

Section 33: AP – Airport Zones

33.1 Permitted Uses

33.1.1 No person shall within any AP Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed in this Subsection.

33.1.2 The following uses are permitted in any AP-A Zone:

- (a) Airport
- (b) Aviation related commercial uses
- (c) Aviation related institutional uses
- (d) Aviation related manufacturing, processing, or assembly industry
- (e) Aviation related transport terminal
- (f) Aviation related warehouse
- (g) Club, excluding a nightclub
- (h) Outdoor storage accessory to any use permitted in the AP-A Zone
- (i) Recreational use

(62-2000)

33.1.3 The following uses are permitted in any AP-B Zone:

- (a) Agricultural uses, but not including new buildings
- (b) Airport terminal
- (c) Aviation related commercial uses
- (d) Aviation related institutional uses including a museum
- (e) Aviation related light industrial uses including light manufacturing, processing of semi-manufactured goods or assembly of manufactured goods
- (f) Aviation related transport terminal
- (g) Aviation related warehouse
- (h) Banquet hall
- (i) Club, excluding a nightclub
- (j) Convention centre
- (k) Hotel
- (l) Office
- (m) Outdoor storage accessory to any use permitted in the AP-B Zone
- (n) Recreational use
- (o) Restaurant
- (p) Sales outlet

(62-2000)

33.1.4 The following uses are permitted in any AP-C Zone:

- (a) Airport runways and taxiways

"BULK SALES ESTABLISHMENT" means an establishment where land, buildings or structures are used for the purpose of selling lumber, wood, building materials, feed, fertilizer, ice or similar bulk commodities, but does not include any manufacturing or processing nor the sale of bulk foods.

"BUSINESS OFFICE" means a building or part of a building in which one or more persons are employed in the management, direction and conducting of a business, agency, brokerage or a labour or fraternal organization and includes a service office, but does not include a professional office.

"CAMPGROUND" means an area of land used or maintained as an overnight tenting or camping area, where people are temporarily accommodated in tents, trailers or similar facilities, whether or not a fee or charge is paid for the rental thereof, but does not include a mobile home park.

"CAR WASH" means a building or structure for use by the general public containing facilities for the washing of motor vehicles for a fee.

"CELLAR" means that part of a building which is between two floor levels and which has more than one half of its unobstructed interior height below the average level of the proposed or finished ground adjoining all exterior walls. (66-1998)

"CEMETERY" means land set aside to be used for the interment of human or pet animal remains and may include a mausoleum, columbarium, crematorium or other buildings or structures intended for the interment of such remains and an accessory funeral visitation centre. (61-2016)

"CHURCH" means a building or part of a building owned or occupied by a religious congregation or religious organization and dedicated to worship and related religious, social or charitable activities, and may include an assembly hall, convent, monastery, office of a clergyman, day care centre or a rectory or parsonage, as accessory uses.

"CINEMA" means a building or part of a building or structure used for the showing and viewing of motion pictures.

"CITY" means the Corporation of the City of Oshawa.

"CLINIC" means a building or part of a building in which the practice of one or more of the self governing health professions listed in Schedule 1 to the *Regulated Health Professions Act*, 1991 S.O. 1991 c.18, excluding a pharmacy as a main use, is carried on or in which the treatment of humans by a Drugless Practitioner, as defined in the *Drugless Practitioners Act*, R.S.O. 1990, c.D.18, occurs and may include medical laboratories or an ancillary pharmacy. (61-2010)

"CLUB" means a nightclub or a building or part of a building where athletic, recreational, social or fraternal activities are carried on, whether for commercial purposes and profit or not, and having either private or public membership and may include an ancillary banquet hall. (62-2000)



By-law 72-2024
of The Corporation of the City of Oshawa

Being a by-law to amend By-law 60-94, as amended, of The Corporation of the City of Oshawa.

It is hereby enacted as a by-law of The Corporation of the City of Oshawa as follows:

1. By-law 60-94, as amended, is further amended by changing the definition of "Clinic" in Section 2 by deleting the text "a Drugless Practitioner, as defined in the Drugless Practitioners Act, R.S.O. 1990, c. D.18," and replacing it with the text "an ophthalmologist or a drugless practitioner" such that the definition of "Clinic" reads as follows:

""**Clinic**" means a building or part of a building in which the practice of one or more of the self-governing health professions listed in Schedule 1 to the Regulated Health Professions Act, 1991, S.O. 1991, c. 18, excluding a pharmacy as a main use, is carried on or in which the treatment of humans by an ophthalmologist or a drugless practitioner occurs and may include medical laboratories or an ancillary pharmacy."

2. By-law 60-94, as amended, is further amended by changing the definition of "Medical Office" in Section 2 to:

(a) Add the word "a" after the word "excluding";

(b) Add the word "the" preceding the word "treatment"; and,

(c) Delete the text "a Drugless Practitioner, as defined in the Drugless Practitioners Act, R.S.O. 1990, c. D.18," and replace it with the text "an ophthalmologist or a drugless practitioner",

such that it reads as follows:

""**Medical Office**" means a building or part of a building in which the practice of one or more of the self-governing health professions listed in Schedule 1 to the Regulated Health Professions Act, 1991, S.O. 1991, c. 18, excluding a pharmacy, is carried on or in which the treatment of humans by an ophthalmologist or a drugless practitioner occurs."

3. By-law 60-94, as amended, is further amended by adding the following definition for "Drugless Practitioner" in Section 2, after the definition for "Driveway" and before the definition for "Dry Cleaning and Laundry Depot":

""**Drugless Practitioner**" means a person who practices the treatment of any ailment, disease, defect or disability of the human body by manipulation, adjustment, manual or electro-therapy or by any similar method but does not include body rub."

4. By-law 60-94, as amended, is further amended by adding the following definition for "Recreational Use" in Section 2, after the definition of "Rear Yard" and before the definition of "Recreational Vehicle":

""**Recreational Use**" means an area of land or a building or part of a building used for active or passive recreation purposes, for a fee or without a fee, including such purposes as parks, trails, sports courts, fields or pitches, arena, stadium, auditorium, gym or fitness centre, ice or roller rink, bowling alley, miniature golf, golf driving range, virtual golf simulator, track, swimming pool or other such similar use, and shall include a park, low intensity recreation, day recreational use and private outdoor recreation club, but does not include a commercial recreation establishment, gaming establishment, golf course, campground, place of amusement, studio, cemetery, club, outdoor skeet, trap and gun club, billiard hall, or an assembly hall. When prefaced by the term "indoor", the recreational use shall be limited to recreational activities within a building or a part thereof. When prefaced by the term "outdoor", the recreational use shall be limited to recreational uses without buildings or structures. When prefaced by the term "day", the recreational use shall be limited to recreational uses without buildings or structures and only during daylight hours."

DECISION UNDER THE PLANNING ACT**Committee of Adjustment Application for 1180 Keith Ross Drive**

An application has been submitted by ~~Bryan Terminal Holdings Inc.~~ for a variance from the City's Zoning By-law 60-94.

The application relates to **1180 Keith Ross Drive** (East Whitby Con 3 Pt Lot 15, RP 40R-25332, Parts 5 to 11), Oshawa, Ontario.

The purpose and effect of the application is to permit an aviation hangar with a maximum of 33% of the total gross floor area to be used as a non-aviation related warehouse, whereas Zoning By-law 60-94 permits warehouses that are entirely aviation related, in a AP-A (Airport) Zone.

This application was heard by the Committee of Adjustment on November 25, 2020 and with Notice of Hearing having been given as directed by the Committee of Adjustment, THE DECISION OF THE COMMITTEE IS THAT THE APPLICATION BE APPROVED.

The APPROVAL of the application granted herein is based upon the following reasons:


1. The Committee is of the opinion that the variance granted is minor in nature.
2. The Committee is of the opinion that the variance granted is desirable for the appropriate development of the subject property.
3. The Committee is of the opinion that the granting of the variance maintains the general intent and purpose of the Official Plan and Zoning By-law.

All written and oral submissions received by the Committee of Adjustment were considered in making this decision.

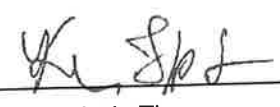
NOTE:

Any appeal from the above decision must be made on or before December 15, 2020.

The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name or names of individual group members, and not in the name of the group.



Lindsay Smith

Andrew Johnson

Kevin Thompson

Robert Adams

Gordon Foster