23. **Local Municipality or Local Municipal** means: Any of the sixteen Towns and Townships within the County of Simcoe.
24. **Low and Moderate Income Households** means:

a. In the case of home ownership, households with incomes in the lowest 60 percent of the income distribution for the municipality; or

b. In the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the municipality.

25. **Landscaped or Vegetated Buffer** means: A vegetated buffer strip that consists of a continuous, unpierced hedgerow of evergreens or shrubs, not less than 2 metres high at maturity or a 2 metres high berm or privacy fence or combination thereof provided the land is adequately obscured. The remainder of the strip shall be planted with shrubs, flower beds, grass or a combination thereof.

26. **Low Impact Development** means: An approach to stormwater management that seeks to manage rain and other precipitation as close as possible to where it falls to mitigate the impacts of increased runoff and stormwater pollution. It typically includes a set of site design strategies and distributed, small-scale structural practices to mimic the natural hydrology to the greatest extent possible through infiltration, evapotranspiration, harvesting, filtration, and detention of stormwater. *Low impact development* can include, for example: bioswales, vegetated areas at the edge of paved surfaces, permeable pavement, rain gardens, green roofs, and exfiltration systems.

27. **Medium Scale Commercial Uses** means: commercial activities that constitute the primary use of a building or lot, where any residential use is secondary and accessory to the commercial operation. Medium Scale Commercial Uses involve the conversion of an existing residential structure, or the redevelopment of a lot, to accommodate commercial functions of a greater scale, intensity, or proportion than those permitted under Small Scale Commercial Uses.

    Such uses require a Class 3 Permit and shall demonstrate to the satisfaction of Council that the proposed use is compatible with surrounding land uses, does not create adverse impacts related to noise, traffic, parking demand, light, odour, or servicing, and maintains an appropriate transition to adjacent residential areas. Applicants must demonstrate that the proposed conversion provides an overall community benefit, supports the development of complete communities, and aligns with the policies of the Official Plan and the purpose of this By-law.

28. **Missing Middle Housing** means: a diverse range of multi-unit or clustered residential building types that provide gentle intensification and fall between single detached dwellings and large

apartment buildings in terms of form, scale, and density. Missing Middle Housing includes, but is not limited to, duplexes, triplexes, fourplexes, townhouses, stacked townhouses, multiplexes, courtyard housing, and accessory dwelling units. The built form is a maximum of four (4) storeys and is compatible with residential neighbourhoods.

29. **Municipal Sewage Services** means: A sewage works within the meaning of Section 1 of the Ontario Water Resources Act that is owned or operated by a municipality.

30. **Municipal Water Services** means: A municipal drinking-water system within the meaning of Section 2 of the Safe Drinking Water Act, 2002.

31. **Natural Heritage Feature(s) and Areas** means: Features and areas, including significant wetlands, significant and other coastal wetlands, habitat of endangered species and threatened species, fish habitat, significant woodlands, significant wildlife habitat, significant valleylands, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

32. **Natural Heritage System** means: A system made up of *natural heritage features and areas*, and linkages intended to provide connectivity (at a regional or site level) and support natural processes which as necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include *natural heritage features and areas*, federal and provincial parks and conservation reserves, other *natural heritage features*, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable *ecological functions* to continue. The Province has a recommended approach for identifying *natural heritage systems*, but municipal approaches that achieve or exceed the same objective may also be used.

33. **Negative Impact(s)** means:

a. In regard to policy 3.6.4 and 3.6.5 of the PPS, potential risks to human health and safety and degradation to the *quality and quantity of water, sensitive surface water features* and *sensitive ground water features,* and their related *hydrologic functions,* due to single, multiple or successive *development*. *Negative impacts* should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;

b. In regard to *fish habitat, any* harmful alteration, disruption or destruction of *fish habitat,* except where an exemption

to the prohibition has been authorized under the *Fisheries Act*

c. In regard to other *natural heritage features and areas,* degradation that threatens the health and integrity of the natural heritage features and areas or *ecological functions* for which an area is identified due to single, multiple or successive *development* or *site alteration* activities.

d. In regard to policy 4.2, degradation to the *quality and quantity of water*, *sensitive surface water features* and *sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development* or *site alteration* activities; and

e. In regard to policy 3.3.3, any *development* or *site alteration* that would compromise or conflict with the planned or existing function, capacity to accommodate future needs, and cost of implementation of the corridor.

34. **Partial Services** means:

a. *Municipal sewage services* or *private communal sewage services* combined with *individual on-site water services*; or

b. *Municipal water services* or *private communal water services combined with individual on-site sewage services*.

35. **Planning Act** means: The *Planning Act*, R.S.O. 1990, c. P.13, as amended or any subsequent legislation.

36. **Principal Use** means: The primary use of the property. For the purposes of this By-law, the principal use will be identified as either residential or commercial.

37. **Primary Unit** means: For the context of this By-law, one residential unit per lot is considered primary for the purpose of calculating appropriate parking rates and identifying accessory structures.

38. **Privacy Fence** means: a solid, opaque fence constructed to provide visual screening and noise attenuation between adjoining properties, and designed to function as an alternative to a *landscaped buffer* where permitted by this By-law. A Privacy Fence shall be constructed of durable, high-quality materials; shall have no openings other than those required for drainage or safety; and shall be of a uniform height and appearance sufficient to fully block sightlines between commercial and residential uses. A Privacy Fence shall be maintained in good repair and shall provide an equivalent or greater level of screening, separation, and residential amenity protection as would typically be achieved through a landscaped buffer.

39. **Private Communal Sewage Services** means: A sewage works within the meaning of Section 1 of the Ontario Water Resources Act that serves six or more lots or private residences and is not owned by a municipality.

40. **Private Communal Water Services** means: A non-municipal drinking-water system within the meaning of Section 2 of the Safe Drinking Water Act, 2002 that serves six or more lots or private residences.
41. **Provincial Planning Statement** (PPS) means: The *Provincial Planning Statement*, 2024 issued under Section 3 of the *Planning Act*.
42. **Province** or **provincial** means: The Province of Ontario and its Ministries. Specific Ministry names are not used due to periodic changes in Ministry names and roles.
43. **Provisional Approval** means: a temporary authorization issued by the [Municipality] that allows an applicant to proceed with certain preliminary requirements, subject to the fulfillment of specified conditions before full approval is granted. A provisional permit does not confer full development rights and will lapse if conditions are not satisfied within the prescribed timeframe.
44. **Public Authority** means:

a. The Town/Township, County of Simcoe, Government of Ontario, Government of Canada, [applicable] Conservation Authority or any board, authority, or commission of them;
b. Any entity providing police, ambulance or fire service on behalf of the authorities listed in clause a);
c. Any utility company providing communication, electrical or natural gas services;
d. Any railway company authorized under the Railway Act of Canada; or
e. Any corporation providing services to the public that has an operating budget entirely funded by one or more entities listed in clause a).

45. **Public Service Facilities** means: Land, buildings and structures, including but not limited to schools, hospitals and community recreation facilities, for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health, child care and educational programs, including elementary, secondary, post secondary, long-term care services, and cultural services. They do not include *infrastructure*.
46. **Public Use** means: the use of a lot, building, structure or facility by a public authority, for the purpose of providing its services to the public, or carrying out its public mandate including: infrastructure and utilities necessary for the transmission or distribution of electricity, municipal water, and sewage, as well as public roads, rail lines, transit stations, stormwater management facilities, infrastructure and transmission facilities, for communications or cable television,

but not including administrative offices, sales outlets, garages, depots or yards.

47. **Purpose Built Rental Housing** means: A residential building that is constructed and intended to provide rental units exclusively for long-term tenancy and is not intended for individual unit ownership or condominium conversion.

48. **Qualified Person** means: A person who meets the qualifications prescribed by the regulations under the *Environmental Protection Act*.

49. **Reserve Sewage System Capacity** means: Design or planning capacity in a centralized waste water treatment facility, within *municipal sewage services* or *private communal sewage* services, which is not yet committed to existing or approved *development*. For lot creation using *private communal sewage services* and *individual on-site sewage services*, *reserve sewage system capacity* includes approved capacity to treat and land-apply, treat and dispose of, or dispose of, hauled sewage in accordance with applicable legislation but not by land-applying untreated, hauled sewage. Treatment of hauled sewage can include for example, a sewage treatment plant, anaerobic digestion, composting or other waste processing.

50. **Reserve Water System Capacity** means: Design or planned capacity in a water treatment facility which is not yet committed to existing or approved *development*. *Reserve water system capacity* applies to *municipal water services* or *private communal water services,* and not *individual on-site water services*.

51. **Sensitive:** In regard to *surface water features* and *ground water features*, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

52. **Sensitive Land Uses** means: Buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. *Sensitive land uses* may be part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

53. **Servicing Capability Study** means: A comprehensive technical study of a *settlement* or proposed *development* to identify the capability of the surrounding area to safely accommodate future growth and *development* on individual water and sewer systems or partial water and sewer systems, establishing a technical foundation to evaluate secondary plans and applications for *development*. The study shall:

a. Examine the ability of the soils and groundwater to assimilate the effluent from growth and *development*,

b. Identify appropriate limits on the extent and timing of *development*,

c. Determine appropriate arrangements and capacity for treatment of hauled sewage from the systems, and

d. Identify the appropriate density and/or design parameters, all of which are to ensure there will be no *negative impact* on *natural heritage features* and functions and to ensure the protection or enhancement of ground and surface water quality of the *settlement* or *development* area.

54. **Settlements** or **Settlement Areas** means: Urban areas and rural *settlement areas* within municipalities (such as cities, towns, villages and hamlets) that are:

a. *Built-up areas were development* is concentrated and which have a mix of land uses; and

b. Lands which have been designated in an official plan for *development* over the long-term.

55. **Sewage and Water Services** includes: *Municipal sewage services* and *municipal water services*, *private communal sewage services* and *private communal water services*, *individual on-site sewage services* and *individual on-site water services*, and *partial services*.

56. **Significant** means:

a. In regard to *wetlands, coastal wetlands* and *areas of natural and scientific interest*, an area identified as provincially significant using evaluation procedures established by the *Province*, as amended from time to time;

b. In regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria and procedures established by the Province;

c. In regard to other features and areas referred to in both this *Plan* and the *Provincial Planning Statement*, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*.

d. In regard to local natural heritage systems, features and ecological functions as defined in municipal official plans; and

e. In regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the *Ontario Heritage Act*.

57. **Site Alteration** means: Activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

58. **Small Scale Commercial Uses** means: commercial activities that are secondary and accessory to the primary residential use of a lot and are intended to serve the day-to-day needs of the local neighbourhood. Small Scale Commercial Uses are limited in size, scale, and function to ensure compatibility with surrounding residential properties and shall not generate land use conflicts or nuisance impacts, including but not limited to noise, traffic, parking overflow, odour, light, or vibrations. Such uses shall comply with all performance standards of this By-law, including parking requirements, and shall be designed and operated in a manner that maintains the residential character of the area and supports the development of complete communities."

59. **Storage Shed** means: a detached accessory building used solely for storage excluding motor vehicles. For the purposes of this By-law, a shipping container and sea can that meet the minimum required square footage and is sided shall be considered a storage shed [customize to include specifications (i.e., roofs)].

60. **Traffic Demand Management** (TDM) means: A set of strategies that result in more efficient use of the *transportation system* by influencing travel behaviour by mode, time of day, frequency, trip length, regulation, route or cost.

61. **Two Zone Concept** means: An approach to *flood plain* management where the *flood plain* is differentiated in two parts: the *floodway* and the *flood fringe*.

62. **Valleylands** means: The natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

63. **Variation** means: a deviation from one or more quantitative or qualitative development standards prescribed by this By-law, where such deviation is expressly identified as eligible for consideration through a Community Planning Permit and evaluated in accordance with the Criteria for Variations and applicable permit class thresholds set out in this By-law.

    A *Variation*:

- Applies only to standards for which this By-law provides discretion or flexibility;

- May be approved through a Class 2 or Class 3 Community Planning Permit, as applicable; and
- Does not include a change in permitted use unless specifically identified as a discretionary use in this By-law.

A *Variation* does not authorize:

- A use that is prohibited by this By law;
- A use not contemplated by the permitted or discretionary use provisions; or
- Relief from a requirement imposed by provincial legislation or regulation.

A *Variation* shall be considered distinct from:

- A zoning by law amendment;
- A minor variance under section 45 of the Planning Act; and
- A site specific exception by law.

A *Variation* is an integrated approval tool within the Community Planning Permit By-law and shall be evaluated on the basis of:

- The degree of deviation requested;
- The cumulative impact of all Variations proposed; and
- The objectives and intent of this By law and the Official Plan.

64. **Wetlands** means: Land that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plant or water tolerant plants. The four major types of *wetlands* are swamps, marshes, bogs and fens. Periodically soaked or *wetlands* being used for agricultural purposes, which no longer exhibit *wetland* characteristics, are not considered to be *wetlands* for the purposes of this definition.
65. **Wildlife Habitat** means: Areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific *wildlife habitats* of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.
66. **Woodlands** means: Treed areas that provide environmental and economic benefits to both the private landowner and the public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of *wildlife habitat*, outdoor recreational opportunities, and the sustainable harvest of a wide range of *woodland* products. *Woodlands* include treed areas, woodlots or forested areas and vary in their level of significance at the

local, regional and provincial levels. *Woodlands* may be delineated according to the Forestry Act definition or the Province's Ecological Land Classification system definition for "forest".