

SECTION 21 – SPECIAL PROVISIONS

The following provisions shall have effect notwithstanding anything else in this By-law and the other provisions of this By-law shall be deemed to be amended insofar as is necessary to give effect thereto. Reference should be made to the Schedule and Map noted in italics at the end of the provision.

21.1 Notwithstanding the provisions of the Rural Residential (RR) Zone, on the lands described as Part of Lot "I" Registered Plan 49, in the former Township of Guelph, illustrated on Schedule "A", and fronting onto Highway No. 6, permitted uses shall include a chain saw and lawn mower sales and service centre.

21.2 Notwithstanding the provisions of the Highway Commercial (C4) Zone, on the lands described as Part of Lot 19, Registered Plan 365, in the former Township of Guelph, illustrated on Schedule "A", and fronting onto Highway No. 6, permitted uses shall include an electronics distribution facility which may include retail and wholesale sales. The following uses shall not be permitted:

- i) Open storage of goods and materials
- ii) Motel
- iii) Hotel

21.3 Notwithstanding the provisions of the Highway Commercial (C4) Zone, on lands described as Part of Lot 14, Concession 3, Division "D", in the former Township of Guelph, illustrated on Schedule "A", the open storage of goods and materials is not permitted.

21.4 Notwithstanding the provisions of the Agricultural (A) Zone and Environmental Protection (EP) Zone, on the lands described as Part of Lot 8, Concession 3, Division "B", in the former Township of Guelph, illustrated on Schedule "A", a trucking business including the storage and repair of trucks and a warehouse facility shall be permitted. Notwithstanding the provisions of the Agricultural (A) Zone, the following provisions shall apply:

- i) Minimum Lot area - 3.0 ha (7.4 ac)
- ii) Minimum Lot Frontage - 100 m

21.5 Notwithstanding the provisions of the Highway Commercial (C4) Zone, on the lands described as Lot 2, Registered Plan 44, Concession 2, Division "D", in the former Township of Guelph, illustrated on Schedule "A", a welding shop shall be permitted and the following provisions shall apply:

i)	Minimum Lot area	0.195 ha (0.48 ac)
ii)	Minimum Interior Side Yard	1.22 m
iii)	Minimum Rear Yard	1.83 m

- 21.6** Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 6 and 7, Concession 2, Division "C", in the former Township of Guelph, illustrated on Schedule "A", an airport and related uses shall be permitted.
- 21.7** Notwithstanding the provisions of the Highway Commercial (C4) Zone, on the lands described as Part of Lot 15, Concession 3, Division "D", in the former Township of Guelph, illustrated on Schedule "A", a moving and storage business shall be a permitted.
- 21.8** Notwithstanding the provisions of the Rural Residential (RR) Zone, on the lands described as Part of Lot 15, Concession 2, Division "D", in the former Township of Guelph, illustrated on Schedule "A", the Minimum Lot area shall be 0.37 ha (0.91 ac).
- 21.9** Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 2, Concession 2, Division "D", in the former Township of Guelph, illustrated on Schedule "A", and fronting onto Highway 6, and consisting of 0.7094 ha (1.75 ac), permitted uses shall be restricted to a detached dwelling unit, 3 apartment units, and a sporting goods supply store having a maximum floor area of 149 m².
- 21.10** Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 8, Concession 2, Division "B", in the former Township of Guelph, illustrated on Schedule "A", and fronting onto Township Road No. 12, and consisting of 0.8148 ha (2.01 ac), an auto body repair shop and a motor vehicle sales and service establishment shall be permitted.
- 21.11** Notwithstanding the provisions of the Agricultural (A) Zone, on the property legally known as Concession 2, Division D, Part Lots 5 to 8 inclusive; Concession 3, Division D, Lots 4 to Part Lot 10, inclusive; Part Lots 8 & 9 on Plan 865, and Part of Bedford Road together with Rights-of-Way in the former Township of Guelph, and municipally known as 5439 Highway 6 & 5420 Highway 6 illustrated on Schedule "A", permitted uses shall include institutional uses related to the activities of the centre, a cemetery, places of worship, places of retreat, five dwelling units related to farming, as well as shelters for the homeless and handicapped, accommodation for priests and laity, dining halls and supporting office facilities (i.e. offices, computer facilities, reception room, kitchens, etc.), and works of charity and mercy, farming and education, and a child care centre.

21.12 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lots 15 and 16, Concession 6, Division "D", in the former Township of Guelph, illustrated on Schedule "A", a Place of Worship shall be a permitted use and the Minimum Lot area shall be 10.8 ha.

[Amended by By-law 67-2000]

21.13 [Removed by By-law 40-2016]

21.14 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 15, Concession 6, Division "D", in the former Township of Guelph, illustrated on Schedule "A", the additional uses of a Group Home or Long Term Care Facility shall be permitted. A Group Home or Long Term Care Facility licensed in accordance with the Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, as amended.

21.15 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 2, Concession 3, Division "B", in the former Township of Guelph, illustrated on Schedule "A", and fronting onto County Road No. 32, a woodworking shop and furniture manufacturing business shall be permitted uses.

Notwithstanding the provisions of the Agricultural (A) Zone, the following provisions shall apply to the woodworking shop and furniture manufacturing business:

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|-------|---------------------------------------|-----------------|
| i) | Minimum Lot area | 0.4 ha (1.0 ac) |
| ii) | Minimum Lot Width | 30.5 m |
| iii) | Minimum Side Yard | 6.1 m |
| iv) | Minimum Rear Yard | 1.5 m |
| v) | Parking spaces | 4 |
| vi) | Loading spaces | 1 |
| vii) | Maximum Building Height | 10.7 m |
| viii) | No outdoor storage shall be permitted | |

21.16 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 7, Concession 6, Division "C", in the former Township of Guelph, illustrated on Schedule "A", and fronting onto Wellington Rd 124, and consisting of 3.6 hectares, a Garden Centre for the wholesale and retail sale (including products grown and/or produced off the site) of plants, trees, shrubs, soil, fertilizers, herbicides, insecticides, peat moss, mulch, gardening tools, sprinkler systems, landscaping products and accessories related to gardening and the planting of trees, shrubs and plants shall be a permitted use.

Notwithstanding the provisions of this By-law, the following special provisions shall apply:

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|------|-------------------|-----------------|
| i) | Minimum Lot area | 3.6 ha (8.8 ac) |
| ii) | Minimum Lot Width | 145 m |
| iii) | Minimum Side Yard | 3.4 m |

[Amended by By-law 57-2005]

21.17 Notwithstanding the provisions of the Agricultural (A) and Environmental Protection (EP) Zones, on the lands described as Part of Lots 22, 23 and 24, Concession 1, Division "B", in the former Township of Guelph, illustrated on Schedule "A", and abutting onto Wellington Road 86, a 27-hole Golf Course and accessory uses shall be permitted.

21.18 Notwithstanding the provisions of the Open Space (OS1) Zone, on the lands described as Part of Lot 15, Concession 3, Division "D", in the former Township of Guelph, illustrated on Schedule "A", and fronting onto Wellington Road No. 30, Offices and accessory uses shall be permitted.

21.19 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lots 21 and 22, Concession 6, Division "D", in the former Township of Guelph, illustrated on Schedule "A", the additional use of a Group Home shall be permitted.

[Amended by By-law 21-2005]

21.20 Notwithstanding the provisions of the Rural Residential (RR) and Environmental Protection (EP) Zones on the lands described as Part of Lots 9 and 10, Concession 1, Division "D", in the former Township of Guelph, illustrated on Schedule "A", the following additional provisions shall apply:

- i) The boundary between the Rural Residential (RR) Zone and the adjacent Environmental Protection (EP) Zone is defined as elevation 335.4 m above mean sea level.
- ii) The elevation of all building openings shall be at a minimum elevation of 335.7 m above mean sea level.

21.21 Notwithstanding the provisions of the Highway Commercial (C4) Zone on the lands described as Lot 3, Registered Plan 44, Concession 2, Division "D", in the former Township of Guelph, illustrated on Schedule "A", the following provisions shall apply:

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|------|---------------------------------------|-----------------------|
| i) | Minimum Lot area | 975.45 m ² |
| ii) | Minimum Lot Frontage | 18.7 m |
| iii) | Minimum Side Yard (south side of lot) | 0.0 m |

21.22 [Removed by By-law 17-2008]

21.23 [Removed by By-law 40-2016]

21.24 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lots 25 and 26, Concession 3, Division "D", in the former Township of Guelph, illustrated on Schedule "A", a Place of Worship and a private School shall be permitted uses.

21.25 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 2, Concession 4, Division "B", in the former Township of Guelph, illustrated on Schedule "A", a Veterinary Clinic shall be a permitted use.

21.26 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 7, Concession 2, Division "B", in the former Township of Guelph, illustrated on Schedule "A", a Long Term Care Facility shall be a permitted use.

21.27 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 3, Concession 3, Division "D", in the former Township of Guelph, illustrated on Schedule "A", a cemetery shall be a permitted use.

21.28 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 2, Concession 9, Division "C", in the former Township of Guelph, illustrated on Schedule "A", a Place of Worship, an accessory religious bookstore, and a commercial school shall be permitted uses. The accessory religious bookstore shall have a maximum floor area of 35 m². The commercial school shall have a maximum floor area of 280 m² devoted to classroom use.

21.29 Notwithstanding the provisions of the Rural Residential (RR) Zone, on the lands described as Part of Lots 13 and 14, Concession 6, Division "D", in the former Township of Guelph, illustrated on Schedule "A", the Minimum Lot area shall be 0.4 ha (1.0 ac).

21.30 Notwithstanding the provisions of the Rural Industrial (M1) Zone, on the lands described as Part of Lot 13, Concession 3, Division "D", in the former Township of Guelph, illustrated on Schedule "A", a concrete batching plant and related material storage shall be permitted and the Minimum Lot Frontage shall be 20 m.

21.31 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lots 10 and 11, Concession 1, Division "C", in the former Township of Guelph, illustrated on Schedule "A", a veterinarian's clinic shall be a permitted use.

- 21.32** Notwithstanding the provisions of the Agricultural (A) Zone, on a portion of the lands described as Part of Lot 7, Concession XI, Division “C”, in the former Township of Guelph, illustrated on Schedule “A”, meat processing and related wholesale and retail sales uses in one building, with a maximum gross floor area of 576 m², shall be permitted. Meat processing shall not include slaughtering of animals.
- 21.33** Notwithstanding the Highway Commercial (C4) Zone on the lands described as Part of Lot 1 and the South Part of Lot 1, Registered Plan 365, in the former Township of Guelph, illustrated on Schedule “A”, the Minimum Lot Frontage shall be 18.8 m.
- 21.34** Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lots 25 and 26, Concession 3, Division “D”, in the former Township of Guelph, illustrated on Schedule “A”, the Minimum Lot Frontage shall be 34.6 m.
- 21.35** Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 14, Concession 1, Division “D”, in the former Township of Guelph, illustrated on Schedule “A”, the minimum lot frontage shall be no less than 34 m.
- 21.36** Notwithstanding the provisions of the Rural Residential (RR) Zone, on the lands described as Part of Lot 13, Concession 6, Division “D”, more particularly known as Block 20, Registered Plan 846, in the former Township of Guelph, illustrated on Schedule “A”, the minimum lot frontage shall be 22.0 m.
- 21.37** Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Parts of Lots 9 and 10, Division “B”; and Part 1 on Registered Plan 61R9410, with the municipal address of 5041 Wellington Rd 32, in the former Township of Guelph, illustrated on Schedule “A”, a veterinarian clinic having a maximum floor area of 278.7 m², and one attached dwelling unit shall be a permitted use.
- 21.38** Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 5, Concession 5, in the former Township of Eramosa, illustrated on Schedule ‘A’ to this by-law the following shall apply:
- i) The following uses are permitted:
- Agricultural Research and/or Breeding and/or grading operation
 - Agricultural Supply Establishment excluding the bulk sale, storage, mixing and distribution of bulk fertilizer or chemical products
 - Business or Professional Office accessory to a permitted use
 - Contractor or Tradesperson Establishment
 - Health food and health products warehouse and bottling centre
 - Nursery stock warehouse-mail order-distribution centre

- Commercial Greenhouse, not including a Garden Centre
- Service Shop
- Veterinary Clinic excluding outdoor runs or pens
- Warehouse
- The uses listed in the Agricultural (A) Zone (Section 6.1 - Permitted Uses) are permitted, excluding the bulk mixing, sale and distribution of bulk fertilizer, rental of fertilizer related equipment and sale of farm chemicals, a detached dwelling, a garden suite, and a group home.

Notwithstanding the above list, permitted uses may be restricted through the general provisions and reference should be made to Section 4.18 Well Head Protection Areas and related Schedule B. Specific activities may be limited through the implementation of the Grand River Source Protection Plan.

- ii) Minimum Lot Area of the retained parcel (as shown as Part 2 of Schedule A) = 0.9 hectares.
- iii) Minimum Lot Area of the severed parcel (as shown as Part 1 of Schedule A) = 0.6 hectares.
- iv) Minimum Lot Frontage of the severed parcel (as shown as Part 1 of Schedule A) = 110 metres
- v) An Office accessory to permitted use shall have a maximum gross floor area of 40% of the gross floor area used by the permitted use.
- vi) Outdoor storage and display of goods, materials and equipment, accessory to the main use shall be permitted in accordance with the following provisions:
 - a) Shall be located to the rear of the front wall of the main building, but not in a required side yard or a required rear yard.
 - b) Shall not cover more than 20% of the lot area.
 - c) Shall be visually screened from the street.
 - d) Shall not obstruct or occupy any required parking areas.

[Amended by By-law 20-2003] [Amended by By-law 31-2013]
[Amended by By-law 55-2019]

21.39 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 2, Concession 4, in the former Township of Eramosa, illustrated on Schedule "A", a farrier operation, a blacksmith operation, and uses accessory to the foregoing shall be permitted.

21.40 Notwithstanding the general provisions of this By-law and the provisions of the Agricultural (A) Zone, on lands described as Part of Lots 6 and 7, Concession 1, in the former Township of Eramosa, illustrated on Schedule “A”, two detached dwellings shall be permitted.

21.41 Notwithstanding the general provisions of this By-law and the provisions of the Agricultural (A) Zone, on lands described as Part of Lots 14 and 15, Concession 7, in the former Township of Eramosa, illustrated on Schedule “A”, two detached dwellings shall be permitted, and the maximum distance between the two Residential dwellings shall be 39.6 m (129.9 ft).

21.42 [Removed by By-law 61-2009]

21.43 Notwithstanding the general provisions of this By-law and the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 11, Concession 5, in the former Township of Eramosa, illustrated on Schedule “A”, two detached dwellings shall be permitted.

21.44 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lots 1 and 2, Concession 7, in the former Township of Eramosa, illustrated on Schedule “A”, the minimum lot width shall be 45 m.

21.45 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 23, Concession 7, in the former Township of Eramosa, illustrated on Schedule “A”, a poultry vaccine production operation and accessory buildings and structures shall be permitted.

21.46 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 1, Concession 5, in the former Township of Eramosa, illustrated on Schedule “A”, a stainless steel fabricating plant and uses accessory to the foregoing shall be permitted. Notwithstanding the provisions of the Agricultural (A) Zone, the following provisions shall apply:

- i) Minimum Side Yard 6.0 m
- ii) Minimum Rear Yard 10.6 m
- iii) No outdoor storage of goods or materials of any kind shall be permitted.

21.47 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 5, Concession 2, in the former Township of Eramosa, illustrated on Schedule “A”, a plant for the assembly and sale of roof components and uses accessory to the foregoing shall be permitted. Notwithstanding the provisions of the Agricultural (A) Zone, the additional permitted uses described above shall be permitted in accordance with the following conditions:

i) Buildings and Structures

All buildings and structures devoted to the additional uses permitted by this by-law shall not exceed 1,200 m² in total floor area.

ii) Outdoor Storage

All outdoor storage shall be located to the rear of the line of the front wall of the existing residence. All outdoor storage areas shall be enclosed within a chain link fence having a height of not less than 1.8 m and no outdoor storage shall be located within 4.5 m of any lot line.

iii) Off-street Parking

Not less than one (1) Off-street Parking space shall be provided for each 46 m² (495.2 ft²) of building floor area devoted to the additional uses permitted by this by-law. Such off-street parking space shall be located to the rear of the line of the front wall of the existing residence. In addition to the foregoing, not more than six (6) off-street parking spaces, to be used for visitor or customer parking only, may be located ahead of the line of the front wall of the existing residence and to the rear of the building line. All off-street parking area and access drives, if not paved, shall be graded, drained and treated to prevent the escape of dust.

iv) Off-street Loading

Not less than one (1) space having a minimum dimension of 3.6 m (11.8 ft) by 9.1 m (29.9 ft) and having a clear height of not less than 4.2 m (13.8 ft) shall be provided for each 278.8 m² (3001.1 ft²) of building floor area devoted to the additional uses permitted by this by-law. All off-street loading spaces shall be located to the rear of the line of the front wall of the existing residence. All off-street loading areas and access drives, if not paved, shall be graded, drained and treated to prevent the escape of dust.

21.48 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on lands described as Parts of Lot 19 and 20, Concession 3, in the former Township of Eramosa, illustrated on Schedule "A", two detached dwellings shall be permitted.

21.49 Notwithstanding the provisions of provisions of the Agricultural (A) Zone, on lands described as Part of Lot 32, Concession 3, in the former Township of Eramosa, illustrated on Schedule "A", an all-season religious camp and uses accessory to the foregoing, shall be permitted, which may include the following:

- i) off-street parking areas;
- ii) off-street loading areas;
- iii) infirmary;
- iv) dining hall(s);
- v) cabins and cottages;
- vi) office;
- vii) washrooms;
- viii) tuck shop or canteen
- ix) swimming pool and change rooms;
- x) residences for camp director and grounds serviceman;
- xi) utilities including hydro, septic tanks and wells;
- xii) maintenance building;
- xiii) a pond for canoeing and boating.

Notwithstanding the foregoing, tent trailer camping is not permitted as an accessory use.

21.50 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 3, Concession 3, in the former Township of Eramosa, illustrated on Schedule “A”, a detached dwelling and uses accessory thereto shall be the sole permitted uses. Notwithstanding the general provisions of this By-law, frontage on an opened public road shall not be required.

Notwithstanding, the provisions of the Agricultural (A) Zone, the following regulations shall apply:

i)	Minimum Lot area	1.36 ha (3.4 ac)
ii)	Minimum Lot Frontage	0.0 m
iii)	Minimum Side Yard	6.0 m
iv)	Minimum Rear Yard	6.0 m

21.51 Notwithstanding the provisions of the Agricultural (A) and Environmental Protection (EP) Zones, on lands described as Part of Lot 3, Concession 3, in the former Township of Eramosa, illustrated on Schedule “A”, a farm, a detached dwelling and uses accessory to the foregoing shall be the sole permitted uses.

21.52 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 32, Concession 2, in the former Township of Eramosa, illustrated on Schedule “A” and fronting onto Wellington Road 29, metal fabricating shall be a permitted use.

21.53 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 12, Concession 6, in the former Township of Eramosa, illustrated on

Schedule "A", an additional Dwelling Unit is permitted to be located above the existing detached private garage.

21.54 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 32, Concession 2, in the former Township of Eramosa, illustrated on Schedule "A", and fronting onto Edgewood Road, a detached dwelling, a distribution business engaged in the sale of goods or commodities to retailers or to individuals by mail order, a painting and graphic arts studio and a workshop for prototype Museum exhibits and uses accessory to the foregoing shall be the sole permitted uses.

Notwithstanding the provisions of the Agricultural (A) Zone, the distribution business referred to above, shall take place within the Office and storage building existing on the date of passing of the amending By-law subject to the following:

- i) the distribution business shall be operated only by the occupants of the dwelling as an accessory use and on the same lot as the dwelling;
- ii) the gross floor area and footprint of the building shall not exceed that which exists on the date of passing of the amending By-law.
- iii) the number of parking spaces provided to the Office and storage building shall be limited to a maximum of five.
- iv) the number of employees who are not occupants of the principal Residential dwelling shall not exceed five.
- v) there shall be no outdoor storage of goods or materials.
- vi) there shall be no on-site retail sales.

Any new detached dwelling shall be located on the area identified as Part "A".

[Amended by By-law 49-2001]

21.55 Notwithstanding the provisions of the Rural Industrial (M1) Zone, on lands described as Part of Lot 1, Concession 7, in the former Township of Eramosa, illustrated on Schedule "A", and fronting onto Provincial Highway No. 7, the following shall be permitted in addition to the permitted uses of the Rural Industrial Zone:

Permitted Uses

- a farm implement dealer, including the sale and service of new and used farm implements and machinery;
- an Automobile service/gas station or public garage;
- a welding shop;
- a veterinary clinic;
- an antique store, or craft shop;
- a motel;

- motorcycle sales establishment;
- a furniture and appliance store;
- a nursery stock outlet;
- a restaurant;
- uses accessory to the foregoing including a residence.

Regulations

Minimum Lot area	1,800 m ²
Minimum Lot Width	40.0 m
Minimum Side Yard	1/2 building height but not less than 4.5 m
Minimum Rear Yard	7.5 m
Accessory Buildings Maximum Height	4.5 m

21.56 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 13, Concession 7, in the former Township of Eramosa, illustrated on Schedule “A”, and fronting onto Wellington Road 124, no Person shall use land or erect or use a building or structure except in accordance with the following:

Permitted Uses

- a farm implement dealer, including the sale and service of new and used farm implements and machinery;
- an Automobile service/gas station or public garage;
- a welding shop;
- a Veterinary Clinic;
- an antique store, or craft shop;
- a Motel;
- motorcycle sales establishment;
- a furniture and appliance store;
- a nursery stock outlet;
- a Restaurant;
- uses accessory to the foregoing including a residence.

Regulations

Minimum Lot area	1,800 m ²
Minimum Lot Width	40.0 m
Minimum Side Yard	1/2 building height but not less than 4.5 m
Minimum Rear Yard	7.5 m
Accessory Buildings Maximum Height	4.5 m

21.57 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 8, Concession 3, in the former Township of Eramosa, illustrated on Schedule “A”, and fronting onto Third Line, no Person shall use land or erect or use a building or structure except in accordance with the following:

Permitted Uses

- a farm implement dealer, including the sale and service of new and used farm implements and machinery;
- an Automobile service/gas station or public garage;
- a welding shop;
- a Veterinary Clinic;
- an antique store, or craft shop;
- a Motel;
- motorcycle sales establishment;
- a furniture and appliance store;
- a nursery stock outlet;
- a Restaurant;
- uses accessory to the foregoing including a residence.

Regulations

Minimum Lot area	1,800 m ²
Minimum Lot Width	40.0 m
Minimum Side Yard	1/2 building height but not less than 4.5 m
Minimum Rear Yard	7.5 m
Accessory Buildings Maximum Height	4.5 m

21.58 Notwithstanding the provisions of the Rural Residential (RR) Zone, on lands described as Part of Lot 13, Concession 4, in the former Township of Eramosa, illustrated on Schedule “A”, and fronting onto Wellington County Road 124, the following uses are permitted in addition to those of the Rural Residential Zone:

Permitted Uses

- a farm implement dealer, including the sale and service of new and used farm implements and machinery;
- an Automobile service/gas station or public garage;
- a welding shop;
- a veterinary clinic;
- an antique store, or craft shop;
- a motel;
- motorcycle sales establishment;
- a furniture and appliance store;
- a nursery stock outlet;
- a restaurant;
- uses accessory to the foregoing including a residence.

Regulations

Minimum Lot area	1,800 m ²
Minimum Lot Width	40.0 m
Minimum Side Yard	1/2 building height but not less than 4.5 m

Minimum Rear Yard	7.5 m
Accessory Buildings Maximum Height	4.5 m

21.59 Notwithstanding the provisions of the Rural Residential (RR) Zone, on lands described as Part of Lot 13, Concession 4, in the former Township of Eramosa, illustrated on Schedule “A”, and fronting onto Wellington County Roads 124 and 27, the following uses are permitted in addition to those of the Rural Residential Zone:

Permitted Uses

- a farm implement dealer, including the sale and service of new and used farm implements and machinery;
- an Automobile service/gas station or public garage;
- a welding shop;
- a veterinary clinic;
- an antique store, or craft shop;
- a motel;
- motorcycle sales establishment;
- a furniture and appliance store;
- a nursery stock outlet;
- a restaurant;
- a convenience store;
- uses accessory to the foregoing including a residence.

Regulations

Minimum Lot area	1,800 m ²
Minimum Lot Width	40.0 m
Minimum Side Yard	1/2 building height but not less than 4.5 m
Minimum Rear Yard	7.5 m
Accessory Buildings Maximum Height	4.5 m

[Amended by By-law 37-2010]

21.60 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 3, Concession 1, in the former Township of Eramosa, illustrated on Schedule “A”, a Long Term Care Facility shall be permitted. The minimum lot area and minimum lot frontage shall be as existing on the date of the amending by-law.

21.61 Notwithstanding the provisions of the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 15, Concession 7, in the former Township of Eramosa, illustrated on Schedule “A”, a feed mill shall be permitted. The minimum lot area and minimum lot frontage shall be as existing on the date of passing of the amending by-law.

21.62 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 6, Concession 1, illustrated on Schedule “A”, in the former Township of Eramosa, and fronting onto Wellington County Road 29, no Person shall use land or erect or use a building or structure except in accordance with the following regulations:

Permitted Uses

- a detached dwelling
- uses accessory to the foregoing

Lot Requirements

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| i) | Minimum Lot area: | 2.0 ha (4.9 ac) |
| ii) | Minimum Lot Width: | 118.0 m |
| iii) | Minimum Side Yard: | 7.6 m |
| iv) | Minimum Rear Yard: | 7.6 m |

21.63 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 3, Concession 2, in the former Township of Eramosa, illustrated on Schedule “A”, a boarding Kennel, breeding Kennel and dog training facility are permitted uses, in accordance with the following:

- i) the number of mature animals that may be boarded, bred or trained at any given time shall be limited to no more than 15.
- ii) the gross floor area of buildings devoted to the boarding, breeding or training of animals shall not exceed 170.0 m², exclusive of outdoor runs or pens.

21.64 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 10, Concession 4, in the former Township of Eramosa, illustrated on Schedule “A”, a Semi-Detached dwelling and uses accessory thereto shall be permitted uses.

Notwithstanding the provisions of the Agricultural (A) Zone, the minimum side yards shall be 4.5 m on one side and equivalent to existing, as the date of the amending by-law, on the other side.

21.65 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 10, Concession 4, in the former Township of Eramosa, illustrated on Schedule “A”, a Contractor or Tradesperson Establishment and buildings, structures and uses accessory thereto shall be permitted uses.

21.66 [Removed by By-law 40-2016]

21.67 Notwithstanding the provisions of the Rural Residential (RR) Zone, on lands described as Part of Lot 13, Concession 1, in the former Township of Eramosa, illustrated on Schedule “A”, the following provisions shall apply:

- i) Minimum Lot area 0.15 ha (0.37 ac)
- ii) Minimum Lot Frontage 31.4 m

21.68 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 24, Concession 2, in the former Township of Eramosa, illustrated on Schedule “A”, individual storage and individual workshops shall be permitted uses, and shall only occur as accessory uses to an agricultural use occurring on the same property, and shall take place only within buildings legally existing on the date of the amending by-law having a gross floor area no greater than 4,181.5 m².

Outdoor storage of any goods or materials, other than trailers which are in usable condition and capable of being transported, is prohibited.

21.69 [Removed by By-law 40-2016]

21.70 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 6, Concession 4, in the former Township of Eramosa, illustrated on Schedule “A”, a detached dwelling and buildings or structures accessory thereto are permitted.

Notwithstanding the provisions of the Agricultural (A) Zone, the main building shall be erected no closer than 7.6 m (24.9 ft) to any lot line and the minimum lot area shall be as existing on January 1st, 1997.

21.71 Notwithstanding the provisions of the Village Residential Low Density (R1) Zone, on lands described as Part of Lot 4, Concession 4, in the former Township of Eramosa, illustrated on Schedule “A”, in the Village of Rockwood, the following provisions shall apply:

- i) Minimum Lot Width 20 m (65.6 ft)
- ii) Minimum Lot area 700 m² (7,535.0 ft²)
- iii) Maximum Lot Coverage 35%
- iv) Minimum Front Yard 7.5 m (24.6 ft)
- v) Minimum Side Yard:
 - a) Interior Side
 - One Storey 1.5 m (4.9 ft)
 - More than One Storey 1.8 m (5.9 ft)
 - b) Exterior Side 6.0 m (19.7 ft)
- vi) Minimum Rear Yard 7.5 m (24.6 ft)
- vii) Minimum Floor Area 102 m² (1,098 ft²)

- viii) Maximum Height 9 m (29.5 ft)
- ix) Servicing Requirements:
Every dwelling shall be connected to municipal sanitary sewers and a municipal water supply.

21.72 Notwithstanding the provisions of the Village Residential Low Density (R1) Zone, on lands described as Part of Lot 3, Concession 4, in the former Township of Eramosa, illustrated on Schedule “A”, in the Village of Rockwood, the following provisions shall apply:

- i) Minimum Lot Width 15 m (49.2 ft)
- ii) Minimum Lot area 525 m² (5,651.2 ft²)
- iii) Maximum Lot Coverage 45%
- iv) Minimum Front Yard 7.5 m (24.6 ft)
- v) Minimum Side Yard:
 - a) Interior Side
 - One Storey 1.2 m (3.9 ft)
 - More than One Storey 1.5 m (4.9 ft)
 - b) Exterior Side 6.0 m (19.7 ft)
- vi) Minimum Rear Yard 7.5 m (24.6 ft)
- vii) Minimum Floor Area 102 m² (1,098.0 ft²)
- viii) Maximum Height 9 m
- ix) Servicing Requirements:
Every dwelling shall be connected to municipal sanitary sewers and a municipal water supply.

[Amended by By-law 48-2002] [Amended by By-law 38-2004]

21.73 Notwithstanding the provisions of the Village Residential Low Density (R1) Zone, on lands described as Part of Lots 4 and 5, Concession 5, in the former Township of Eramosa, illustrated on Schedule “A”, in the Village of Rockwood, the following provisions shall apply:

- i) Minimum Lot area:
 - With Municipal Sewer & Water Supply 0.2 ha (0.5 ac)
- ii) Minimum Lot Width 30 m (98.4 ft)

Notwithstanding provisions of the Village Residential Low Density (R1) Zone, where lots abut an Environmental Protection (EP) Zone, no buildings or structures shall be erected within 7.6 m of the top of the bank as established by the Grand River Conservation Authority.

21.74 Notwithstanding the provisions of the Village Residential Low Density (R1) Zone, on lands described as Part of Lot 6, Concession 5, in the former Township of

Eramosa, illustrated on Schedule “A”, in the Village of Rockwood, light Industrial Uses shall be a permitted.

Notwithstanding the provisions of the Village Residential Low Density (R1) Zone, for light Industrial Uses, the lot regulations shall be as existing on the date of the amending by-law.

21.75 Notwithstanding the provisions of the Village Service Commercial (C2) Zone and the general provisions of this By-law, on lands described as Part of Lot 5, Concession 4, illustrated on Schedule “A”, in the former Township of Eramosa, in the Village of Rockwood, the number of off-street parking spaces shall be calculated on the basis of 5.0 spaces per 100 m² (1,076.4 ft²) of gross leasable commercial space, plus 1 space for each Residential unit.

21.76 [Removed by By-law 69-2005]

21.77 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as SW Half Lot 21, Concession 6 former Township of Eramosa, illustrated on Schedule ‘A’ to this By-law, the following shall apply:

- i) ‘Detached Dwelling Unit’ means a dwelling house containing one (1) Dwelling Unit only and includes a Mobile Home but does not include a travel trailer.
- ii) Only one ‘Detached Dwelling Unit’ is permitted on the whole property.
- iii) A ‘Seasonal Equestrian Camp’ shall be permitted accessory to the main agricultural equestrian use.
- iv) A ‘Seasonal Equestrian Camp’ means a facility which operates from May 1 to October 1 and provides equestrian instruction and accessory recreation programming in an overnight camp setting catering to short term guests.
- v) Buildings associated with the ‘Seasonal Equestrian Camp’ are limited to:
 - a) Two (2) bunk houses providing sleeping accommodations
 - b) One (1) dining hall
 - c) One (1) registration Office
 - d) One (1) recreation building
 - e) One (1) swimming pool and pool cabana
 - f) Accessory storage buildings
- vi) Minimum gross floor area for a Detached Dwelling Unit: 110 m²
- vii) Additional Permitted Uses:
 - a) A *Seasonal Special Events Venue* **accessory** to the **main agricultural use**.
- viii) Regulations:
 - a) Minimum **Lot Area**: 28.35 ha (70 ac)

- b) That notwithstanding Section 6.2.9 the limit in area for the uses in section vii) shall be a maximum of 0.6 ha (1.5 ac).
- c) The maximum **Gross Floor Area** applicable to all associated buildings and structures shall be 650 m².
- d) *Seasonal Special Events Venue* defined as:
 “A **Building, Structure**, and outdoor space associated with the use, including a patio and outdoor ceremony area, that is used for the gathering of persons for weddings, receptions, day retreats, workshops, celebrations of life or similar functions and may include the consumption of food and beverages”
- e) For the purpose of this by-law, *Seasonal* shall mean from April 1st to December 31st, exclusively.
- f) A maximum occupancy of 180 people, is permitted for a special event.
- g) For further clarification, only the uses below are limited as follows:
 - All events – Thursday to Sunday
 - Weddings and receptions – Friday to Sunday (from May to October), and Friday and Saturday (from November to December).
 - Large events greater than 180 people up to a maximum of 350 people – up to two (2) events per calendar year.
- h) Amplified music or sound in relation to a *Seasonal Special Events Venue* shall comply with the Township noise by-law No. 5001-05 as amended and the recommendations of the noise study prepared by SLR, dated May 2021, shall be implemented on the Site Plan.
- i) All events on the property must comply with the occupant load and washroom requirements of the Ontario Building Code, as amended.
- j) Overnight accommodations associated with the *Seasonal Special Events Venue* are not permitted.
- ix) Site Plan Control:
 - a) Prior to any use, development or site alteration taking place on the site, Township approval of a site plan is required as per Site Plan Control By-law #61/2010 as amended.

[Amended by By-law 71-2001] [Amended by By-law 32-2013]

[Amended by By-law 33-2022]

21.78 Notwithstanding the provisions of the Village Residential Medium Density (R2) Zone, on lands described as Part of the Southwest Half of Lot 5, Concession 5, in the former Township of Eramosa, illustrated on Schedule “A”, in the Village of Rockwood, freehold attached bungalow townhouses shall be a permitted use. Attached bungalow is defined as a Townhouse Dwelling attached in groups of two

to four, having no greater than two bedrooms plus a loft, and a height no greater than 1 ½ storeys.

Notwithstanding the Village Residential Medium Density (R2) Zone and the general provisions of this By-law, the following provisions shall apply for each unit:

- | | | | |
|-------|--|----------------------|--|
| i) | Minimum Lot area | 200.0 m ² | |
| ii) | Minimum Lot Frontage | 8.0 m | |
| iii) | Minimum Front Yard | 6.0 m | |
| iv) | Minimum Rear Yard | 7.5 m | |
| iii) | Minimum Side Yard Adjacent to a Lot Line Separating a Block of Attached Units | 1.8 m | |
| iv) | Minimum Yard Between Attached Dwelling units | 0.0 m | |
| v) | Minimum Exterior Side Yard | 4.5 m | |
| vi) | Maximum Lot Coverage for Each Block of Buildings | 40% | |
| vii) | Maximum Lot Coverage for an Individual Dwelling Unit On a Lot | 50% | |
| vii) | Minimum Landscaped Open Space | 30% | |
| viii) | Maximum Building Height | 9.0 m | |
| ix) | Minimum Required Parking spaces per Lot | 2.0 | |
| x) | Maximum Number of Bedrooms | 2 | |
| xi) | Covered porches may project into the required front yard provided an unobstructed yard of 4.5 m is provided and in the required side yard, provided an unobstructed yard of 1.5 m is provided. | | |
| xii) | Where a rear yard abuts an Environmental Protection Zone, a minimum building setback of 4.5 m is required from the Zone line, subject to approval by the Conservation Authority. | | |
| xiii) | Maximum height of accessory buildings shall be 4.5 m. | | |
| xiv) | Tandem parking is permitted. | | |

[Amended by By-law 49-2001]

21.79 Notwithstanding the provisions of the Village Residential Medium Density (R2) Zone, on lands described as Part of the Southwest Half of Lot 5, Concession 5, in the former Township of Eramosa, illustrated on Schedule “A”, in the Village of Rockwood, a mixed use building containing apartment Dwelling units and service commercial uses, including business and professional Offices shall be permitted.

Notwithstanding the provisions of the Village Residential Medium Density (R2) Zone, a maximum of 15 Residential dwellings shall be permitted.

21.80 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 14, Concession 10, in the former Township of Nichol, illustrated on Schedule “A”, the minimum lot area shall be 6.0 ha (14.8 ac).

21.81 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 6, Concession 9, in the former Township of Nichol, illustrated on Schedule “A”, agricultural uses and accessory uses thereto, including greenhouses shall be permitted, excluding:

- i) Buildings and structures used for the raising of livestock, poultry mink or fur bearing animals or the growing of mushrooms;
- ii) Commercial greenhouses;
- iii) Lagoons or structures of liquid animal wastes.

Notwithstanding the provisions of the Agricultural (A) Zone, a minimum lot frontage of 53.34 m (175.0 ft) and a minimum lot area of 0.4 ha (1.0 ac) shall be provided.

21.82 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 8, Concession 10, in the former Township of Nichol, illustrated on Schedule “A”, two detached dwellings and accessory uses thereto shall be permitted.

21.83 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 9, Concession 9, in the former Township of Nichol, illustrated on Schedule “A”, a winery and associated retail sales shall be permitted uses.

Notwithstanding the provisions of the Agricultural (A) Zone and the general provisions of this By-law, the following provisions shall apply to winery and associated retail sale uses:

- i) Winery shall mean a lot on which buildings and structures are used for making wines produced from fruit grown on the site, locally grown fruits and may include imported juices, as a secondary use to the farming operation.
- ii) The maximum gross floor area devoted to the sale of wine produced on site shall be 148 m².
- iii) Minimum Lot area: 20 ha (49.4 ac)

21.84 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 2, Concession 9, in the former Township of Nichol, illustrated on Schedule “A”, the minimum lot frontage shall be 25.9 m.

21.85 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 1, Concession 9, in the former Township of Nichol, illustrated on Schedule “A”, a Duplex Dwelling, and accessory uses thereto is permitted. Notwithstanding the provisions of the Agricultural (A) Zone, the minimum lot area shall be 4.0 ha (9.9 ac).

21.86 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 15, Concession 4 East, in the former Township of Pilkington, illustrated on Schedule “A”, permitted uses shall include an industrial plant for food processing.

Notwithstanding the provisions of the Agricultural (A) Zone, the following provisions shall apply:

- i) Minimum Lot area 0.4 ha (1.0 ac)
- ii) Minimum Lot Frontage 30.0 m
- iii) Minimum Interior Side Yard 7.5 m
- iv) Minimum Exterior Side Yard 10.5 m subject to Section 4.19
- v) Minimum Front Yard 20.0 m subject to Section 4.19
- vi) Minimum Rear Yard 7.5 m subject to Section 4.19. Where the rear abuts a railway right-of-way or siding no rear yard need be provided.
- vii) Maximum Gross floor area 50% of the lot area
- viii) Residential Setback 60.0 m, including outside storage
- ix) Minimum landscaped area 20%
- x) A buffer strip shall be provided adjacent to every lot line that abuts a Residential use or Zone.
- xi) A landscape strip of 3.0 m shall be provided across the entire frontage of the lot adjacent to the front lot line except for areas of ingress and egress.
- xii) Accessory retail is permitted provided no more than 25% of the gross floor area is used in the main industrial building.

21.87 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 16, Concession 4 East, in the former Township of Pilkington, illustrated on Schedule “A”, the minimum rear yard shall be 60.0 m and no accessory building or structure shall be permitted in said rear yard.

21.88 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 14, Concession 1 East, in the former Township of Pilkington, illustrated, on Schedule “A”, the permitted uses shall include a well drilling business within the existing buildings. Notwithstanding the provisions of the Agricultural (A) Zone, the minimum rear yard shall be 3.41 m.

21.89 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 16, Concession 1 East, in the former Township of Pilkington, illustrated on Schedule “A”, the permitted uses shall include a Contractor or Tradesperson Establishment, provided the use is accessory to the primary Residential use of the property and is conducted by the occupant of the dwelling on the property. The ancillary sale of related building materials may occur on a limited basis, provided it remains clearly secondary to the contracting business.

Notwithstanding the provisions of the Agricultural (A) Zone, the following provisions shall apply:

- i) Minimum Lot Frontage: 30.48 m
- ii) Minimum Lot area: 0.38 ha (0.94 ac)
- iii) Maximum Lot Coverage: 15%
- iv) Minimum Side yard for Existing Accessory Buildings: 1.22 m
- v) Maximum Lot Coverage for Accessory Buildings: 10%, provided the lot coverage for all buildings does not exceed 15% in (iii).
- i) The outdoor storage of goods, materials, and equipment shall only be permitted in accordance with the following provisions:
 - a) Located to the rear of the front wall of the main building, but not in a required side yard nor a required rear yard.
 - b) Not cover more than 92.9 m².
 - c) Shall be visually screened from the street and any abutting land Zoned or used for Residential or institutional purposes by a buffer strip. The buffer strip is to be located within and abutting the entire Zone limit, other than along a street line. The buffer strip shall be a minimum of 1.5 m (4.9 ft) in width and consist of vegetative plantings maintained at an ultimate height of not less than 1.8 m (5.9 ft). Alternatively, a solid fence or other landscaping feature of the same height may be used.
 - d) A buffer strip of the above dimensions is to be maintained along the entire length of the east lot boundary.

21.90 Notwithstanding the provisions of the Highway Commercial (C4) Zone, on the lands described as Part of Lot 17, Concession 5 East, in the former Township of Pilkington, illustrated on Schedule "A", warehousing and manufacturing conducted entirely within a building which do not require municipal water or sewer service and which do not use water in the manufacturing process shall be permitted.

21.91 Notwithstanding the provisions of the Highway Commercial (C4) Zone, on the lands described as Part of Lot 18, Concession 4 East, in the former Township of Pilkington, illustrated on Schedule "A", light assembly, light manufacturing, warehousing, wholesaling and repair operations conducted entirely within a building which do not require municipal water or sewer service and which do not use water in the manufacturing process and an accessory retail outlet; industrial, farm or construction equipment rental or sales; a landscaping business and an accessory retail outlet, shall be permitted. Notwithstanding anything to the contrary in this by-law, enterprises which are or are likely to become obnoxious, offensive, or dangerous by reason of the presence, emission or production of odour, dust, vibration, smoke, noise, fumes, or radiation shall be prohibited.

Accessory retail outlets shall be limited to the sale or rental to the ultimate consumer goods, materials and services produced on the premises or related to the main use and shall be limited to 10% of the gross floor area of the building.

Notwithstanding the provisions of the Highway Commercial (C4) Zone the minimum front yard shall be 8.8 m.

21.92 Notwithstanding the Rural Residential (RR) Zone, on the lands described as Part of Lot 15, Concession 1 East, in the former Township of Pilkington, illustrated on Schedule “A”, better known as the Ellenville estate subdivision, the following provisions shall apply:

- i) Minimum Lot Frontage 35 m
- ii) Maximum Lot Coverage 10%
- iii) Minimum Front Yard 15.2 m subject to Section 4.19.
- iv) Minimum Side Yard: On an interior lot where no attached garage or attached carport is provided, the minimum side yard on one side shall be 7.62 m. On a corner lot, the minimum side yard abutting a public street shall be 15.2 m subject to Section 4.19.
- v) Minimum Rear Yard 15.2 m
- vi) Minimum Floor Area:
 - 1 Storey 157.9 m²
 - 1-1/2 Storey or split level 185.8 m²
 - 2 or 2-1/2 Storey 22.9 m²Where no basement or cellar is provided, the applicable minimum floor area shall be increased by 18.58 m².
- vii) Maximum Height 2-1/2 Storeys
- viii) Accessory Buildings:
 - a. No accessory building shall be located within 1.8 m of a side or rear lot line, except that the minimum yard abutting a public road shall be 15.2 m subject to Section 4.19.
 - b. Maximum Lot Coverage – 5% provided that the lot coverage of all buildings on the lot does not exceed the maximum lot coverage.

21.93 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 14, Concession 4 East, in the former Township of Pilkington, illustrated on Schedule “A”, a detached dwelling shall not be permitted.

21.94 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 17, Concession 5 East, in the former Township of Pilkington, illustrated on Schedule “A”, an **additional residential unit** is permitted. Notwithstanding the provisions of the Agricultural (A) Zone, each Dwelling Unit shall be fully self-contained; shall have a floor area of not less than 152.4 m²; and there shall be no exterior stairways, except open metal fire escapes.

21.95 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 14, Concession 5 East, in the former Township of Pilkington, illustrated on Schedule “A”, the packaging, storage and distribution of food and agricultural commodities shall be permitted.

Permitted uses shall not include a Transport Establishment as defined as “the use of land, buildings, structures or parts thereof, where trucks and transports or buses are rented, leased, serviced, repaired, loaded or unloaded, kept for hire, stored or parked for dispatching as common carriers or where goods are temporarily stored for further shipment”.

Permitted uses shall not include noxious uses identified in Section 4.17.

Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 14, Concession 5 East, in the former Township of Pilkington, the following provisions shall apply to the industrial plant for food processing:

- i) Minimum Lot area 0.4 ha (1.0 ac)
- ii) Minimum Lot Frontage 30.0 m
- iii) Minimum Interior Side Yard 7.5 m
- iv) Minimum Exterior Side Yard 10.5 m subject to Section 4.19
- v) Minimum Front Yard 20.0 m subject to Section 4.19
- vi) Minimum Rear Yard 7.5 m subject to Section 4.19.
Where the rear yard abuts a railway right-of-way or siding no rear yard need be provided.
- vii) Maximum Gross floor area 25% of the lot area
- viii) Residential Setback 60.0 m, including outside storage
- ix) Accessory Buildings:
 - Minimum Side & Rear Yards 3.0 m, except where a side or rear yard abuts a street, where the yard shall be 12.0 m subject to Section 4.19.
- x) Minimum landscaped area 20%
- xi) A buffer strip shall be provided adjacent to every lot line that abuts a Residential use or Zone.
- xii) A landscape strip of 3.0 m shall be provided across the entire frontage of the lot adjacent to the front lot line except for areas of ingress and egress.
- xiii) Accessory retail is permitted provided no more than 25% of the gross floor area is used in the main industrial building.
- xiv) Truck parking and outdoor storage areas shall be limited to the area identified on By-law 64/2006.

[Amended by By-law 56-2000] [Amended by By-law 14-2006]
[Amended by By-law 64/2006]

- 21.96** Notwithstanding the provisions of the Rural Industrial (M1) Zone, on lands described as Part of Lot 14, Concession 4 East, in the former Township of Pilkington, illustrated on Schedule “A”, incineration of materials being reclaimed shall be permitted, subject to being carried out within a furnace designed and approved by the Ministry of Environment particularly insofar as any emission of smoke is concerned. Furthermore, no transformers containing P.C.B. shall be processed on the site.
- 21.97** Notwithstanding the provisions of the Agricultural (A) Zone on the property described as Part of Lots 4 and 5, Division “D”, Concession 3, in the former Township of Guelph, in addition to a cemetery, places of worship, places of retreat, 5 Dwelling units related to farming, as well as shelters for the homeless and handicapped, accommodation for priests and laity, dining halls and supporting Office facilities (i.e. Canadian Jesuits Offices, computer facilities, reception room, kitchens, etc.), and works of charity and mercy, farming and education, and a daycare centre; a business or professional Offices and a Retirement Home shall be permitted. The business and professional Offices and Retirement Home will be permitted up to the maximum gross floor area of and contained in the building as of July 4, 1990.
- 21.98** Notwithstanding the provisions of the Open Space (OS1) Zone on the property described as Part of Lot 17, Concession 5, in the former Township of Guelph, a Duplex Dwelling shall be permitted.
- 21.99** Notwithstanding the provisions of the Institutional (I) Zone and the general provisions of this By-law, on the property described as Part of Lot 5, Concession 4, in the Village of Rockwood, in the former Township of Eramosa, required off-street parking shall be permitted off-site and within the adjacent road allowance.
- 21.100** Notwithstanding the provisions of the Agricultural (A) Zone, on the property described as Part of Lot 1, Concession 2, in the former Township of Eramosa, a cemetery shall be a permitted use.
- 21.101** Notwithstanding the provisions of the Agricultural (A) Zone, on the property described as Part of Lot 1, Concession 2, in the former Township of Eramosa, a Place of Worship shall be a permitted use.
- 21.102** Notwithstanding the provisions of the Agricultural (A) Zone, on the property described as Part of Lot 13, Concession 1, in the former Township of Eramosa, a Contractor or Tradesperson Establishment shall be a permitted use.

[Amended by By-law 49-2001]

21.103 Notwithstanding the provisions of the Agricultural (A) Zone and the Environmental Protection (EP) Zone, on the lands described as Part of Lot 3, Concession 5, Division “B”, illustrated on Schedule “A” to this Bylaw, a Contractor or Tradesperson Establishment shall be a permitted use.

Notwithstanding the provisions of the Agricultural (A) Zone, the following provisions shall apply:

- i) Minimum Lot area 0.9899 ha (2.44 ac.)
- ii) Minimum Lot Frontage 99.0 m.

[By-law 63-1999]

21.104 Notwithstanding the provisions of this By-law, the following special provisions shall apply to the lands described as Part of Lot 3, Concession 5, Division “B”, illustrated on Schedule “A” to this Bylaw:

- i) Minimum Lot area 24.39 ha (60.27 ac)

[By-law 74-2017]

21.105 [Removed by By-law 37-2008]

21.106 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as 7305 and 7309 Side Road 14 (Part Lot 14, Concession 2, East of the Grand River, being Part 1 on 61R3699), formerly Township of Pilkington, Township of Guelph/Eramosa, illustrated on Schedule “A” to this By-law the following provisions shall apply:

A Garden Suite shall be a permitted use for a period of time which shall not exceed three (3) years from the day of passing of By-law No. 18/2014 being the 18th day of February, 2014

[By-law 41-2000] [Amended by By-law 15-2011] [Amended by By-law 18-2014]

21.107 Notwithstanding the General Provision 5.27 on lands described as Part of Lot 19, Concession 5, Parcel 4, in the former Township of Eramosa, illustrated on Schedule “A” (Map 1) to this By-law, no building or structure (including a private sewage treatment system) or the stock piling of fill shall be permitted within 5 metres (16.4 ft.) from the limits of the Environmental Protection (EP) Zone.

[By-law 3-2001]

21.108 Notwithstanding the definition of Minimum Gross floor area on the lands described as part of the East Part of Lot 20, Concession 7, Township of Guelph/Eramosa, that part of the detached dwelling floor area located below grade and defined as a cellar, shall be used to satisfy the minimum gross floor area requirement of the Zoning By-law.

21.109 Notwithstanding the provisions of the Agricultural (A) Zone on that part of the lands delineated as Special Provision 21.109 on Schedule “A” and described as Part of Lot 13, Concession 4, in the former Township of Eramosa, a Farm Home Industry shall be a permitted use.

[By-law 15-2001] [Amended by By-law 70-2001]

21.110 Notwithstanding the provisions of the Rural Industrial (M1) Zone, on lands described as Part Lot A, Concession 2, Division ‘E’ and Part Lot A, Concession 2, Division ‘F’ in the former Township of Guelph, illustrated on Schedule “A” of this By-law, no building or structure shall be located closer than 12.2 metres (40 ft.) from the proposed re-alignment of the County Road 124 and the Elmira Road right-of-way.

[By-law 30-2001]

21.111 Notwithstanding the Holding Zone provisions of Section 2.12 of this By-law, a detached dwelling will not be permitted within the Agricultural Holding (A-H) Zone applying to those portions of the property described as Part of Lot 22, Concession 3, in the former Township of Eramosa, as illustrated on Schedule “A”, until such time as the Holding Symbol “H” is removed by By-law.

[By-law 40-2001]

21.112 Notwithstanding the definition of “Farm Home Industry”, on a portion of the lands described as Part Lot 16, Concession 5, East of Grand River, including RP 61R-3311, Parts 2 and 4 (former Township of Pilkington), illustrated on Schedule “A” to this By-law, a “Farm Home Industry” shall be permitted notwithstanding the farmer and/or members of the family do not reside on the subject property.

All other provisions of the “Farm Home Industry” definition shall apply.

[By-law 50-2001]

21.113 [Removed by By-law 31-2003]

21.114 Notwithstanding the provisions of the Rural Industrial (M1) Zone, on the lands described as Part of the Northeast Half of Lot 1, Concession 6, in the former

Township of Eramosa, illustrated on Schedule "A" to this By-law, the following provisions shall apply:

- i) Section 4.24.1 of By-law 57/1999 shall not apply to the subject lands.
- ii) The following uses shall be prohibited:
 - A Fuel Storage Establishment
 - An Automobile service/gas station
 - Warehousing and/or outdoor storage of fertilizers, herbicides, petroleum products, chemicals or Hazardous substances and similar products or materials, either as a permitted or accessory use.
 - An Industrial Use which involves metal smelting and refining, metal finishing operations, or the use of significant amounts of chemicals, petroleum products.
- iii) On those lands abutting and located along the northwest lot line, a minimum yard of 16.5 metres shall be required, as shown on Schedule "A" to this By-law. A buffer strip subject to Section 4.11, and having a minimum width of 16.5 metres and located along the northwest lot line shall also be required.
- iv) On those lands abutting the property to the south, a buffer strip subject to Section 4.11 and having a minimum width of 6.0 metres shall be required, as shown on Schedule "A" to this By-law.
- v) Section 4.25 shall not apply to the subject lands.

[By-law 73-2005] [Amended by By-law 26-2002] [Amended by By-law 15-2005]

21.115 Notwithstanding the provisions of the Agricultural (A) Zone on the lands described as Part Lot 7, Concession 5, illustrated on Schedule "A" to this bylaw, a Residential and Day Camp shall be a permitted use.

A Residential and Day Camp means a public or privately operated facility which provides outdoor education and recreation programming in a Residential camp setting catering to short term guests whose accommodation will be limited to the following:

- i) Seventeen (17) camper cabins;
- ii) Three (3) staff cabins (seasonal);
- iii) Three (3) staff residence buildings (year-round);
- iv) One (1) building used as an administrative/health Office and containing two self-contained apartments (year round); and
- v) One (1) existing Residential dwelling (year-round).

Year round residency shall be permitted for up to a maximum of six staff members and their immediate families. Temporary tents and travel trailers may be permitted to accommodate staff only.

Additional accessory buildings located on the subject property are limited to the following:

- i) One (1) dining hall/kitchen;
- ii) Eight (8) storage/maintenance buildings;
- iii) One (1) chapel; and
- iv) One (1) washroom building.

[By-law 72-2001] [Amended by By-law 6-2002]

21.116 Notwithstanding Section 4.25 of this By-law, on lands described as 5797 Wellington Road 86, Part Lot 17, East of the Grand River, Concession 5 (former Township of Pilkington), Hamlet of Ariss, illustrated on Schedule “A” to this Bylaw, the minimum setback between buildings or structures (including a private sewage treatment system) and the limits of an Environmental Protection (EP) Zone shall be 15 metres.

[By-law 62-2001]

21.117 [Removed by By-law 61-2009]

21.118 Notwithstanding any other provision of this Bylaw to the contrary, on the lands described as Block 93, Part Block 94, Plan 781, illustrated on Schedule “A” to this bylaw, a 0.3 metre reserve abutting Highway 7 and the subject property will be deemed to constitute street frontage for the purposes of Section 4.7 of Bylaw No. 57/1999.

[By-law 44-2006]

21.119 Category 3 – Class “A” Licensed Pit (Above Extraction Only)

Notwithstanding the permitted uses of the Extractive Industrial (M3) Zone, on the lands described as Part of Lots 19 and 20, Concession 3, Division B, in the Township of Guelph- Eramosa (former Township of Guelph) illustrated on Schedule “A” to this By-law, only the following uses shall be permitted:

- i) A Category 3, Class “A” licensed Pit pursuant to the provisions of the Aggregate Resources Act, R.S.O. 1990, as amended, which is restricted to extracting aggregate material no closer than 1.5 metres above the established groundwater table.
- ii) An aggregate processing facility which does not include an asphalt plant, a concrete batching plant, a cement batching plan, a cement manufacturing plant, a brick and tile manufacturing plant, an aggregate transfer station nor the stockpiling/blending of recycled aggregate resources.

- iii) An agricultural use.
- iv) A structure or machinery accessory to a permitted use.

Notwithstanding the above or the provisions of the Extraction Industrial (M3) Zone, extraction shall be limited to Part A and Part B, as illustrated on Schedule “A” to this By-law.

[By-law 43-2002]

21.120 Haul Route and Landscape Berm

Notwithstanding the permitted uses of the Extractive Industrial (M3) Zone, on the land described as Part of Lots 18, Concession 3, Division B, in the Township of Guelph-Eramosa (former Township of Guelph) as illustrated on Schedule “A” to this By-law, the only uses permitted include a temporary haul route and landscape berm accessory to a Category 3, Class “A” licensed Pit being carried out within the area Zoned M3 with Special Provision, 21.119 on Part of Lots 19 and 20, Concession 3, Division B, Township of Guelph-Eramosa.

[By-law 43-2002]

21.121 Notwithstanding the provisions of Section 4.25, no building or structure (including a private sewage treatment system) shall be constructed within 5 m, from the limit of an Environmental Protection (EP) Zone.

[By-law 30-2002]

21.122 Notwithstanding the provisions of the Rural Residential (RR) Zone on the lands municipally described 31 Bedford Rd (Part Lot 17, Plan 365), formerly Township of Guelph, Township of Guelph/Eramosa, illustrated on Schedule ‘A’ to this by-law, an ‘Automobile Body/Repair Shop’ shall be a permitted use for a period of time which shall not exceed three years from the day of passing of By-law No. 40/2015 [passed June 1, 2015].

[By-law 39-2002] [Amended by By-law 40-2015]

21.123 Notwithstanding the provisions of Zoning By-law No. 57/1999 no building or structure (including a private sewage treatment system) shall be constructed within 3 m (9.84 ft.) from the limit of an Environmental Protection (EP) Zone on the northeast limit of the area subject to Special Provision 21.123.

[By-law 46-2002]

21.124 Notwithstanding the provisions of the Environmental Protection (EP) Zone, on a portion of the lands described as Part Lot 8, Concession 5, Division ‘C’, Speedvale

Avenue, Former Township of Guelph, Township of Guelph/Eramosa, illustrated on Schedule "A" to this By-law, an access driveway, as approved by the Grand River Conservation Authority, shall be a permitted use.

[By-law 46-2002]

21.125 [Removed by By-law 40-2016]

21.126 Notwithstanding the provisions of the Village Residential Low Density (R1) Zone on the lands described as Block 33, Registered Plan 752 and Part Lots 4 and 5, Concession 5, illustrated on Schedule "A" to this by-law, Street Townhouse Dwelling units are permitted. Further, notwithstanding the Village Residential Low Density (R1) Zone and the general provisions of this By-law the following provisions shall apply to:

- A. Street Townhouse Dwelling units
- i) Minimum Lot area 200 m²
 - ii) Minimum Lot Frontage 8.0 m
 - iii) Minimum Front Yard 6.0 m
 - iv) Minimum Rear Yard 7.5 m
 - v) Minimum Side Yard Adjacent to Lot Line Separating a Block of Attached Units 1.8 m
 - vi) Minimum Yard Between Attached Dwelling units 0.0 m
 - vii) Minimum Exterior Side Yard 4.5 m
 - viii) Maximum Lot Coverage for Each Block of Buildings 45%
 - ix) Maximum Lot Coverage for an Individual Dwelling Unit On a Lot 55%
 - x) Minimum Landscaped Open Space 25%
 - xi) Maximum Building Height 9.0 m
 - xii) Covered porches may project into the required Front Yard provided an unobstructed yard of 4.5 m is provided and in the required side yard, provided an unobstructed yard of 1.5 m is provided.
 - xiii) Where a rear yard abuts an Environmental Protection Zone, a minimum building setback of 6.0 m is required from the Zone line subject to approval by the Conservation Authority.
 - xiv) Maximum height of accessory buildings shall be 4.5 m.
 - xv) Tandem parking is permitted
- B. Semi-Detached Units
- i) Maximum Lot Coverage for Each Block of Buildings 45%
 - ii) Maximum Lot Coverage for an Individual Dwelling Unit On a Lot 55%
 - iii) Minimum Landscaped Open Space 25%

[By-law 39-2004]

21.127 Notwithstanding the provisions of the Agricultural (A) Zone on the lands described as Part Lot 9, Concession 1, Former Township of Eramosa, illustrated on Schedule “A” to this by-law, a “Farm Produce Outlet” shall be a permitted use. For the purposes of this Special Provision, a “Farm Produce Outlet” shall mean an establishment or premises where meat processing (but not slaughter) is permitted and where the farm products of the local farming community are sold at retail to the general public, provided that:

- a. This definition shall not include a “Retail Establishment” or “Retail Food Store” as defined below:
 - i. “Retail Establishment”, means a building or structure or part thereof, in which goods, merchandise, substances, or articles are offered or kept for sale at retail, but does not include any establishment otherwise defined or classified herein.
 - ii. “Retail Food Store”, means a building or structure or part thereof in which food, goods, wares, merchandise, substances, or articles are offered or kept for sale at retail, but does not include any establishment otherwise defined or classified herein.
- b. Minimum required customer parking spaces = 24;
- c. There shall be no open storage of materials, supplies, tools, equipment or goods which are used for, or result from, the Farm Produce Outlet, and
- d. Maximum total gross floor of the ‘Farm Produce Outlet’ permitted by the Special Provision = 622 m² (6,695 ft²) which shall include a maximum gross floor area of 104 m² (1,119 ft²) for the purposes of retail sales.
- e. The main driveway providing both ingress and egress to the subject property shall have a maximum perpendicular width of 10 m.

[By-law 43-2004] [Amended by By-law 79-2009]

21.128 Notwithstanding the provisions of the Rural Industrial (M1) Zone, on the lands described as Part Lot 1, Conc. 6 (in the former Township of Eramosa), illustrated on Schedule “A” to this By-law, the following provisions shall apply:

- i) Section 4.24.1 shall not apply to the subject lands
- ii) The following uses shall be prohibited:
 - A Fuel Storage Establishment
 - An automobile services station
 - Warehousing and/or outdoor storage of fertilizers, herbicides, petroleum products, chemicals or Hazardous substances and similar products or material, either as a permitted or accessory use.

- An Industrial Use which involves metal smelting and refining, metal finishing operations, or the use of significant amounts of chemicals, and/or petroleum products.
- iii) Section 4.25 shall not apply.

[By-law 65-2004]

21.129 Notwithstanding the provisions of the Agricultural (A) and Environmental Protection (EP) Zones, on the lands described as Part of Lot 11, Concession 4, Division “B” (former Township of Guelph), illustrated on Schedule “A”, a nine-hole Golf Course with a clubhouse and an associated golf practice and golf teaching facility use shall be permitted.

[By-law 65-2007]

21.130 Notwithstanding the uses of the Extractive Industrial (M3) Zone, on the lands described as Part of Lots 7 and 8, Concession 2, Division ‘C’, in the Township of Guelph/Eramosa (former Township of Guelph), illustrated on Schedule “A” to this By-law, only the following uses shall be permitted:

- i) An accessory use in accordance with Section 4.2 of this Bylaw;
- ii) An aggregate processing facility which does not include an asphalt plant; a concrete batching plant; a cement manufacturing plant; a brick and tile manufacturing plant; or an aggregate transfer station;
- iii) An accessory detached dwelling;
- iv) An agricultural use;
- v) A pit;
- vi) A structure or machinery accessory to a permitted use;
- vii) A wayside pit;
- viii) Conservation

Notwithstanding Section 15.2.1, an excavation setback of four (4) metres shall be required from the eastern side lot line and the rear lot line, as shown on Schedule “A” to this By-law.

Notwithstanding Section 15.2.1, no excavation setback shall be required along the common westerly side lot line, as shown on Schedule “A” to this By-law.

[By-law 38-2005]

21.131 [Removed by By-law 61-2009]

21.132 Notwithstanding the provisions of the Open Space (OS1) Zone and Environmental Protection (EP) Zone, the following Special Provision shall apply on lands

described as Part Lot 2, Concession 9, Division C, in the former Township of Guelph, as illustrated on Schedule “A” of this By-law:

- i) Minimum Lot Frontage 26.26 m
- ii) Permitted uses shall only include Conservation uses as defined below:
“Conservation”, shall mean uses complementary to and compatible with the wise management and preservation of the natural environment, along with any of its significant biophysical features and ecological functions. Conservation may include uses such as reforestation, forest management, fish and wildlife management, erosion control, flood control and passive recreation.

[By-law 83-2005]

21.133 Notwithstanding the provisions of the Rural Residential (RR) Zone, on the lands described as Part of Lots 20 and 21, Concession 1, former Township of Eramosa, illustrated on Schedule ‘A’, the following provisions shall apply:

- i) Minimum Lot Frontage 2.5 metres
(Existing Place of Worship building)
- ii) Minimum Interior Side Yard 2.5 metres
(Existing house/manse)

[By-law 4-2006]

21.134 Notwithstanding the definition of Agricultural Use, on lands described as 5352 Eramosa-Erin Townline, Part Lot 12, Concession 7 in the former Township of Eramosa, as illustrated on Schedule “A” of this By-law, the barn on the subject property shall not be utilized for the breeding, raising or training of horses or cattle; farms devoted to the hatching, raising and marketing of chickens, turkeys or other fowl or game birds, animals, fish or frogs; riding stables; the raising of sheep or goats, the raising of swine; or other livestock uses.

[By-law 16-2006]

21.135 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Lot 16, Part Lot 17, Concession 4, Division B, in the former Township of Guelph, illustrated on Schedule “A”, two (2) detached dwellings shall be permitted.

Notwithstanding the provisions of the Agricultural (A) Zone, if the existing second detached dwelling is rebuilt, the footprint of the new dwelling shall overlap in part with the footprint of the existing dwelling as it existed on the date of the passing of

this By-law and access to the second dwelling shall be limited to the existing shared driveway access to Wellington Road 30.

[By-law 15-2006]

21.136 [Removed by By-law 40-2016]

21.137 Notwithstanding the regulations of the Agricultural (A) Zone, lands located within Part of Lot 18, Concession 4 E.O.G.R. in the former Township of Pilkington shall have a minimum lot area of 9.2 ha (22.7 ac), as illustrated on Schedule “A” of this By-law.

[By-law 60-2006]

21.138 Notwithstanding the provisions of the Agricultural (A) Zone and the General Provisions of this By-law, on lands described as Lot 32, Concession 2, being Parts 1 to 4 on 61R-10351 (#19 and #39 River Glen Path) in the former Township of Nassagaweya, as illustrated on Schedule “A” of this By-law”:

- i) Section 5.6 (“Street Frontage Required”) shall not apply
- ii) “**Lot Line, Front**” means the lot line abutting River Glen Path, where the principal access to the lot is provided, shall be deemed to be the front lot line.

21.139 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 9, 10 and 11, Concession 12, in the former Township of Guelph, illustrated on Schedule “A” to this By-law, the following provisions shall apply:

- a)
 - i) Two (2) detached dwellings shall be permitted;
 - ii) Access to both dwellings shall be limited to the existing driveway access to Guelph-Nichol Townline;
 - iii) The new dwelling shall be located in proximity to the existing buildings within the area identified in By-law 46/2007.
- b) The above provisions are no longer valid upon removal of one of the two detached dwellings.

[By-law 46-2007]

21.140 Notwithstanding the provisions of the Agricultural (A) Zone and the General Provisions of this By-law, on lands described as Parts of Lot 2 & 3, Concession 2, in the former Township of Eramosa, as illustrated on Schedule “A” of this By-law:

- i) Section 4.7 (Street Frontage Required) shall not apply
- ii) Minimum setback from all lot lines 7.5 m
- iii) Minimum length of any lot line 114 m
- iv) Minimum frontage 0 m

[By-law 60-2007]

21.141 Notwithstanding the General Provisions of this By-law and the provisions of the Rural Residential (RR) and Environmental Protection (EP) Zone, on the lands described as Part of Lot 18, Concession 4, in the former Township of Pilkington, illustrated on Schedule “A” to this By-law, the following provisions shall apply:

- i) Section 4.25 Setbacks from Environmental Protection (EP) Zone does not apply;
- ii) Section 4.23 Watercourse Setbacks does not apply; and
- iii) No Person shall use any lot or erect, alter or use any building or structure within 15 m from the centre of the Municipal Drain.

[By-law 83-2007]

21.142 Notwithstanding the General Provisions of this By-law and the provisions of the Rural Residential (RR), on the lands described as Part Lots 5, 6, & 7, Plan 365, in the former Township of Guelph, illustrated on Schedule “A” to this Bylaw, the following provisions shall apply:

- i) Minimum lot area of 0.2 hectares (0.5 acres);
- ii) Minimum lot frontage of 17.5m for Unit 5 identified on the draft plan of vacant land condominium (23CD-04004);
- iii) Notwithstanding the definition of “Street” provided in Section 3 of the Bylaw for the purposes of this section “Street” shall mean the internal road provided through the draft plan of vacant land condominium.

[By-law 17-2008]

21.143 Notwithstanding the provisions of the Agricultural (A) Zone and the General Provisions of this By-law, on lots whose principal access is provided via River Glen Path (a private lane) as illustrated on Schedule “A” of this Bylaw:

- i) Section 4.7 (“Street Frontage Required”) shall not apply
- ii) “Lot Line, Front” means the lot line abutting River Glen Path, where the principal access to the lot is provided and shall be deemed to be the front lot line.

21.144 Notwithstanding the General Provisions of this By-law and the provisions of the Highway Commercial (C4) Zone, on the lands municipally known as 7956 Highway 7 and legally described as Part of Lot 11, Concession 3, Division C in the former Township of Eramosa, illustrated on Schedule “A” to this By-law, the following provisions shall apply:

Permitted Uses:

A landscape supply yard, specializing in the retail and commercial sales of natural stone, mulch, soil, decorative stone, interlocking paving stones, and the accessories associated to landscape installation and maintenance.

Regulations:

The General Provisions set out in Section 4 of this By-law and the Regulations set out in the Highway Commercial Zone (C4), Section 13.2 shall apply with the following exemptions and additions.

- i. Outdoor storage and display area is allowed to cover up to 80% of the lot area;
- ii. The site is to be treated to prevent erosion and the raising of dust and loose particles;
- iii. The site is to be graded and drained so as to prevent the pooling of surface water or the flow of surface water to adjacent lots.

[By-law 19-2008] [Amended by By-law 60-2020]

21.145 Notwithstanding the General Provisions of this By-law and the provisions of the Rural Residential (RR) Zone, on the lands described as Part of Lot 12, Concession 7, in the former Township of Eramosa, illustrated on Schedule “A” to this By-law, the Minimum Lot Frontage shall be 26.9 m.

[By-law 37-2008]

21.146 Notwithstanding the provisions of the Agricultural (A) Zone on the lands described as 5887 Splint Road (Lot 14 S/W side of CP Railway, Concession 5, formerly Township of Pilkington, Township of Guelph/Eramosa, illustrated on Schedule “A” to this by-law the following provisions apply:

- i) A Garden Suite shall be a permitted use for a period of time which shall not exceed ten (10) years from the day of passing of By-law 41/2008; and
- ii) The Garden Suite shall have a maximum floor area of 112 m².

[By-law 41-2008]

21.147 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as 5520 Wellington Road 39, Part of Lots 11 and 12, Concession 5, Division D, Former Township of Guelph, in the Township of Guelph/Eramosa, and illustrated on Schedule “A” to this By-law, a detached dwelling unit shall not be permitted.

Notwithstanding the provisions of the Agricultural (A) Zone, the following provisions shall apply:

- i) Minimum Lot area 32 ha (79.07 ac)

[By-law 57-2008]

21.148 Notwithstanding the General Provisions of this By-law and the provisions of the Rural Industrial (M1) Zone, on the lands described as Concession 6 Part Lot 1 Registered Plan 61R3866 Part 3 Part 2 Subject to Easement 61R9977 Part 1, in the former Township of Eramosa, and known municipally as 8572 Highway 7, illustrated on Schedule ‘A’ to this By-law, the following regulations apply:

- i. An accessory detached dwelling shall be permitted, if occupied by an owner or employee of the site.
- ii. For clarity, agricultural uses shall not be permitted in any form.

[By-law 58-2008] [Amended by By-law 37-2016]

21.149 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 13, Concession 1, in the former Township of Eramosa, illustrated on the Schedule “A” to this By-law, the following additional uses are permitted and regulations apply:

- i) “Farm Product Sales Outlet” shall be permitted use and means a building, structure or use accessory and secondary to the farm for the sale of agricultural/farm related products, from the farm and local farming community and which may be subject to local value added processing are sold at retail to the general public.
 - a) Agricultural/farm related products may include fruit and vegetables, grains, meat, and milk products.
 - b) Local artisan’s crafts may be sold accessory to the agricultural/farm related products.
- ii) “Cottage Winery” shall be a permitted use and means a building, structure or use accessory and secondary to the farm which is used for making wines produced from fruit grown on the site, locally grown fruits and may include imported juices.

- a) Accessory to the on-site wine production of the 'Cottage Winery', limited on-site sale, of the final product shall be permitted subject to applicable licensing requirements.
- iii) "Food Consumption Area" shall be a permitted use and means a limited seating area where products available through other uses permitted on-site can be consumed, provided that:
 - a) Maximum gross floor area = 160 m² (1,722 ft²)
- iv) All buildings, structures, parking and loading areas used for the purpose of the uses permitted by the Special Provision shall not occupy an area exceeding 0.4 ha (1.0 ac)
- v) Maximum total gross floor area for uses permitted by the Special Provision = 865 m² (9,310 ft²)
- vi) The definitions of the additional permitted uses shall not include a 'Restaurant', 'Retail Establishment' or 'Retail Food Store' as defined below:
 1. "Restaurant", a building or part thereof, where food or refreshments are prepared and offered for retail sale to the public for immediate consumption either on or off the premises, take out or drive through service.
 2. "Retail Establishment", means a building or structure or part thereof, in which goods, merchandise, substances, or articles are offered or kept for sale at retail, but does not include any establishment otherwise defined or classified herein.
 3. "Retail Food Store", means a building or structure or part thereof in which food, goods, wares, merchandise, substances, or articles are offered or kept for sale at retail, but does not include any establishment otherwise.

[By-law 24-2009]

21.150 Notwithstanding the General Provisions of this By-law and the provisions of the Rural Industrial (M1) Zone, on the lands described as NE ½ of Lot 2, Concession 3, in the former Township of Guelph, illustrated on Schedule "A" to this By-law, the following additional regulations shall apply:

- i) Section 14.2.9 (Retail, Wholesale or Office Uses Accessory to a Permitted Use) does not apply, and is replaced with the following regulations, when the land is used as a 'Fuel Storage Establishment' and a 'Transport Establishment'.
 - a) A business Office use is permitted accessory to the existing 'Fuel Storage Establishment' and 'Transport Establishment' subject to the following provisions:
 - a. Maximum Gross floor area = 1,700 m²
 - b. Floor area devoted to the accessory business Office use may be located in up to two (2) separate buildings.

- b) An accessory retail outlet, Wholesale Outlet or showroom would be a permitted use to a maximum gross floor area devoted to the accessory business Office use and shall be located within one building.

[By-law 32-2009]

21.151 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone and the Environmental Protection (EP) Zone, on the lands described as Part of Lot 5, 6, and 7, Concession 4, Division D, in the former Township of Guelph, illustrated on Schedule “A” to this By-law, the following shall apply:

- i) Minimum Lot area = 10 ha (24.7 ac)
- ii) On the lands Zoned Agricultural (A) a flourmill, grain elevators and accessory uses are permitted in addition to the uses permitted under Section 6.1. These uses would not be permitted in the lands Zoned Environmental Protection (EP). The flourmill, grain elevators and accessory uses are subject to the following provisions:
 - a) All building, structures, parking, access and loading areas associated with the flourmill, grain elevators and accessory uses shall not occupy an area exceeding 6.7 ha (16.5 ac).
 - b) Section 4.7 ‘Street Frontage Required’ does not apply;
 - c) ‘Lot Line, Front’ means the lot line abutting the hydro corridor, where the principle access to the lot is provided, shall be deemed to be the front lot line;
 - d) Minimum Lot Frontage = 100 m
 - e) Minimum Rear Yard Setback (adjacent to railway) = 20 m
 - f) Maximum Gross Building Floor Area (not including silos) = 3,000 m²
- iii) The provisions provided in Section ii of this Special Provision do not apply to the uses permitted under Section 6.1.

[By-law 34-2009]

21.152 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as 5600 Fourth Line, Part of the NE Half Lot 18, Concession 3, Former Township of Eramosa, and illustrated on Schedule “A” to this By-law, the following provisions shall apply:

- i) A “Detached Dwelling Unit” shall not be permitted; and
- ii) A minimum “Lot area” of 35.6 ha is required.

[By-law 73-2009]

21.153 Notwithstanding the General Provisions of this By-law and the provisions of the Rural Industrial (M1) and the Environmental Protection (EP) Zone on the lands

described as NE ½ Lot 2, Concession 1, Division B, former Township of Guelph, further identified as Part 2 of Severance Sketch prepared for application B 74/07 & B 75/07, illustrated on Schedule “A” to this By-law, the following provision shall apply:

- i) Minimum Lot Frontage = 20.0 m
- ii) No Person shall use the lot or erect, alter or use any building or structure for any purpose except the following permitted uses:
 - a) The primary permitted use shall be vehicular access to lands identified as subject to Special Provision 21.154
 - b) In accordance with Section 4.2 of the By-law a use accessory to the primary permitted use of vehicular access shall be permitted.
- iii) Section 4.27 & Section 4.28 (‘Outdoor Display’ and ‘Open Storage’) does not apply.

[By-law 84-2009]

21.154 Notwithstanding the General Provisions of this By-law and the provisions of the Rural Industrial (M1) Zone and Holding Provision (H) on the lands described as NE ½ Lot 2, Concession 1, Division B, former Township of Guelph, further identified as Part 1 of Severance Sketch prepared for application B 74/07 & B 75/07, illustrated on Schedule “A” to this By-law, the following provisions shall apply:

- i) Section 4.7 (‘Street Frontage Required’) shall not apply.
- ii) ‘Lot Line Front’ means the lot line abutting the railway right-of-way, where principal access to the lot is provided and shall be deemed to be the front lot line.
- iii) Vehicular access to the lands is permitted by the lands identified as subject to Special Provision 21.153.

[By-law 84-2009]

21.155 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) one on the lands described as Part of Lot 21 & 22, Concession 4, Division D, former Township of Guelph, further identified as Part 1 and 2, 61R-11274, as illustrated on Schedule “A” to this By-law, the following provisions shall apply:

- i) “**Industrial Use**” shall be a permitted use limited to the warehouse and manufacture of industrial, automotive and commercial vehicle components and systems.
- ii) Minimum Front Yard Setback for existing buildings or structures = 18.5m from the centre line of the street.
- iii) Minimum Lot area = 2.85 ha (7.04 ac).

[By-law 87-2009]

21.156 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) and Environmental Protection (EP) Zones, on the lands described as 5689 Fourth Line, Part of Lot 20, Concession 4, Former Township of Eramosa, in the Township of Guelph/Eramosa, and illustrated on Schedule “A” to this By-law, the following provisions shall apply:

- i) A “Detached Dwelling Unit” shall not be permitted; and
- ii) A minimum “Lot area” of 32 ha is required.

[By-law 63-2010]

21.157 Notwithstanding the provisions of the Village Residential Low Density (R1) and the Open Space (OS1) Zones on the lands described as the West Halves of Lot 3 and 4, Concession 5, in the former Township of Eramosa, illustrated on Schedule ‘A’ to this By-law, the following provisions shall apply:

- i) For the purposes of this provision ‘Dwelling, Townhouse’ means a Residential building divided vertically to provide 3 or more units, each unit having independent entrances to a front and rear yard immediately abutting the front and rear walls of each Dwelling Unit. The Dwelling units of a cluster townhouse do not require frontage on a public street.

General Provisions

- ii) Notwithstanding Section 5.1 (Parking Requirements) the following off-street parking requirements shall apply:
 - a) 2 spaces per Dwelling Unit; plus
 - b) 0.5 spaces per Townhouse or Semi-Detached Dwelling Unit to be dedicated and signed for visitor parking and located in shared off-street parking area(s).
- iii) Notwithstanding Section 5.1.10.3 (Ingress and Egress of Parking Areas for Residential Uses) the driveway associated with Semi-Detached or Townhouse shall be setback 0.0 m from the side lot line where the permitted interior side yard is 0.0 m, not including the exterior lot line when it serves as the point of access.
- iv) Notwithstanding Section 4.9 (Yard Encroachments) balconies and steps and ramps, covered or uncovered, or unenclosed porches or decks may project into any required yard a distance of not more than 3.5 m. Notwithstanding this, no such structure shall be permitted to encroach beyond a point that is closer than 2.5 m from a property boundary.

- v) Notwithstanding Section 4.25 (Setbacks from Environmental Protection (EP) Zone) no building or structure shall be constructed within 1.5m from the limit of the Environmental Protection (EP) Zone.
- vi) For greater certainty, the balance of the General Provisions of the By-law not specifically superseded herein shall continue to apply.

Village Residential Low Density (R1) Special Provision 21.157

- vii) No Person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following permitted uses:

- Accessory use in accordance with Section 4.2 of this By-law
- Bed and breakfast establishment
- Detached Dwelling
- Home Occupation
- Public open space uses
- Semi-Detached dwelling
- Townhouse Dwelling (cluster)

- viii) Regulations for Detached Dwellings:

- a) Minimum Lot area 350.0 m²
- b) Minimum Lot Frontage 11.0 m
- c) Minimum Front Yard 6.5 m subject to Section 4.19
- d) Minimum Rear Yard 7.5 m if the lot depth is greater than 33 m or 6.5 m if the lot depth is less than or equal to 33 m
- e) Minimum Interior Side Yard
 - One Side 1.2 m
 - Other Side Yard 0.6 m
- f) A minimum of 1.8 m shall be maintained between adjacent foundations
- g) Minimum Exterior Side Yard 4.5 m subject to Section 4.19
- h) Maximum Lot Coverage 50%
- i) Maximum Height 10.6 m

- ix) Regulations for Semi-Detached Dwellings (Each Unit)

- a) Minimum Lot area 200.0 m² for each Dwelling Unit
- b) Minimum Lot Frontage 8.0 m
- c) Minimum Front Yard 6.5 m subject to Section 4.19
- d) Minimum Rear Yard 7.5 m
- e) Minimum Interior Side Yard

- | | | |
|--|-----------------|-------|
| | One Side | 1.5 m |
| | Other Side Yard | 0.0 m |
- f) A minimum of 3.0 m shall be maintained between adjacent foundations.
- | | | |
|----|----------------------------|--------|
| g) | Minimum Exterior Side Yard | 4.5 m |
| h) | Maximum Lot Coverage | 50% |
| i) | Maximum Height | 10.6 m |
- x) Regulations for Townhouse Dwellings
- | | | |
|----|----------------------------|---|
| a) | Minimum Lot area | 200.0 m ² for each Dwelling Unit |
| b) | Minimum Lot Frontage | 18.0 m |
| c) | Minimum Width | 7.0 m for each Dwelling Unit |
| d) | Minimum Front Yard | 6.5 m to each Dwelling Unit |
| e) | Minimum Rear Yard | 7.5 m to each Dwelling Unit |
| f) | Minimum Interior Side Yard | |
| | One Side | 1.5 m |
| | Other Side Yard | 0.0m between attached Dwelling units |
- g) A minimum of 3.0 m shall be maintained between the foundations of adjacent blocks of attached Dwelling units.
- | | | |
|----|----------------------------|--------|
| h) | Minimum Exterior Side Yard | 4.5 m |
| i) | Maximum Lot Coverage | 50% |
| j) | Maximum Height | 10.6 m |

[By-law 39-2011]

21.158 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) and Environmental Protection (EP) Zones, on the lands described as 7359 Wellington Rd 51, Part Lots 26, 27, 28, 29, Concession 4, Division D, Former Township of Eramosa, in the Township of Guelph/Eramosa, and illustrated on Schedule “A” to this By-law, the following provisions shall apply:

- i) A “Detached Dwelling Unit” shall not be permitted; and
- ii) A minimum “Lot area” of 25.2 ha is required.

[By-law 69-2011]

21.159 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Guelph Division E, Concession 2, Part Lots A & B, Reference Plan 61R6686, Part of Parts 36, 37, 40, 42, 43 & 44, and Parts 39 & 41, illustrated on Schedule “A” to this By-law, the following provision shall apply:

- i. Minimum Lot Area 26.79 ha (66.2 ac)

[By-law 89-2016]

21.160 Notwithstanding the General Provision of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as 5858 Wellington Road 7, Part Lot 15, Concession 1, East of the Grand River, Former Township of Pilkington, in the Township of Guelph/Eramosa, and illustrated on Schedule 'A' to this By-law, the following provisions shall apply:

- i) A "Detached Dwelling Unit" shall not be permitted; and
- ii) A minimum "Lot area" of 20.8 ha is required

[By-law 25-2012]

21.161 Notwithstanding the General Provision of this By-law and the provisions of the Agricultural (A) and Environmental Protection (EP) Zones, on the lands described as 5456 Fourth Line, Part Lot 14, Concession 3, Former Township of Eramosa, in the Township of Guelph/Eramosa, and illustrated on Schedule 'A' to this By-law, no Person shall use land or erect or use a building or structure except in accordance with the following:

Permitted Uses

- An agricultural related business including the repair, service and storage of agricultural equipment;
- A welding Machine Shop;
- The storage and display of antique farm tractors and other farm equipment;
- Uses accessory to the foregoing including a residence with parking garage.

[By-law 26-2012]

21.162 Notwithstanding the General Provision of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as 5452 Fourth Line, Part Lot 14, Concession 3, Former Township of Eramosa, in the Township of Guelph/Eramosa, and illustrated on Schedule 'A' to this By-law, the following provisions shall apply:

- i) A minimum "Lot area" of 7.22 ha is required.

[By-law 26-2012]

21.163 Notwithstanding the provisions of the Environmental Protection (EP) Zone, on the lands described as 7992 Mill Road Division C, Concession 11, Parts of Lots 10 and 11, RP61R10410 Parts 1 and 2 Former Township of Guelph (McMurty/1836853 Ontario Inc.), and illustrated on Schedule 'A' to this By-law, the following provisions shall apply:

- i) A 'garage' and associated tunnels shall be permitted on lands Zoned Environmental Protection (EP).
- ii) An existing guest house is permitted on lands Zoned Environmental Protection (EP).

[By-law 30-2012]

21.164 Notwithstanding the provisions of the Rural Industrial (M1) Zone on the lands described as Part of Lot 2, Concession 2, Division B, former Township of Guelph and illustrated on Schedule "A" to this By-law, the following additional use is permitted and regulations apply:

- i) An animal crematorium shall be a permitted use subject to applicable Ministry of the Environment approval(s). The animal crematorium shall be limited to the cremation of domestic animals. Domestic animals include such animals as cats, dogs and horses.
- ii) The animal crematorium shall be located within the existing industrial building and shall not exceed 465 m² of gross floor area within such building.
- iii) The minimum rear yard from the existing industrial building shall be 4.05 m.

[By-law 39-2012]

21.165 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Part Lots 15-17, Concession 5, Division D and Part Lot 17, Concession 6, Division D, in the former Township of Guelph, illustrated on Schedule 'A' to this By-law, the following shall apply:

- i) A 'Detached Dwelling Unit' shall not be permitted; and
- ii) A 'Minimum Lot area' of 25.9 ha is required.

[By-law 62-2012]

21.166 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on part of the lands described as Part Lot 29, Concession 4, Division D, RP61R4774, Part 1 in the former Township of Guelph, illustrated on Schedule 'A' to this By-law, the following shall apply:

- i) A Farm Help Dwelling is a permitted accessory use.
- ii) 'Dwelling, Farm Help' shall mean a dwelling that is used for the housing of on-site farm labour where the workers assist on the subject farm on a regular basis.

[By-law 61-2012]

21.167 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Part Lot 14, Concession 3, in the former Township of Pilkington, illustrated on Schedule 'A' to this By-law, the following shall apply:

- i) A 'Detached Dwelling Unit' shall not be permitted.

[By-law 5-2013]

21.168 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Part Lot 25, Concession 4E, in the former Township of Eramosa, illustrated on Schedule 'A' to this By-law, the following shall apply:

- i) A 'Detached Dwelling Unit' shall not be permitted.

[By-law 9-2013]

21.169 Notwithstanding the General Provisions of this By-law and the provisions of the Institutional (I) Zone, on the lands described as SW Half Part Lot 3, Concession 4, former Township of Eramosa illustrated on Schedule 'A' to this By-law, the following shall apply:

- i) Permitted uses are limited to a School and accessory uses which may include a Child Care Centre.

[By-law 29-2013]

21.170 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as SW Half Part Lot 3, Concession 4, former Township of Eramosa, the following shall apply:

- i) A 'Minimum Lot area' of 33.49 ha is required.

[By-law 29-2013]

21.171 Notwithstanding the General Provisions of this By-law and the provisions of the Rural Industrial (M1) Zone, on the lands described as Part of Lot A, Concession 2, Division 'E' in the former Township of Guelph, Parts 1, 8 and 9, Plan 61R-11855 illustrated on the Schedule "A" to this By-law, the following additional use and regulations apply:

- i) "Automobile Sales Establishment" shall be a permitted use.
- ii) Minimum Rear Yard 10.0 m

- iii) Watercourse Setback (Section 4.23) 14.8 m
- iv) Setbacks from an Environmental Protection (EP) Zone 10.0 m
- v) The maximum number of vehicles parked or stored outside on the lands shall be limited to 550.
- vi) “Display Parking space” refers to a parking space provided on-site for the purposes of outdoor display and storage of a motor vehicle, accessory to an Automobile Sales Establishment. Display Parking spaces are provided in addition to the minimum parking requirement of a permitted use as established in the Parking Area Regulations (Section 5.1).
 - a. Maximum Display Parking spaces 480
 - b. Minimum Setback for Display Parking spaces 7.5m
 - c. Display Parking spaces are not subject to the lot area restrictions for Outdoor Display (Section 4.27).
- vii) Any driveway width used for joint ingress or egress shall have a minimum width of at least 3.5 m but not more than 12.0 m.
- viii) “Lot Line, Front” means the lot line abutting Whitelaw Road, where the principal access to the lot is provided, shall be deemed to be the front lot line.
- ix) On-site private wastewater treatment shall be limited to domestic use and may include car washing (subject to necessary approvals), but does not include wastewater associated with service bays, rustproofing and other vehicle related treatments.
- x) No building or structure shall be located closer than 12.2 metres from the Elmira Road right-of-way.

[By-law 60-2013]

21.172 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 16, Concession 4, former Township of Eramosa, and illustrated on Schedule ‘A’ to this By-law, the following shall apply:

- i) A ‘Detached Dwelling Unit’ shall not be permitted.

[By-law 52-2013]

21.173 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 16, Concession 4, former Township of Eramosa, and illustrated on Schedule ‘A’ to this By-law, the following shall apply:

- i) The maximum total floor area permitted for all accessory buildings or structures located on the lot shall be limited to 8% (1,280 m²) of the total lot area (1.6 ha).

[By-law 52-2013]

21.174 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Part of NE ½ Lot 22, Concession 5, former Township of Eramosa, and illustrated on Schedule ‘A’ to this By-law, the following shall apply:

- i) A ‘Detached Dwelling Unit’ shall not be permitted.
- ii) A ‘Minimum Lot area’ of 34.9 ha is required.

[By-law 53-2013]

21.175 Notwithstanding the General Provisions of this By-law and the provisions of the Rural Residential (RR) Zone, on the lands described as Part of Lot 18, Concession 4 EGR, Former Township of Guelph illustrated on the Schedule “A” to this By-law, the following shall apply:

- i) “Contractor and Tradesperson Establishment” shall be an additional permitted use
- ii) Minimum Rear Yard = 1.5 m for the main building of the Contractor or Tradesperson Establishment
- iii) Section 4.2.3 (Location of Accessory Buildings) shall permit existing detached accessory structures to have a rear yard setback of 0.0 m.
- iv) Section 5.1.10.3 (Ingress and Egress to Parking areas) shall permit the existing driveway use for joint ingress or egress to a maximum of 9.7 m.
- v) Section 5.1.10.3 (Ingress and Egress to Parking areas) shall limit the number of driveways to a maximum of three (3).
- vi) Section 4.11.1 (Buffer Strip Requirements) shall permit the required Buffer Strip to be located onsite between the permitted Residential and Non-Residential Use.
- vii) Section 4.25 (Setbacks from Environmental Protection (EP) Zone) shall permit any development on-site that satisfies the setback requirements of the applicable Rural Residential (RR) Zone and the relief granted through this Special Provision to comply with the setbacks required from the Environmental Protection (EP) Zone.

[By-law 24-2014]

21.176 Notwithstanding the General Provisions of this By-law and the provisions of the Village Residential Low Density (R1) Zone, on the lands described as NE Half of Part of Lot 6, Concession 4, former Township of Eramosa, illustrated on Schedule ‘A’ to this By-law, the following shall apply:

- i) Additional permitted uses include:
 - a. School
 - b. Place of Worship

- c. Accessory uses which may include a Child Care Centre or parking lot
- ii) The School, Place of Worship, and accessory uses shall be subject to the regulations of the Institutional (I) Zone.
- iii) The additional permitted uses are permitted without the removal of the Holding Provision.

[By-law 13-2014]

21.177 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as 8445 Sideroad 10, Part Lot 10, Concession 5, in the Geographic Township of Eramosa, now in the Township of Guelph/Eramosa, and illustrated on Schedule 'A' of this By-law, the following shall apply:

- i) A 'Detached Dwelling Unit' shall not be permitted
- ii) Minimum Lot area is 31.55 ha

[By-law 19-2014]

21.178 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Concession 2 Division B, Part Lot 3 in the former Township of Guelph, and known municipally as 5089 Wellington Rd 32, illustrated on Schedule 'A' to this By-law, the following additional uses are permitted and regulations apply:

- i. "Farm Produce Sales Outlet" shall be a permitted use and means a building, structure or use accessory and secondary to the farm for the sale of agricultural/farm related products, from the farm and local farming community and which may be subject to local value-added processing are sold at retail to the general public.
 - a. Agricultural/farm related products may include fruit and vegetables, grains, meat and milk products.
 - b. Local artisan's crafts may be sold accessory to the agricultural/farm related products.
- ii. "Farm-Related Tourism Business" means those agriculturally-related tourism uses that promote the enjoyment, education or activities related to the agricultural operation. The principle activity on the property must remain agricultural production. As such, uses must:
 - a. Be dependent on the existence of the agricultural operation,
 - b. Use products that are produced on the property or related to agriculture,
 - c. Enhance the agricultural nature of the property, and
 - d. Not present any limitation to future agricultural activities. Such activities could include hay or corn maze, petting zoo, hay/sleigh rides, pumpkin chucking, farm tours, and processing demonstrations.

- iii. “Farm-Related Bakery” shall be a permitted use and means a building or part thereof, where food or refreshments are prepared and offered for retail sale to the public for immediate consumption either on or off the premises. The majority of products offered will [By-law have some connection to the farm or immediate farming community.
- iv. “Multi-Purpose Event Facility” shall be a permitted use and means a service commercial establishment used for the purposes of birthday parties or other small events. Cooking classes and other similar activities which share knowledge about agricultural production or use farm-produced products shall be a permitted use of this facility. The Multi-Purpose Event Facility shall be a limited use concurrent with seasonal farm activities.
 - a. Maximum Gross floor area of the Multi-Purpose Event Facility 255 m²
- v. Maximum combined Gross floor area devoted to uses permitted by i., iii, & iv. shall not exceed 670 m².
- vi. Maximum combined developable area devoted to uses permitted by i., iii, & iv. shall not exceed 1.06 ha (2.6 ac).
- vii. Minimum Lot area 20.7 ha (53.5 ac)
- viii. Front Yard Setback for Existing Buildings 3.9 m

[By-law 12-2015]

21.179 Notwithstanding the provisions of the Agricultural (A) Zone on the lands municipally described as 5838 Fifth Line (Part Lot 24, Concession 4), formerly Township of Eramosa, Township of Guelph/Eramosa, illustrated on Schedule ‘A’ to this by-law, Garden Suite with a maximum floor area of 116 square metres shall be a permitted use for a period of time which shall not exceed twenty (20) years from the day of passing of By-law No. 22/2015 being the 16th day of March, 2015.

[By-law 22-2015]

21.180 Notwithstanding the provisions of the Agricultural (A) Zone on the lands municipally described 5495 Fourth Line (CON 4 PT LOT 15 RP 61R756 PART 1), formerly Township of Eramosa, Township of Guelph/Eramosa, illustrated on Schedule ‘A’ to this by-law, the minimum lot area shall be 28.45 hectares and a ‘detached dwelling unit’ shall not be permitted.

[By-law 28-2015]

21.181 Notwithstanding the provisions of the Agricultural (A) Zone on the lands municipally described 5439 Wellington Rd 29 (Concession 2, Part Lot 14), formerly Township of Eramosa, Township of Guelph/Eramosa, illustrated on Schedule ‘A’ to this by-law, a ‘detached dwelling unit’ shall not be permitted.

[By-law 31-2015]

21.182 Notwithstanding the provisions of the Institutional (I) Zone on the lands municipally described 107 Harris St., Rockwood (PLAN 65 PT LOT E S/S HARRIS), formerly Township of Eramosa, Township of Guelph/Eramosa, illustrated on Schedule 'A' to this by-law, a 'Social Service Establishment' shall be permitted. The exterior side yard setback shall be 1.82 m, and the rear yard setback shall be 6.44 m.

[By-law 71-2015]

21.183 Notwithstanding the provisions of the Agricultural (A) Zone on the lands municipally described 6838 Wellington Rd 124 (Guelph Div B Con 5 Pt Lot 2 RP 61R9754 Part 4), formerly Township of Guelph, Township of Guelph/Eramosa, illustrated on Schedule 'A' to this by-law, the accessory sale of ornamental landscape products and seasonal decorating merchandise shall be permitted.

On-Farm Diversified Uses shall be restricted to a total area of 444 m², which shall include all related structures and required parking spaces. Of this 444 m², the accessory sale of non-agricultural retail items will be restricted to a gross floor area of 118 m².

[By-law 79-2015]

21.184 Notwithstanding the provisions of the Rural Industrial (M1) Zone, on lands legally described as Division C Concession 2 Part Lot 9, Part Lot 10, and Part Lot 11, in the former Township of Guelph, and municipally addressed as 7861 Highway 7, illustrated on Schedule "A", the following uses shall be permitted in addition to the uses of the Rural Industrial zone:

- Agricultural research and/or breeding and/or grading operation
- Agricultural supply establishment
- Agricultural use
- Commercial greenhouse
- Feed mill
- Grain elevator
- Grain storing, weighing, drying operation
- Livestock sales barn
- One dwelling unit if occupied by the owner, caretaker, watchman or other similar person employed on the lot on which such dwelling unit is located
- Veterinary clinic

[By-law 40-2016]

21.185 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Division C, Concession 4, East Part Lot 9, in the former Township of Guelph, and known municipally as 7881 Eastview Rd, illustrated on Schedule 'A' to this By-law, a **salvage yard** is a permitted use.

[By-law 50-2016]

21.186 Notwithstanding the provisions of the Village Residential Low Density (R1) zone on the lands illustrated on Schedule 'A' to this By-law, the following provisions shall apply:

Parking, Stacking & Loading Area Regulations

- i. Notwithstanding Section 5.1.10.3 (Ingress and Egress to Parking Areas for Residential Uses) a driveway shall be a minimum width equal to the width of the garage door and a maximum width of 6 metres.

Regulations for Detached & Duplex Dwellings

- ii. Notwithstanding Section 8.2.1 (Regulations for Detached & Duplex Dwellings), the following regulations shall apply:

- a. Minimum Lot Area: 405 m²
- b. Minimum Lot Frontage: 11 m
- c. Minimum Front Yard: 6 m
- d. Minimum Rear Yard: 7.5 m
- e. Minimum Interior Side Yard:
 - One Side: 1.2 m
 - Other Side Yard: 0.6 m

A minimum of 1.8 m shall be maintained between adjacent foundations, save and except for Lots 4 & 5 (112 & 116 Drexler Avenue) which shall maintain a minimum of 1.2m between foundations within the side yards that separates Lots 4 & 5.

- f. Minimum Exterior Side Yard: 4.5 m
- g. Maximum Lot Coverage: 50%
- h. Maximum Building Height: 10.6 m

[By-law 63-2016] [Amended by By-law 74-2018]

21.187 Notwithstanding the provisions of the Village Residential Low Density (R1) zone on the lands illustrated on Schedule 'A' to this By-law, the following provisions shall apply:

Parking, Stacking & Loading Area Regulations

- i. Notwithstanding Section 5.1.10.3 (Ingress and Egress to Parking Areas for Residential Uses) a driveway shall be a minimum width equal to the width of the garage door and a maximum width of 6 metres.

Regulations for Detached & Duplex Dwellings

- ii. Notwithstanding Section 8.2.1 (Regulations for Detached & Duplex Dwellings), the following regulations shall apply:
 - a. Minimum Lot Area: 305 m²
 - b. Minimum Lot Frontage: 11 m
 - c. Minimum Front Yard: 6 m
 - d. Minimum Rear Yard: 6.5 m
 - e. Minimum Interior Side Yard:
 - One Side: 1.2 m
 - Other Side Yard: 0.6 m

A minimum of 1.8 m shall be maintained between adjacent foundations, save and except for Lots 83 & 84 (224 & 228 Edgar Bonner Avenue) which shall maintain a minimum of 1.4m between foundations within the side yards that separates Lots 83 & 84, and save and except for Lots 91 & 92 (256 & 260 Edgar Bonner Avenue) which shall maintain a minimum of 1.2 m between foundations within the side yards that separates Lots 91 & 92

- f. Minimum Exterior Side Yard: 4.5 m
- g. Maximum Lot Coverage: 50%
- h. Maximum Building Height: 10.6 m

[By-law 63-2016] [Amended by By-law 74-2018] [Amended by By-law 93-2017]

21.188 Notwithstanding the provisions of the Village Residential Medium Density (R2) zone on the lands illustrated on Schedule 'A' to this By-law, the following provisions shall apply:

Parking, Stacking & Loading Area Regulations

- i. Notwithstanding Section 5.1.10.3 (Ingress and Egress to Parking Areas for Residential Uses) a driveway shall be a minimum width equal to the width of the garage door and a maximum width of 6 metres and shall be permitted to be located 0 m from the side lot line where there is a common wall between dwelling units.

Regulations for Street Fronting Townhouse Dwellings (Per Unit)

- ii. Notwithstanding Section 9.2.5 (Regulations for Street Fronting Townhouse Dwellings), the following regulations shall apply:

- a. Minimum Lot Area: 175 m²
- b. Minimum Lot Frontage: 6 m
- c. Minimum Front Yard: 6 m
- d. Minimum Rear Yard: 6.5 m
- e. Minimum Interior Side Yard:
 - One Side: 1.5 m
 - Other Side Yard: 0.0 m between attached Dwelling Units

A minimum of 3.0 m shall be maintained between the foundations of adjacent blocks of attached Dwelling Units.

- f. Minimum Exterior Side Yard: 4.5 m
- g. Maximum Lot Coverage: 50%
- h. Maximum Building Height: 10.6 m

[By-law 63-2016]

21.189 Notwithstanding the provisions of the Agricultural (A) Zone on the lands municipally described as 8376 Highway 7 (Concession 5 W Part Lot 2), formerly Township of Eramosa, Township of Guelph/Eramosa, illustrated on Schedule 'A' to this by-law, a garden suite shall be a permitted use for a period of time which shall not exceed twenty (20) years from the day of passing of By-law No. 90/2016 being the 19th day of December, 2016.

[By-law 90-2016]

21.190 Notwithstanding the provisions of the Agricultural (A) Zone on the lands municipally described as 5807 Fourth Line (West Part Lot 23 and East Part Lot 24, Concession 4), formerly Township of Eramosa, Township of Guelph/Eramosa, illustrated on Schedule 'A' to this By-law, a garden suite shall be a permitted use for a period of time which shall not exceed twenty (20) years from the day of passing of By-law No. 8/2017 being the 16th day of January, 2017.

[By-law 8-2017]

21.191 Notwithstanding the provisions of the Village Residential Low Density (R1) zone on the lands illustrated on Schedule 'A' to this By-law, the following provisions shall apply:

Definitions

- i. Notwithstanding Section 3 (Definitions), a 'lot' shall be defined as a unit as shown on a Registered Plan of Condominium with frontage and access obtained from a common element road.

Setbacks from Environmental Protection Zone

- ii. Notwithstanding Section 4.25 (Setbacks from Environmental Protection Zone), a minimum setback of 0 m shall be provided from the Environmental Protection Zone in accordance with an approved Environmental Impact Study.

Ingress and Egress to Parking Areas for Residential Uses

- iii. Notwithstanding Section 5.1.10.3.2.b (Ingress and Egress to Parking Areas for Residential Uses), Lots 1 and 2 shall be permitted to have a maximum driveway width of 6 m.

Regulations for Detached and Duplex Dwellings

- iv. Notwithstanding Section 8.2.1.2 (Minimum Lot Frontage), the following regulations shall apply:
 - a. Lot 1: 9.7 m
 - b. Lot 2: 10.7 m
 - c. Lot 6: 13.1 m
 - d. Lot 7: 12.0 m
- v. Notwithstanding Section 8.2.1.3 (Minimum Front Yard), a minimum front yard of 4.0 m shall be provided for the habitable portion of the dwelling and a minimum front yard of 6.0 m for a garage.
- vi. Notwithstanding Section 8.2.1.5 (Minimum Interior Side Yard), the minimum interior side yard shall be 1.2 m.
- vii. Notwithstanding Section 8.2.1.7 (Maximum Lot Coverage), the maximum lot coverage shall be 45%.
- viii. Notwithstanding Section 8.2.1.8 (Maximum Building Height), the maximum building height shall be 2 storeys.

Holding Zone

Purpose:

To implement the recommendations of the Noise Impact Assessment prepared by MTE Consultants Inc. (dated August 10, 2015) on Lot 8.

Condition:

Prior to removal of the Holding Symbol "H" on all or some of that portion of the property as illustrated on Schedule "A", the owner shall complete the following condition to the satisfaction of the Township:

1. The owner provides confirmation that a development agreement has been entered into and registered on title of the subject lands to implement the recommendations of the Noise Impact Assessment.

[By-law 9-2017]

21.192 Notwithstanding the provisions of the Agricultural (A) Zone on the lands described as Concession 1, Part Lots 16 & 17, formerly Township of Eramosa, now in the Township of Guelph/Eramosa, illustrated on Schedule 'A' to this by-law, a 'detached dwelling unit' shall not be permitted and the minimum lot area shall be 31 hectares.

[By-law 25-2017]

21.193 Notwithstanding the provisions of the Agricultural (A) Zone, where the County of Wellington has approved the severance of a surplus farm residence property:

- a) the appropriate Zone Map in this by-law shall be annotated to reflect Special Provision 21.193(a) for the retained farm parcel;
- b) the appropriate Zone Map in this by-law shall be annotated to reflect Special Provision 21.193(b) for the surplus farm residence parcel;
- c) a detached dwelling is not permitted on the retained farm parcel zoned 21.193(a); and
- d) both the retained farm parcel and the surplus farm residence parcel shall be deemed to comply with the minimum lot area and lot frontage provisions of the Agricultural (A) zone.

[By-law 26-2017]

21.194 Notwithstanding the provisions of the Extractive Industrial (M3) zone on the lands illustrated on Schedule 'A' to this By-law, the following provisions shall apply:

Holding Zone

Purpose:

To ensure that the requirements of the Endangered Species Act are satisfied prior to aggregate extraction or related activities occurring within the confirmed habitat of the Little Brown Myotis (Little Brown Bat) on the Spencer Pit lands.

Permitted Interim Uses:

Notwithstanding the Holding Zone provisions of Section 2.12 of this By-law, on the lands subject to M3-21.194(H) only the following interim uses shall be permitted with the Holding Symbol "H".

- a) Existing Uses; and
- b) Conservation Uses.

Condition:

Prior to removal of the Holding Symbol “H” on that portion of the property described as Part of Lots 16 & 17, Division B, as illustrated on Schedule “A”, the owner shall complete the following condition to the satisfaction of the Township:

1. The owner provides confirmation that the requirements of the Endangered Species Act have been satisfied regarding the removal of the Little Brown Myotis (Little Brown Bat) habitat within the woodlot on the Spencer Pit lands.

[By-law 24-2017]

21.195 Notwithstanding the provisions of the Agricultural (A) Zone on the lands described as Concession 3, West Part Lot 18, formerly Township of Eramosa, now in the Township of Guelph/Eramosa, illustrated on Schedule ‘A’ to this by-law, a ‘detached dwelling unit’ shall not be permitted.

[By-law 36-2017]

21.196 Notwithstanding the provisions of the Agricultural (A) Zone on the lands described as Part of Lot 1 and Lots D, Division D, Concession 1, formerly Township of Guelph, now in the Township of Guelph/Eramosa, illustrated on Schedule ‘A’ to this by-law, the following provisions apply:

Additional Permitted Uses

- a) An outdoor snow disposal facility
- b) Temporary storage of excess soil
- c) Temporary outdoor storage of materials generated through normal forestry practice such as tree trunks, brush and wood chips
- d) Temporary outdoor storage of materials generated through normal horticultural practice such as plant material, plant bedding materials and topsoil
- e) Temporary storage of materials collected by street sweeping operations

Regulations

- a) Minimum setback from Wellington Road 124: 10 m

[By-law 51-2018]

21.197 Notwithstanding the provisions of the Agricultural (A) Zone on the lands municipally described as 8284 Indian Trail (Concession 3 Part Lot 2, Northeast Half of Lot 2), formerly Township of Eramosa, Township of Guelph/Eramosa, illustrated on Schedule ‘A’ to this by-law, a garden suite shall be a permitted use for a period of time which shall not exceed twenty (20) years from the day of passing of By-law No. 75/2018 being the 17th Day of December, 2018.

[By-law 75-2018]

21.198 Notwithstanding the provisions of the Agricultural (A) Zone on the lands municipally described as 5775 Sixth Line (Concession 6 Part Lot 22), formerly Township of Eramosa, Township of Guelph/Eramosa, illustrated on Schedule 'A' to this by-law, a garden suite shall be a permitted use for a period of time which shall not exceed twenty (20) years from the day of passing of By-law No. 54/2019 being the 12th day of August, 2019.

[By-law 54-2019]

21.199 Notwithstanding the provisions of the Agricultural (A) Zone on the lands municipally described as Part of Lot 7, Concession 6, formerly Township of Eramosa, now in the Township of Guelph/Eramosa, illustrated on Schedule "A" to this by-law, no dwelling or accessory structures shall be permitted.

[By-law 55-2020]

21.200 Notwithstanding the provisions of the Village Residential Medium (R2) zone, the following provisions shall apply:

Definitions:

The following definitions shall apply to the development of the lands identified on Schedule "A" attached hereto:

"Private Street" shall mean a private road which is maintained by a Condominium Corporation and which is open and passable during all seasons.

"Street Fronting Townhouse Dwelling" shall mean a townhouse located on a unit within a Vacant Land Condominium so that each dwelling unit has frontage on a private street.

Lot Area:

Notwithstanding anything to the contrary, the minimum Lot Area for a Street Fronting Townhouse Dwelling, as defined herein, shall be 175 square metres.

Rear Yard:

Notwithstanding anything to the contrary, the minimum Rear Yard for a Street Fronting Townhouse Dwelling, as defined herein, shall be 6.5 metres.

Lot Coverage:

Notwithstanding anything to the contrary, the maximum Lot Coverage for a Street Fronting Townhouse Dwelling, as defined herein, shall be 56%.

Building Height:

Notwithstanding anything to the contrary, the maximum Building Height for a Street Fronting Townhouse Dwelling, as defined herein, shall be 10.6 metres provided the height does not exceed two (2) storeys.

Driveways:

Notwithstanding the regulations in Section 5.1.10.3, the minimum width of a driveway shall be 3.0 metres and the regulation that requires a minimum 0.6 metre separation between each driveway shall not apply.

[By-law 04-2021]

21.201 Notwithstanding the provisions of the Rural Residential (RR) Zone on the lands municipally described as Guelph Con 3 Pt Lot 9 Div C Plan 444 Lots 20 and 21 Pt Johnstone St RP 61R2144 Parts 1 and 2 RP61R5345 Parts 14 and 30, in the former Township of Guelph, now in the Township of Guelph/Eramosa, illustrated on Schedule “A” to this By-law, the following shall apply:

i. Additional Permitted Uses:

The existing **building** is recognized as a **dwelling, apartment**, as defined by the By-law, and is permitted to expand by an additional 8 **dwelling units** to permit a total of up to 21 **dwelling units**.

ii. Regulations:

For the purpose of this By-law the minimum lot area is 0.4 hectares. All other provisions of Section 9.2.3 Regulations for Apartment Dwellings are applicable.

Parking Area Location:

Notwithstanding Section 5.1.10.2 Parking Area Location for a Residential Use, the driveway and **parking area** existing at the time of this By-law is permitted.

iii. Site Plan Control:

Prior to any development or site alteration taking place on site, Township approval of a site plan is required as per Site Plan Control By-law #61/2010.

[By-law 27-2021]

21.202 Notwithstanding the provisions of the Agriculture (A) Zone on the lands municipally described as Part Lot 21, Concession 5, former Township of Eramosa; Part Lot 22, Concession 5, former Township of Eramosa as in ROS564806; now in the Township of Guelph/Eramosa, illustrated on Schedule “A” to this By-law, the following shall apply:

- i) Additional Permitted Uses:
- a) a **seasonal special events venue**
 - b) an associated outdoor ceremony area
- ii) Regulations:
- a) Minimum **lot area**: 55 ha (135 ha)
 - b) Maximum **gross floor area**: 368 m² for a **special events venue**
 - c) That notwithstanding Section 6.2.9 of By-law 40/2016, the limit in area for all listed uses, including the uses listed in Section i) of this By-law shall be 1.21 ha (3 ac).
 - d) A **special events venue** is defined as:
“a **building** or **structure** that is used for the gathering of persons for weddings, receptions, day retreats, **seasonal** farm dinners, or similar functions and may include the consumption of food and beverages.”
 - e) That for the purpose of this By-law, **seasonal** shall mean from May 1st to October 31st, exclusively.
 - f) For further clarification only the uses listed below are limited to the following frequency:
 - Weddings and receptions – Thursday to Sunday
 - **Seasonal** farm dinners – up to ten (10) events
 - g) A maximum occupancy of 140 people, including staff, is permitted for a special event.
 - h) Amplified music or sound in relation to a **special event venue** shall be permitted to operate until 23:00 hours, subject to the noise By-law as amended.
 - i) A **farm produce sales outlet** shall be permitted to retail a limited amount of products from the local farming community that does not exceed 15% of total store sales.
- iii) Parking:
- a) That the material requirements within Section 5.1.7 Parking Surfaces and Drainage shall not apply to the **parking area** dedicated to the **seasonal special events venue**.
 - b) A minimum of sixty-six (66) parking spaces shall be required to be devoted to the seasonal special events venue.

iv) Site Plan Control:

- a) Prior to any development or site alteration taking place on site, Township approval of a site plan is required as per Site Plan Control By-law #61/2010 as amended.

[By-law 35-2021]

21.203

21.204 Notwithstanding the General Provisions of this By-law and the provisions of the Village Commercial (C1) Zone to the contrary, on the lands illustrated on Schedule "A" to this By-law, the following provisions shall apply:

General Provisions:

- i) Notwithstanding the provisions within Section 4.30 *Lots with More than One Zone* to the contrary, the subject lands shall be treated as one **lot**.
- ii) For the purposes of **lot frontage**, determination of the required yards and any other applicable regulations, the **lot line, front** shall be deemed to include all **lot lines** along Main Street South.
- iii) Notwithstanding Section 10.2.9 *Regulations for Apartment Dwellings, dwelling units* and/or residential uses are permitted to occupy the ground floor of any new **dwelling, apartment**.
- iv) For clarification purposes, item iii) does not apply to any **building** or **dwelling, apartment** existing at the time of this by-law or fronting onto Main Street South.
- v) Notwithstanding Section 4.25 *Setbacks from Environmental Protection Zone* a 0 m setback for any **building** or **structure** is permitted.
- vi) Notwithstanding Section 4.29 (5) *Amenity Areas for Multi-Unit Buildings*, an at grade outdoor **amenity area** is permitted to be closer than 4.5 m from a wall.

Parking:

- vii) In addition to the provisions within Section 5.1 *Parking Requirements*, a **parking space** may also include a parallel parking stall provided the width is a minimum of 2.7 m and the length is a minimum 6.5 m.
- viii) Notwithstanding Section 5.1.10.2(1) *Parking Area Location for Residential Uses*, a **parking area** shall be permitted in the **side yard** and the **rear yard**.
- ix) Notwithstanding Section 5.1.13 *Accessible Parking*, a minimum of three accessible **parking spaces** are required.

[By-law 51-2022]

21.205 Notwithstanding the General Provisions of this By-law and the provisions of the Environmental Protection (EP) Zone to the contrary, on the lands illustrated on Schedule “A” to this By-law, the following provisions shall apply:

General Provisions:

- i) Notwithstanding the provisions within Section 4.30 *Lots with More than One Zone* to the contrary, the subject lands shall be treated as one **lot**.
- ii) Within the Environmental Protection (EP) Zone along the north western portion of the site, a retaining wall may be permitted.
- iii) Within the Environmental Protection (EP) Zone that is regulated by the Grand River Conservation Authority and located on the south and south east side of the property, formalization of a **parking area** at existing grade is permitted.

Holding Zone (H):

Purpose

To ensure the necessary municipal and ministry approvals are obtained prior to development. A holding provision is in place for the entire property and that the removal of the holding will be based on specific conditions identified.

Prior to the removal of the Holding Symbol (H) from all or some of the property, the following conditions are to be addressed to the satisfaction of the Township:

- i) That site plan approval and the registration of a site plan agreement on title;
- ii) Obtaining the necessary permits and approvals from the Ministry of Transportation; and
- iii) Obtaining the necessary permits and approvals from the Grand River Conservation Authority.

Permitted Interim Uses:

Notwithstanding the Holding Provisions the following interim uses shall be permitted:

- i) Uses existing at the time of this by-law.

[By-law 51-2022]